

## **POLICY AND RULES FOR PICKETING, DEMONSTRATING, DISTRIBUTION OF LITERATURE AND SIMILAR ACTIVITIES**

The following rules are in effect at the Birmingham-Shuttlesworth International Airport (the “Airport”) for any picket lines or other demonstrational gatherings, any carrying of placards or informational signs of any kind, and/or the distribution of any informational flyer, brochure or materials of any kind. The rules apply to every group and/or individual regardless of message or viewpoint.

The Airport exists solely as a public transportation venue. The term “Airport” includes the terminal, parking areas, other buildings, and grounds. The Airport is not designed, operated as, or intended to be a public place for the exchange of ideas, debate, and promotion of expression. The purpose of this policy is to promote the fundamental purpose of the Airport while making reasonable accommodations for non-commercial vendors (groups or individuals) who may desire to communicate a non-commercial message to the traveling public. The concerns of Airport management that motivate this policy are the elimination or reduction of: (1) congestion, impediments, and disruptions to travelers; (2) the duress of face-to-face solicitations; (3) the cacophony that makes travel announcements difficult to hear, protection of Airport property; and (4) promoting the public health and safety of everyone in the Airport.

### **A. SALE OF PRINTED MATERIAL AND SOLICITATION:**

The sale of printed material or solicitation of money for immediate payment from passersby is prohibited except as otherwise set forth in paragraph C below.

### **B. DEMONSTRATIONS:**

Demonstrations may only be held pursuant to a permit issued under this Part. The term “demonstrations” includes demonstrations, picketing, making speeches, marching, holding vigils or religious services and all other like forms of conduct which involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct of which has the effect, intent or propensity to draw a crowd of onlookers.

### **C. DISTRIBUTION OF LITERATURE:**

The distribution of newspapers, leaflets, pamphlets, or other printed material, other than material which is primarily commercial advertising, shall not be made without a permit issued under this Part. Distribution of printed material which is primarily commercial advertising may only be made pursuant to a concession contract with the Birmingham Airport Authority (the “Authority”).

**D. PROHIBITED CONDUCT:**

In demonstrating or distributing literature, it is prohibited:

- (a) to stand other than in the location designated on one's permit;
- (b) to hawk or call out to passers-by;
- (c) to amplify one's voice;
- (d) to obstruct or impede pedestrians or vehicles;
- (e) to harass people with physical contact or repetitive solicitation; and
- (f) to set up stands or structures.

**E. PERMITS:**

(1) A permit application shall be submitted to the Authority at least three (3) days in advance of requested date of use. The permit application shall include the following:

- a. The full name and street address of the applicant;
- b. The full name and street address of the organization sponsoring, conducting, or promoting the distribution;
- c. The date or dates and hours requested for use of the Airport premises.
- d. The requested designated area in the Airport, as set forth in Section F below;
- e. Whether the sponsoring organization is a branch or division of a national organization and, if so, the name and street address thereof;
- f. Applicants for permits to solicit or to distribute printed material on behalf of Alabama corporations must show that they are properly licensed by the State of Alabama.
- g. Applicants for permits to solicit or to distribute printed material on behalf of non-Alabama corporations must show that they are registered to do business in the State of Alabama with the Secretary of State; and
- h. Applicants for permits to solicit or to distribute printed material which requests contributions on behalf of charitable or civic organizations must show that the organization is duly registered or exempted from registration with Office of the Attorney General of the State of Alabama; and

(2) Permit applications will be processed in order of receipt and use of a particular area will be allocated in order of receipt of fully executed applications. Permits shall be issued to individual persons and may not be transferred to another person. Permits may not be reserved more than thirty (30) days in advance. No more than one half (50%) of the permits available for demonstrations or distribution of literature inside the air terminals on a given day shall be issued to the representatives of one organization.

(3) A permit may be denied or revoked on the following grounds:

- a. A fully executed prior application for the same time and place has been received, and a permit has been or will be granted authorizing activities which do not reasonably permit multiple occupancy of the particular area.
- b. The proposed solicitation, sale of printed material, demonstration or distribution of literature is of such nature that it cannot reasonably be accommodated in the particular area applied for, taking into account safety, damage to Authority facilities, traffic congestion, or substantial impairment of the operation of public facilities or services of concessionaires or contractors.
- c. The location applied for has not been designated as available for demonstration or the distribution of literature.
- d. The applicant has not fully complied with all the requirements of this policy.
- e. By its manner, means, or otherwise, the activity has become disruptive to the fundamental purpose of the Airport.
- f. The applicant has not complied with applicable state, federal, or local laws.
- g. The applicant has not fully completed all the information required on the permit application or has made material misrepresentations or omissions on the same.
- h. There is a disaster or civil emergency at the Airport and suspension of normal activities is deemed desirable to minimize non-essential personnel in vicinity and maximize available space for operations or security.

**The remedies of revocation, denial, or suspension are cumulative of all other civil and criminal penalties provided to a property owner under Alabama law.**

#### **F. TERMINAL AREAS FOR DEMONSTRATIONS OR DISTRIBUTION.**

The Authority shall have available a map available for inspection by applicants designating areas within the Airport that are available for demonstrations or the distribution of literature.

**G. LEASED AREAS UNAFFECTED:**

Nothing in this Part shall be construed as impairing or expanding any right which an airport lessee may otherwise have, by virtue of its leasehold interest in airport premises, to regulate access to those areas under its exclusive control.

**BIRMINGHAM-SHUTTLESWORTH INTERNATIONAL AIRPORT  
APPLICATION FOR PERMIT  
FOR PICKETING, DEMONSTRATING, DISTRIBUTION OF LITERATURE AND  
SIMILAR ACTIVITIES**

Anyone desiring to use the Airport premises for communicating a non-commercial message must complete this application and submit it to the Birmingham Airport Authority.

I. Applicant:

a) Name \_\_\_\_\_

b) Mailing Address \_\_\_\_\_  
(Other than P.O. Box) \_\_\_\_\_

c) Telephone Number \_\_\_\_\_

d) Are you a member of the sponsoring organization? \_\_\_\_\_

II. Organization

a) Name \_\_\_\_\_

b) Mailing Address \_\_\_\_\_  
(Other than P.O. Box) \_\_\_\_\_

c) Telephone Number \_\_\_\_\_

d) Agent or officer responsible \_\_\_\_\_

e) Proof of registration:      Alabama corporation: \_\_\_\_\_  
   Foreign corporation: \_\_\_\_\_  
   Charitable organization: \_\_\_\_\_

f) Full names, residence mailing address and telephone number of all members of organization who will be engaging in the requested activity.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. Description of proposed activities, indicating the type of communication involved.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IV. Preference:

a) Area preferred: \_\_\_\_\_

b) Date(s) \_\_\_\_\_

c) Hours \_\_\_\_\_

I, \_\_\_\_\_ hereby certify that my signature below indicates that I have read and fully understand all the general restrictions as well as penalty provisions and requirements of Birmingham International Airport.

Signature: \_\_\_\_\_

This application is approved:

**Birmingham Airport Authority authorized signature:** \_\_\_\_\_

Area Assigned: Area I \_\_\_\_\_ Area II \_\_\_\_\_

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**BIRMINGHAM AIRPORT AUTHORITY'S USE ONLY**

Date Received \_\_\_\_\_

Time Received \_\_\_\_\_