

Village of Mamaroneck, New York
Board of Trustees Internal Policy & Procedure for Painting Messages on Public Property

I. Purpose:

The Village of Mamaroneck, to address requests by village residents or locally-based non-for-profit organizations, for painting messages on public property, which includes streets, sidewalks and parks, adopts the following Board of Trustees (Board) internal policy and procedure.

This policy will guide the Village Board when it considers requests for painting messages on public property that the Board believes that the Village may adopt as its own “government speech”,ⁱ consistent with the vision statement in the Comprehensive Plan. The Board shall be free to entertain or decline to consider any such request. This policy will also guide proposals by the Mayor or Board members for, or relating to, the painting of such messages.

II. Policy:

The Village Board may, but is not required to, entertain requests for painting messages on public property that the Board believes that the Village may adopt as its own “government speech”, consistent with the vision statement in the Comprehensive Plan, and that are made by local residents, or locally-based non-for-profit organizations (herein “interested party”). The Village may decide to participate in the elaboration of the painting of the message. The Board will consider acceptance of the donation of materials and in-kind contributions.

III. Procedure:

The interested party shall submit details of the message including, but not limited to, the proposed text and or/drawing or expression, location, size, materials to be used, and how it would be elaborated or produced (and in the case of with block parties or gatherings all the relevant documents submitted to the Village Manager for such event or activity) for the Board’s consideration.

The Board will consult with the Village Manager and staff to take into account any issues of Code compliance, traffic safety, utilities and any other matter relevant to health, safety and the adequate operations of the Village.

IV. Considerations:

The Board will deliberate on: 1) whether the Village should adopt the message as its own; 2) whether the proposed painting of the message affects health and safety or is contrary to Village Code or its operations; 3) whether it should officially accept the donation of materials and in-kind contributions for the painting; and 4) whether the Village should participate in the elaboration of the painting of such message.

V. Non-Permanent Painting: If authorized, the painting of the message will not be regarded as semi-permanent or permanent. The painted area may be repaired, maintained, repaved, replaced or repainted over, as appropriate, at any time as deemed adequate or necessary by the Village Manager in consultation with the Board of Trustees. – End.

ⁱ See *Pleasant Grove City, Utah v. Summum*, 555 U.S. 406 (2009).