

2026 Founders Day Political Expression Policy

1. Purpose and Authority.

- (a) The City of Dripping Springs, Texas adopts this policy to govern political-expression-related vendor booth registrations and political expression by registered parade participants during the 2026 Founders Day Festival and related parade activities. This policy is intended to promote orderly event administration, reduce disruption, preserve the family-oriented and civic character of the Festival, allocate limited event space, and provide clear, evenhanded rules for participants and City officials.
- (b) For the 2026 Festival, the City further finds that vendor booth space is limited, that the number of political candidate booth applications exceeds the number of political-expression booth spaces the City can reasonably accommodate while preserving space for non-political Festival uses, and that limiting political-expression booths to a small number of qualified political party organizations is a temporary event-management measure adopted for 2026 based on available space, application volume, and administrative capacity.
- (c) This policy is adopted and shall be administered consistent with applicable constitutional principles governing municipal events, including public-forum and government-speech doctrines reflected in *Pleasant Grove City v. Sumnum*, *Shurtleff v. City of Bos.*, and *Denton v. City of El Paso*.

2. Scope. This policy applies only to:

- (a) Vendor booths requested or operated in connection with the 2026 Founders Day Festival.
- (b) Political expression during the 2026 Founders Day parade by persons or organizations participating in the parade as approved, registered in-parade participants.
- (c) Conduct by incumbent officeholders, elected officials, appointed officials, officers, employees, and representatives of the City while attending the parade or Festival in an official capacity.

3. Definitions. For purposes of this policy:

- (a) **“Approved booth purpose”** means the principal use, activity, or subject matter identified in a vendor's application and accepted by the City for the assigned booth space.
- (b) **“Campaign activity”** means conduct undertaken for the purpose of supporting or opposing the nomination, election, or defeat of a candidate, or supporting or opposing a political party, and includes, without limitation, distributing campaign literature or other campaign materials, displaying campaign signs or banners, wearing or distributing campaign-branded apparel or accessories for promotional purposes, soliciting votes, soliciting campaign support, collecting campaign information for follow-up solicitation, or engaging in in-person advocacy on behalf of a candidate or political party.
- (c) **“Non-political vendor booth”** means a booth, table, tent, display, or similar fixed Festival space approved for a non-political Festival purpose, including without limitation arts and crafts, food and beverage service, merchandise sales, music, entertainment, community information, sponsor recognition, or another civic, cultural, charitable, or commercial purpose that is not primarily political expression.
- (d) **“Official capacity”** means attendance, participation, or presence that is sponsored, requested, authorized, coordinated, or publicly represented by or on behalf of the City or another governmental office, board, commission, or department, including riding in an official vehicle, marching with an official delegation, wearing insignia of office, or otherwise appearing as a public official rather than as a private individual.
- (e) **“Political expression vendor booth”** means a booth, table, tent, display, or similar fixed Festival space used primarily to advocate for, oppose, or promote a political party, candidate, ballot measure, campaign, political ideology, or other electoral or partisan political message.
- (f) **“Political candidate”** means an individual seeking nomination or election to public office, including an incumbent seeking reelection.
- (g) **“Political party organization”** means a county, local, or other officially organized committee or organization of a political party, but does not include an individual candidate, candidate committee, or officeholder campaign.

- (h) **“Qualified political party organization”** means a political party organization that timely submits a complete application and satisfies all otherwise applicable Festival requirements.
- (i) **“Registered in-parade participant”** means a person, campaign, political party, or organization that has been approved by the City or Festival organizer to participate in the parade and has completed all required parade registration materials.
- (j) **“Returning political party booth applicant”** means a qualified political party organization that maintained a political-expression-related booth at the most recent prior Founders Day Festival at which such booths were permitted and that timely submits a complete application for 2026.

4. Policy for 2026 Festival Vendor Booths.

- (a) For the 2026 Founders Day Festival only, the City may approve no more than two political expression vendor booths.
- (b) Political expression vendor booths are limited to qualified political party organizations.
- (c) Political candidate booths shall not be approved for 2026.
- (d) If no more than two qualified political party organizations apply, the City may approve those applications subject to all otherwise applicable Festival requirements.
- (e) If more than two qualified political party organizations apply, available political-expression booth spaces shall be allocated by lottery conducted by the City after the application deadline.
- (f) No booth shall be approved for any political candidate, candidate committee, campaign committee, political action committee, officeholder campaign, write-in candidacy, exploratory committee, or any person or entity acting on behalf of a candidate.
- (g) The presence of a candidate at or near a political party organization’s booth does not by itself violate this policy, but the booth may not function as a candidate campaign booth. A political expression vendor booth approved under this section must be applied for, controlled, staffed, and operated by the qualified political party organization to which it is assigned, and shall not be used primarily to promote, oppose, or campaign for any particular candidate.

- (h) No booth shall be approved for any other politically expressive purpose or speaker, including advocacy organizations, issue campaigns, partisan clubs, ideological groups, or other persons or entities seeking to distribute, display, sell, or communicate primarily political campaign or partisan advocacy messages.
- (i) A non-political vendor booth may be used only for its approved booth purpose and for activities reasonably incidental to that approved purpose. A non-political vendor booth shall not be used as a platform for campaign activity or for unrelated partisan or candidate advocacy.
- (j) Without regard to viewpoint, no operator, worker, volunteer, sponsor, or representative at a non-political vendor booth may use that booth space to:
 - (i) distribute or display campaign literature, campaign signs, candidate-specific or party-specific promotional materials, or other materials whose primary purpose is to influence voting or electoral support;
 - (ii) wear, sell, give away, or prominently display campaign-branded apparel, buttons, stickers, hats, or accessories as part of the booth's presentation or operations, except for incidental personal expression that is not used to transform the booth into a site for campaign activity;
 - (iii) solicit votes, campaign contributions, campaign pledges, petition signatures for electoral purposes, or contact information for campaign follow-up;
 - (iv) invite attendees to support, oppose, vote for, or vote against a candidate or political party; or
 - (v) otherwise conduct in-person campaign activity unrelated to the booth's approved non-political purpose.
- (k) This section is intended to regulate the use of limited Festival booth space based on the approved booth purpose and the operational category of the booth, not to discriminate based on viewpoint. Accordingly, the restrictions in this section apply equally to support for or opposition to any candidate, party, or electoral campaign.
- (l) Nothing in this section prohibits the City from enforcing generally applicable, content-neutral Festival rules governing congestion, pedestrian access, noise, safety, sales, distribution of items, or interference with neighboring booths.
- (m) Approval of any booth under this policy is subject to all otherwise applicable Festival registration requirements, deadlines, fees, insurance, safety rules, operational restrictions, and booth-location assignments.

- (n) Nothing in this policy creates a vested right, entitlement, continuing permit expectation, or preference for any future Festival year. The City expressly reserves, without prejudice, the right to review, revise, further limit, eliminate, or otherwise regulate political-expression-related vendor booth registrations for subsequent years to the fullest extent permitted by law.

5. Policy for Political Expression During the Parade. Political expression during the 2026 Founders Day parade by in-parade participants is limited to: political candidates who are themselves registered in-parade participants; and

- (ii) political parties that are themselves registered in-parade participants.
- (b) No person or entity that is not a registered in-parade participant may use the parade lineup, parade route, or a place within an approved parade entry to engage in organized campaigning, political sign display, candidate promotion, party advocacy, or similar political expression as part of the parade presentation.
- (c) Political expression by any registered political candidate or registered political party participating in the parade remains subject to neutral parade rules concerning safety, spacing, traffic control, sound levels, duration, materials thrown or distributed, compliance with route directions, and directions of parade marshals or law enforcement.
- (d) Nothing in this section authorizes the use of City property, City resources, or official City sponsorship to support or oppose any candidate or political party.

6. Restrictions on Officials Attending in an Official Capacity.

- (a) Any incumbent officeholder or other public official attending the Festival or parade in an official capacity shall not engage in campaign activity while acting in that official capacity.
- (b) Prohibited conduct while attending in an official capacity includes, without limitation:
- (c) wearing campaign apparel, campaign badges, campaign stickers, or campaign-branded accessories;
- (d) carrying, displaying, or distributing campaign signs, banners, placards, handouts, cards, or other campaign materials;

- (e) making statements, gestures, announcements, introductions, solicitations, requests for votes, or other communications that reasonably constitute campaigning for election or reelection, or campaigning for another candidate or political party;
- (f) using an official place in the parade, official vehicle, official title announcement, City-provided platform, or other governmental indicia or resources in a manner that promotes a campaign.
- (g) Nothing in this policy prevents an official from attending solely as a private person outside any official role, provided the person is not using City resources, City-sponsored access, or official-status presentation to campaign and otherwise complies with all Festival and parade rules.

7. Administration and Enforcement.

- (a) The City Administrator, Parks & Community Services Director, Parks & Community Services Assistant Director, Community Events Coordinator, or their designees may interpret and administer this policy in consultation with the City Attorney and may issue reasonable written procedures consistent with it.
- (b) The City may deny, revoke, suspend, relocate, or condition any booth registration or parade participation that does not comply with this policy or other applicable Festival or parade requirements.
- (c) Except where immediate action is reasonably necessary for safety or orderly event administration, the City should provide notice of an alleged violation and a reasonable opportunity to cure before removing a participant or revoking booth privileges.
- (d) A person or entity denied a political-expression booth application may submit a written administrative appeal within five business days after notice of denial. The appeal shall be decided promptly by the City Administrator or designee, in consultation with the City Attorney, and the City shall provide a brief written decision.
- (e) A person or entity whose participation in the 2026 Founders Day Festival is directly, substantially and adversely affected by this policy:
 - (i) shall be refunded any registration fees paid prior to the adoption of this policy to the extent such participation is adversely limited by paragraph (b) above, and

- (ii) may submit a claim to the City for reimbursement of expenses incurred in reasonable reliance of the person or entity's eligibility to participate and to the extent that such participation is adversely limited by paragraph (b) above. Nothing in this provision requires the City to provide such reimbursement, and nor may any reimbursement under this provision violate applicable law.
- (f) Any request for reimbursement of reliance expenses must be submitted in writing with supporting documentation within ten business days after notice of adverse effect under this policy.
- (g) A person or entity violating this policy may be directed to remove prohibited materials, cease prohibited campaigning, vacate a booth space, leave an official parade position, or take other reasonable corrective action necessary to achieve compliance, public safety, and orderly event administration.
- (h) If any provision of this policy is held invalid, the remaining provisions shall continue in effect to the fullest extent permitted by law.
- (i) If the limitation of political-expression booths to qualified political party organizations is held invalid, the City may instead allocate available political-expression booth spaces for 2026 by lottery among timely, complete political-expression booth applicants, subject to all otherwise applicable Festival requirements.

8. Effective Date. This policy is effective upon approval by the City and applies only to the 2026 Founders Day Festival, except that the City's reservation of discretion for future years shall remain a statement of the City's continuing authority and non-waiver of future regulatory options.