

## MEMORANDUM

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TO: Honorable Mayor and City Commissioners  
FROM: Albert C. Galloway, Jr., City Attorney  
VIA: James Slaton, City Manager  
SUBJECT: Ordinance 2022-17 repealing and reenacting Subsections (a) and (b) of Section 20-3 of the City's Code of Ordinances dealing with obstruction of public streets, highways and roads, which cited sections allegedly run afoul of the Constitution's First Amendment free speech provisions  
DATE: May 5, 2022

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**SYNOPSIS:** On April 18, 2022, the City received correspondence from Southern Legal Counsel asserting that § 20-3 of the Lake Wales Code of Ordinances runs afoul of the free speech provisions of the United States Constitution. The letter cites numerous recent cases which have found Code provisions similar to those of the City which are unconstitutional.

**RECOMMENDATION:** That the City Commission adopt Ordinance 2022-17 to rescind and replace Subsections (a) and (b) of § 20-3 of the Lake Wales Code of Ordinances with language which will not impact free speech as alleged.

**FISCAL IMPACT:** None.

**ATTACHMENTS:** Proposed Ordinance 2022-17.