



STAFF REPORT
City of Dripping Springs
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Dripping Springs, TX 78620

Submitted By: Aniz Alani, City Attorney

Committee Meeting Date: August 24, 2026

Agenda Item Wording: Review and recommendation to the City Council regarding an ordinance establishing the Founders Day Festival Official Participant Expression Ordinance.

Summary: At its previous meeting, the Founders Day Committee unanimously endorsed a policy to prohibit all political expression at future Founders Day Festivals. The proposed ordinance advances that policy direction by prohibiting Political Campaign Activity through City-Controlled Official Festival Program Elements.

The proposed ordinance establishes clear participation conditions for the use of City-Controlled Official Festival Program Elements during the Founders Day Festival and related parade activities. The ordinance is intended to preserve the Festival's civic, historical, cultural, and family-oriented program; promote safe, orderly, and evenhanded administration; and prevent the use of City-controlled program elements for Political Campaign Activity.

The ordinance is narrowly directed to the City's official Festival program and to program elements that the City selects, assigns, schedules, or administers, such as designated vendor and exhibitor spaces, registered parade entries and lineup positions, stage and microphone access, official acknowledgments, and official Festival publications. It does not prohibit lawful speech by members of the general public in areas open to the public, subject to otherwise applicable law and content-neutral Festival rules.

Background

The City conducts the Founders Day Festival and related parade activities as civic, commemorative, and community events. The Festival includes an organized official program that may provide approved participants with access to designated booths, parade entries, lineup positions, stage and microphone opportunities, official recognitions, sponsor presentations, performer slots, and official Festival communications.

The proposed ordinance is intentionally narrower than a Festival-wide prohibition on all political expression. It preserves the Committee's objective of maintaining a civic, historical, cultural, and family-oriented official Festival program while limiting the regulation to the City-controlled program

elements through which the City provides official access, placement, or amplification. Lawful speech by Festival attendees in General Public Areas remains outside the ordinance's scope, subject to otherwise applicable law and content-neutral Festival rules.

Those City-controlled opportunities are distinct from areas generally available to Festival attendees. The ordinance provides a uniform framework for their administration and makes clear that participation in the official Festival program does not create an unrestricted right to use a City-controlled program element for Political Campaign Activity.

Proposed Ordinance

The proposed ordinance would add Article 16.05, Founders Day Festival Official Participant Expression to the Code of Ordinances. Key provisions include:

- **Purpose and scope.** The ordinance applies to Official or Registered Participants only when they use a City-Controlled Official Festival Program Element.
- **Defined program elements.** The ordinance identifies the City-controlled placements, access points, and communication channels to which the policy applies.
- **Political Campaign Activity.** The ordinance prohibits use of a City-Controlled Official Festival Program Element to communicate Political Campaign Activity. The policy is directed to electoral campaign advocacy and is not intended to restrict lawful general-public speech or ordinary discussion of governmental matters outside the City-controlled program element.
- **Neutral administration.** The City must administer the ordinance without regard to whether campaign activity supports or opposes a candidate, political party, political committee, or ballot measure.
- **General-public speech preserved.** The ordinance does not apply to a person attending the Festival solely as a member of the general public and not using a City-Controlled Official Festival Program Element or Official or Registered Participant role.
- **Administration and due process.** The ordinance authorizes designated City staff to administer the policy and provides for written standards, notice of an alleged violation, an opportunity to cure when practicable, written decisions, and an administrative appeal.
- **No continuing entitlement.** Approval for one Festival does not create a vested right or expectation of approval for a future Festival.

Attachments:

Draft Ordinance