

AN ORDINANCE OF THE CITY OF GREEN PARK, MISSOURI,  
AMENDING THE GREEN PARK MUNICIPAL CODE TO ADD  
PROVISIONS RELATING TO CONTROL OF ACCESS TO CITY  
FACILITIES

**Whereas**, the City of Green Park (“City”) owns and controls various enclosed facilities (“City Facilities”) for governmental operations and public services; and

**Whereas**, consistent with decisions of the United States Supreme Court, the City recognizes that public access to areas within City Facilities may be lawfully restricted based on their classification as a designated public forum, limited designated public forum, or nonpublic forum, depending on the intended use of each area; and

**Whereas**, certain areas within City Facilities are intended primarily for use by City employees in the conduct of official business, while other areas may be used occasionally for public meetings or for members of the public conducting legitimate business with City personnel; and

**Whereas**, the Board of Aldermen finds that regulating access to areas within City Facilities serves multiple legitimate governmental purposes, including maintaining order and preventing disruption of operations; protecting the privacy and confidentiality of sensitive information and individuals; reducing the risk of harassment toward City employees and contractors; preserving taxpayer-funded resources; ensuring the efficient and effective functioning of City operations; promoting public safety and security; and aligning access policies with the intended use of each space; and

**Whereas**, the Board of Aldermen declares its intent to adopt policies and procedures that classify and regulate access to City Facilities in accordance with constitutional principles and the legitimate interests of the City and its residents.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF GREEN PARK, MISSOURI, AS FOLLOWS:**

**Section One.** The Board of Aldermen hereby adopts a new Chapter 240, to read as follows:

**Chapter 240**

**Control of Access to City Facilities**

**Section 240.010 Findings and Policy.**

- A. Consistent with decisions of the U.S. Supreme Court, public access to areas within enclosed facilities owned, controlled, and leased (“City Facility”) by the City of Green Park (the “City”) may be restricted depending upon whether such areas are classified as “designated public forum,” “limited designated public forum,” or “nonpublic forum.”

How areas within City Facilities are classified is based upon their intended use. For example, there are certain areas which are intended primarily for the use of City employees in the conduct of their business; there are certain areas which, while primarily intended for the use of City employees in the conduct of their business, may from time to time be utilized for the convening of public meetings; there are certain limited areas which may be open to the public while engaging in legitimate business with City officers or employees; and there may be certain areas which are primarily intended for the convening of public meetings.

B. The reasons supporting the Board of Aldermen's adoption of this policy are myriad and directly related to legitimate governmental purposes, such as:

1. *Maintaining Order and Avoiding Disruption*: In areas where free expression is not the primary purpose (as designated herein), the City seeks to restrict activities that will interfere with the facility's operations or the rights of employees and others. Even in a limited designated public forum, such as an area reserved for a permitted event, access might be restricted to avoid conflicts between competing uses or groups.
2. *Protecting of Privacy and Confidentiality*: Certain City Facilities house sensitive information, such as personal data of city residents and businesses, while others have closed records pertaining to ongoing police investigations, or court files. Restricting access to these nonpublic areas ensures compliance with privacy laws (e.g., city policies or statutes requiring confidentiality) and protects individuals' rights. Furthermore, persons who are employed by the City, like their private sector counterparts, do not surrender their rights to privacy and to a workplace free from harassment simply by working for the government. Similarly, persons doing business with the City do not relinquish their expectation of privacy when they transact business at a City Facility or attend a City Event.
3. *Objects of Harassment*. Some City employees and contractors especially those in certain roles (e.g., law enforcement, zoning officials, building inspectors, or license officers), might face targeted harassment from individuals upset with their decisions. By designating their workspaces as nonpublic forums, the City can try to reduce the risk of such encounters. Protecting City employees' ability to work without fear of intrusion or harassment is a legitimate governmental purpose.
4. *Preserving of Resources*: Public facilities are funded by taxpayer money, and unrestricted access could lead to overuse, vandalism, or depletion of resources.
5. *Operational Efficiency and Functionality*: City Facilities, such as administrative offices, lobby, Board chambers, city records room, etc., are often designed for specific purposes. Allowing unrestricted public access to all areas could disrupt operations, hinder employees' ability to perform their duties, or compromise the facility's primary function. For example, a nonpublic forum like a city employee workspace is restricted to ensure productivity and focus.
6. *Public Safety and Security*: Restricting access helps protect both the public and city personnel from potential threats. Areas containing sensitive equipment, confidential

records, or hazardous materials may be classified as nonpublic forums to prevent tampering, theft, or harm.

7. *Intended Use*: The classification of a space reflects its designated purpose.

#### **Section 240.020 Access Management.**

The City Clerk is hereby authorized to manage public access to all areas within City Facilities. In accordance with the designations of City Facilities herein, the City Clerk is hereby authorized, subject to the availability of appropriated funds, to employ whatever means he deems necessary and appropriate to separate designated public forums from nonpublic forums, including, but not limited to the use of physical barriers and signage. The City Clerk shall also have the authority to develop and implement procedures to regulate and control public access within City Facilities to provide for the security and privacy of public visitors, City employees, officials, and officers, and to minimize potential disruptions to the work of City government. Any person who engages in conduct that causes disruptions to the work of City government shall be deemed to no longer be present within the City Facility on legitimate public business.

#### **Section 240.030 Designation of Space.**

- A. The City Board of Aldermen Chambers and areas in City Hall behind the front counter are hereby declared to be nonpublic forums unless or until a public meeting, City-authorized event, activity, or function (“City Event”) is convened in such areas pursuant to public notice or invitation and then such areas are limited public forums only until the City Event has concluded. All City employee work areas within City Hall and Board Chambers which are designated by appropriate signage as work areas shall be considered as nonpublic forums. Members of the public are prohibited from entering City employee work areas without being escorted by a City employee. All other areas of City Hall are hereby designated as limited public forums and only persons who are present to engage in legitimate public business with City officers or employees or for City Event shall be authorized.
- B. It shall be a violation of this Ordinance to be within a nonpublic forum or a limited public forum without authorization. Unauthorized persons found by the City Clerk or her designee to be within a nonpublic forum or a limited public forum and who refuse to leave the premises upon request, shall be considered a trespasser.
- C. Except within the Board of Aldermen Chambers in which a public meeting is being conducted pursuant to a public notice, or as otherwise approved by the City Clerk or authorized by law, it shall be unlawful and a violation of this Ordinance, to record video and/or sound within City Facilities, without the consent of all persons whose voice or image is being recorded. This prohibition shall not apply to any law enforcement activities. Audio and/or video recording of public meetings or when authorized must be undertaken in a quiet and orderly manner so as not to interfere with the conduct of such meeting or business, block the view of any person attending the public meeting, or block any aisle, row, ingress, or egress. In addition to being a violation of this Ordinance, if anyone who is observed to be recording video and/or sound within City Facilities - without the consent of all persons whose voice or image is being recorded, and such person refuses to cease activity after being advised that such activity is prohibited under

this Ordinance, such refusal shall be considered to be a disruption to the work of City government.

**Section 240.040 Enforcement.**

- A. The City Clerk or Mayor may have cause to remove any person they determine:
  - 1. Acts in any manner which violates or is reasonably suspected to violate any federal, state, or local law, ordinance, rule, or regulation; or
  - 2. Acts in any manner which violates any City rules or policy, including but not limited to the Facility Rules; or any directive on any sign or notice at the public property.
- B. The City Clerk and Mayor are hereby authorized on behalf of the City to warn persons of this prohibited activity and request such activity to cease.
- C. The City Clerk and Mayor are hereby authorized on behalf of the City to warn persons who have entered or remain in areas in which they are not authorized and to request such persons to leave.
- D. The City Clerk and Mayor are hereby authorized to call upon Law Enforcement to treat as trespassers any persons who refuse to depart after such a request has been made. Law Enforcement, at its option, may enforce any person's refusal to depart by means of Section 210.1060 of the Green Park Code, Section 210.1070 of the Green Park Code, or issue a trespass warning notice.

**Section 240.050 Facility Rules.**


- A. The following conduct is prohibited within the interior spaces of all City Facilities (the "Facility Rules"):
  - 1. Engaging in any conduct prohibited by federal, State of Missouri, or City of Green Pary ordinances.
  - 2. Possessing any weapons, except as specifically permitted by law.
  - 3. Smoking, chewing tobacco, use of e-cigarettes or vaping devises, or carrying any lighted or smoldering pipe, cigar, or cigarette.
  - 4. Disruptive, harassing, threatening, or unsafe behavior, including conduct that interferes with City employees or City officials in the performance of their duties, or interferes with the proper use of the City facility by others.
  - 5. Abusive or harassing behavior, including use or display or obscene language, gestures, or graphics.
  - 6. Blocking entrances, exits, fire exits, access areas, or otherwise interfering with the provision of services or the use of City property.
  - 7. Entering or remaining in nonpublic areas without authorization in violation of this Chapter. A
  - 8. Any act that results in substantial risk of harm to persons or property.


9. Disrupting City business, events, or other City sponsored or authorized activities.
10. Leaving unattended packages, backpacks, luggage, or other personal items. Any such items are subject to immediate confiscation.
11. Laying down or sleeping on chairs, benches, or otherwise.
12. Possession of illegal drugs.
13. Posting or affixing anything to City property without permission from the City Clerk (i.e., signs, leaflets, posters, flyers, pamphlets, brochures, and written, pictorial, graphic material of any kind, etc.).
14. Tampering with or unauthorized use of building or facility systems or devices, including electrical, plumbing, locks, doors, or cameras.
15. Audio and/or video recording anywhere inside of City buildings except in compliance with this Chapter.
16. Remaining in a City building after posted hours of operation or after the conclusion of an authorized “after hours” public meeting or event.
17. Failure to cease conduct specifically prohibited in items 1 through 16 above immediately after a request by City personnel to do so.

B. A copy of the foregoing Facility Rules shall be posted near all public entrances of City Facilities.

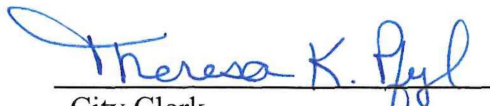
**Section Two.** This ordinance shall be in full force and effect on and after its passage and approval by the Board and execution by the Mayor.

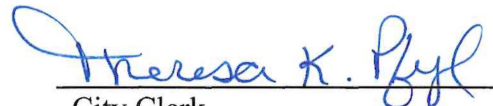
PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF GREEN PARK, MISSOURI THIS 17<sup>th</sup> DAY OF NOVEMBER 2025.

  
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Presiding Officer

  
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President of the Board

Attest:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Clerk