

Direction to Staff
Holiday Lighting Event
Add Religious Decorations

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City Council Meeting
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Summary

- Question
 - City Council is being asked to consider adding a nativity scene & a Menorah to the existing holiday lighting event decorations at the Community & Conference Center grounds
- Options
 - At Council discretion
- Declaration
 - Would suggest that if approved, funds for the purchase are from donations

Purpose

- To consider the purchase & installation of nativity & menorah decorations to add to the existing Holiday Lighting decorations at the Community and Conference Center Grounds

Purpose/Background

- Per the Supreme Court, the government is not allowed to:
 - Establish a religion
 - Favor one religion above another
 - Favor non-religion to religion, or the other way around
 - Forbid a religion

Guidelines

- Standalone - standalone outdoor nativity scene may send message that government is supporting Christianity (specific religion), but if City adds secular pieces, nativity scene can be safe within constitutional law (we already have secular pieces)
 - Symbols - Santa Clause, reindeer, elves, Peanuts characters, etc. are secular holiday symbols & have been deemed constitutional
 - Menorahs, crèches, & other types of outdoor nativities are religious symbols & may be deemed either constitutional or not, depending on how & where displayed & context of the entirety of display
 - City has existing secular decorations on display in empty field & would install new decorations there— not in front of city hall

Guidelines

- Private - private owned outdoor nativity sets are allowed, but questions arise when outdoor nativity scenes are owned by the government
- Wording - wording of signs may be deemed religious or secular – these would not have words
- Endorsement Test - setting & context of the decorations, along with accompanying disclaimer signs, contribute to the assumption a reasonable person will make

Fiscal Impact

- Decorations would cost between \$50 - \$1,500, depending on the number & size of each piece
- Council may want to consider obtaining donations towards the cost (reduce litigation threat); however, Public Works budgets funds yearly for replacement items & were able to reuse holiday lighting strands this year, so those funds could be used for this purchase

Fiscal Impact - Examples



23" - \$45.99 (on sale)



59" high - \$740

Recommendation

- At City Council discretion