



CITY OF BALLWIN

14811 Manchester Road, Ballwin, MO 63011

BILL NO. 3719

ORDINANCE NO. _____

INTRODUCED BY

ALDERMEN TERBROCK, FINLEY, HARDER, DOGAN, FLEMING, LEAHY, BOERNER, KERLAGON

AN ORDINANCE PROHIBITING FUNERAL PROTESTS UNDER CERTAIN CIRCUMSTANCES WITHIN THE CITY OF BALLWIN.

WHEREAS, every citizen may freely speak, write and publish their sentiments on all subjects, but should not abuse such rights by imposing their sentiments on others and thereby disrupt or disturb funeral or burial services; and

WHEREAS, a significant governmental interest exists in protecting the peace and privacy of mourners accessing and participating in a funeral or burial service; and

WHEREAS, the City Council has determined that the City should protect the peace and privacy of mourners from disruption and disturbance for a short time and in the limited area immediately around such services, without limiting alternative channels for communication.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BALLWIN, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1: A new Section 17-37 is hereby adopted:

Sec. 17-37 FUNERAL PROTESTS PROHIBITED, WHEN -- CITATION OF LAW -- DEFINITION

(a). Every citizen may freely speak, write and publish the person's sentiments on all subjects, being responsible for the abuse of the right, but no person shall picket or engage in other protest activities, nor shall any association or corporation cause picketing or other protest activities to occur within three hundred (300) feet of any residence, cemetery, funeral home, church, synagogue, or other establishment during or within one (1) hour before or one (1) hour after the conducting of any actual funeral or burial service at that place.

(b). As used in this Section, "*other protest activities*" means any action that is disruptive or undertaken to disrupt or disturb a funeral or burial service.

(c). As used in this Section, "*funeral*" and "*burial service*" mean the ceremonies and memorial services held in conjunction with the burial or cremation of the dead, but this Section does not apply to processions while they are in transit beyond any three hundred (300) foot zone that is established under Subsection (A) above.

Section 2: This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____, 2013.

TIM POGUE, MAYOR

APPROVED this _____ day of _____, 2013.

TIM POGUE, MAYOR

ATTEST:

ROBERT KUNTZ, CITY ADMINISTRATOR