

RESOLUTION NO. 1161

A RESOLUTION ESTABLISHING CITY POLICY FOR HOLIDAY DECORATIONS

WHEREAS the City of Prineville ("City") has historically displayed in front of City Hall a "Nativity Scene" during the Christmas holiday season, and

WHEREAS the City received a complaint alleging that such a display as the sole focus of the City's holiday display was a violation of the first amendment of the U.S. Constitution, and

WHEREAS the citizens of the City of Prineville desire the City to continue to display the Nativity Scene during Christmas, and

WHEREAS the Prineville city council wants to continue to display a Nativity Scene at Christmas, and

WHEREAS Christmas has been declared a national holiday, and

WHEREAS the U.S. Supreme Court has held that a publicly sponsored religious symbol erected and maintained by City as part of a Christmas holiday display, including secular symbols does not violate the U.S. Constitution, and

WHEREAS the City of Prineville wishes to remain a welcoming place for people of all beliefs and show no particular favor to any belief.

NOW THEREFORE, the City of Prineville resolves as follows:

1. The City of Prineville will sponsor an annual Christmas display to be located at the plaza west of City Hall. Such display shall include a Nativity Scene and secular items. The City of Prineville may accept voluntary monetary donations, labor or physical items to support this event and may include at City's sole discretion, displays fully sponsored by other organizations, which are determined by the City to be related to the Christmas holiday season.
2. When deemed appropriate, the month of December may be declared "Christmas Holiday Month" and the plaza may be declared "Holiday Plaza."
3. City may allow food and beverage vendors to locate where and when appropriate in the plaza during the period of the holiday display. Such vendors must also register with Crook County Parks and Recreation District.
4. If any section, sentence, paragraph, term, or provision of this Resolution is for any reason deemed unconstitutional, illegal, or invalid by any court having jurisdiction of such matter, such portion shall be deemed as a separate, distinct, and independent provision and such determination will have no effect on the validity of any other section, sentence, paragraph, term, or provision hereof, all of which will remain in force and effect.

Passed by the City Council this _____ day of April, 2011.

Betty J. Roppe, Mayor

ATTEST:

Lisa Morgan, City Recorder