



## **POLICY FOR FIRST AMENDMENT ACTIVITIES AT NORFOLK INTERNATIONAL AIRPORT**

### **I. Scope**

This Policy is adopted by the Norfolk Airport Authority ("NAA") and will apply to all First Amendment activities, including picketing and leaflet/literature distribution permitted to be conducted at Norfolk International Airport ("ORF" or "Airport").

The Airport is not a public forum for First Amendment activities. Activities permitted by this Policy may only be conducted in designated areas of the Airport and only after receipt of written permission by the NAA President/Chief Executive Officer, or designee.

The provisions of this Policy will be enforced without regard to race, religion, gender, sexual orientation, age, or identity of the person or organization seeking to engage in activities, or the viewpoint of the message sought to be communicated.

### **II. Purpose**

- a. To insure the free and orderly flow of pedestrian traffic into and through terminals at the Airport, and of the pedestrian and vehicular traffic outside the terminals on sidewalks and roadways.
- b. To protect persons using the Airport from repeated communications or encounters that are likely to be perceived as harassment or intimidation.
- c. To avoid visual blight and clutter, congestion, operational disruptions, and disruptions of Airport activities
- d. To maintain security by restricting the activities allowed hereunder to non-secured public areas and by implementing additional restrictions where necessitated by increased security threats.
- e. To accommodate the requests of persons and groups to engage in such activities by providing designated areas for soliciting, picketing and leaflet distribution activities at the Airport.
- f. To protect the integrity of NAA's contractual relationships with concessionaires, tenants, and lessees at the Airport.



### III. Permitted Activities Generally

a. The following First Amendment-protected activities are permitted at the Airport in strict accordance with this Policy and any reasonable time, place, and manner rules and regulations adopted hereunder:

1. distribution of leaflets or other literature for religious, political or other First Amendment-protected purposes; and
2. picketing and carrying of placards or banners for religious, political or other First Amendment-protected purposes.

b. All activities covered by this Policy will be permitted only in compliance with the permitting process and procedures adopted by NAA and only in designated areas on Airport property. These designated areas are described and listed on Exhibits "A" and "B" attached to this Policy, which are subject to revision by NAA in its sole and reasonable discretion based upon legitimate business and operational factors and applicable legal requirements.

### IV. Leafleting/Literature Distribution

- a. Leafleting/Literature Distribution includes, but is not limited to, the repetitive or continuous distribution of free literature such as leaflets, handbills, pamphlets, flyers, brochures, pins, buttons, badges, cards, pictures, envelopes, invitations, books, or any similar items. It does not mean or include the acts included in the definition of "picketing."
- b. Leafleting/Literature Distribution is permitted only in compliance with this Policy and in areas designated by NAA (Exhibit A). NAA has determined that these areas are the only areas at the Airport that provide a reasonable opportunity for leafleting without excessively disrupting pedestrian and vehicular traffic. Permitted leafleting/literature distribution will only include distribution of non-commercial printed or written materials. These designated areas may be modified due to remodeling or construction, emergency conditions, or other events.

### V. Picketing

- a. Picketing will mean one or more persons marching or stationing themselves in an area to communicate their position on a political, charitable, or religious issue, or a labor dispute, by displaying one or more hand-held or worn signs, posters, or similar devices.



- b. Picketing is permitted only upon compliance with this Policy and only in areas designated by NAA on Exhibit "B" attached to this Policy. NAA has determined that these areas are the only areas at the Airport that provide a reasonable opportunity for picketing without excessively disrupting pedestrian or vehicular traffic. These designated areas may be modified due to remodeling or construction, emergency conditions, or other events.

## VI. Permitting Process

- a. Any person or organization desiring to engage in leafleting/literature distribution or picketing at the Airport will first obtain a written permit from NAA. Permit applications must be submitted to the Airport Marketing office at least seven (7) calendar days prior to the commencement of the activity for which the permit is sought and no earlier than thirty (30) calendar days prior to the commencement of the activity. Applications will be accepted Monday through Friday, excluding holidays, between 9:00 a.m. and 4:00 p.m. The permit application will be submitted using the form provided by NAA. The applicant will provide:
  - i. The full name, street address (not a post office box number), telephone number and email address of the person or organization sponsoring, promoting, or conducting the activity;
  - ii. The full name, street address (not a post office box number) telephone number and email address of the person(s) or authorized representative(s) of the organization applying for the permit;
  - iii. Description of the activity and materials to be displayed or distributed;
  - iv. The hours during which the activity is proposed to be conducted;
  - v. The proposed dates, not to exceed seven (7) consecutive days;
  - vi. The NAA-designated location that is requested for the activity;
  - vii. The number of people involved in the activity;
  - viii. A statement signed by the applicant, or a representative authorized to sign on behalf of the applicant, that the information on the application is true and correct;



- ix. A signed statement by the applicant, or a representative authorized to sign on behalf of the applicant, indicating he/she has read and understands this Policy and the applicant and participants agree to be bound by the Policy;
  - x. Indemnification agreement executed by a person authorized to bind the applicant to its terms and executed by the representative.
- b. Copies of materials to be used and/or handed out during the activity must be submitted to NAA at [NAA email address] for review and approval at least 72 hours before use.
- c. The permit application, copies of materials and any additional requested information must be submitted to: [NAA email address].
- d. Permits will be issued on a case-by-case basis. Except as otherwise approved by NAA, no permits for use at the Airport will be issued for a period to exceed seven (7) consecutive days.
- e. For labor disputes between any employer occupying any part of the Airport, and any employees who are organized in a collective bargaining unit, alternate picketing areas may be authorized as necessary in order that the labor dispute not hinder or prevent the lawful work or employment of persons other than such employer, and that the same will not tend to induce violence, cause a breach of the peace or other unlawful conduct, or obstruct or interfere with free and uninterrupted use of said premises by other tenants or occupants or by other persons lawfully using the Airport.
- f. Once a completed permit application has been submitted to NAA, and if no grounds exist to deny the application in accordance with section VI, the President/CEO or designee will review the application and issue a permit. If the permit application is denied, the applicant will be notified in writing of the denial. Failure to issue a permit within seven (7) business days will constitute a denial. The applicant may seek review of a denial by following the procedures in section VIII.
- g. Permits are not transferrable.



## VII. Denial or Revocation of Approval

- a. NAA may deny a permit application or revoke an approved permit for reasons that, in the Authority's reasonable discretion, negatively affect or compromise operational, safety and other legitimate airport business purposes, including but not limited to the following:
  - i. The applicant or any participant has falsified information on the application;
  - ii. The applicant or any representative intends to use or has used the NAA-approved location to conduct or operate a commercial enterprise at the Airport;
  - iii. The activity impedes the operation of the Airport as a commercial service airport or as an air transportation facility;
  - iv. The activity poses a danger to the health, safety, welfare or security of the traveling public or Airport users;
  - v. The activity interferes with the ability of NAA, the airlines, concessionaires, tenants, lessees, and/or other authorized Airport users to conduct their business in an orderly manner;
  - vi. The activity hinders pedestrian or vehicular flow, creates congestion, or blocks efficient movement of persons within and around the Airport terminal, concourses or other facilities;
  - vii. The activity interferes with the ability of others to hear Airport Announcements or see Airport signage;
  - viii. The applicant, or any representative or participant distributes or attempts to distribute literature at any place other than a NAA approved location for which the applicant was approved;
  - ix. The content of the materials to be displayed or distributed: (i) is disruptive to air travel; (ii) instills fear in the traveling public regarding air travel; (iii) is pornographic; or (iv) is not protected by the First Amendment;



- x. The applicant, or any representative or participant engages in any conduct that is not permitted under this Policy or otherwise considered protected activity under the First Amendment applicable to the Airport as a nonpublic forum;
  - xi. The activity violates Airport rules and regulations or other requirements, or otherwise interferes with the operations of the Airport; or
  - xii. The applicant or any representative or participant violates any provision of this Policy, or any rule, regulation, ordinance, statute or other law issued by any governmental authority having jurisdiction over the Airport.
- b. NAA may also prohibit, revoke or suspend a permit for picketing activity, leaflet distribution, or other permitted activities otherwise allowed under this Policy, in the event of a significant weather event such as a tornado or snowstorm; aircraft accident; significant volume of air traffic delays; power failure; security incident; or other event or condition under which the conducting of the activity would create a danger to persons or property, interfere with the orderly formation and progression of waiting lines, or interferes with any of the following: pedestrian and/or vehicular travel; the issuance of tickets or boarding passes or equivalent documents for air or ground transportation; luggage or cargo movement or handling; the entry to and exit from vehicles; security procedures; government inspection procedures; cleaning; maintenance, repair or construction operations.

#### VIII. Review of Revocation, Denial, or Limitation

Review of the revocation, denial, or limitation of an application or permit, in full or in part, may be made by submitting a request for review to the NAA General Counsel by letter or email at [mtrank@norfolkairport.com](mailto:mtrank@norfolkairport.com) within ten (10) calendar days of the revocation, denial or limitation. The request for review must specify all reasons why the permit decision should be changed or modified. The Authority will review the application or permit decision and the review request and will issue a written decision affirming the revocation, denial, or limitation or granting or modifying the permit, within ten (10) calendar days of receipt of such appeal. The Authority's response will constitute a final decision of NAA.





IX. Rules and Regulations Governing Conduct of the Permitted Activities

- a. Permitted leafletting activity is limited to no more than two (2) people in the Airport leafletting/literature distribution designated area(s) identified in Exhibit A at any time for a total of two (2) people.
- b. Permitted picketing activity is limited to no more than ten (10) people in the Airport picketing designated area(s) identified in Exhibit B at any time. If the request seeks a larger number of people, NAA will review it and determine whether the request is reasonable, given the time, place and manner of the requested activity.
- c. Signs, pamphlets, brochures, and other permitted materials are allowed only in the designated area(s) and must comply with the size requirements outlined in this subparagraph. Any individual sign, pamphlet, brochure, or other permitted materials may not exceed 12 x 18 inches in size. Any display containing permitted materials may not exceed three (3) feet by five (5) feet in size in its entirety. NAA reserves the right to modify these requirements in its sole discretion.
- d. Any organization or person issued a permit will ensure that all persons engaged in permitted activities carry at least one form of identification with photo: (1) valid state issued driver's license; (2) valid state issued identification card; (3) valid military identification card; (4) valid passport; or (5) other valid photo identification approved by NAA. The person or persons who will supervise and be responsible for the activity will be responsible for ensuring that each participant has proper identification and will maintain a record of all participants engaged in the permitted activity.
- e. The applicant or authorized representative must have the original, a photocopy, or a scanned/electronic copy of the Authorization and Permit on their person, available for examination upon request by NAA, or NAA authorized, personnel, at all times, while engaged in any permitted activity under this Policy.
- f. The applicant and participants engaging in any permitted activity will remove all litter caused by their activities and exercise care to maintain areas used in a safe and clean condition.
- g. In conducting the activities governed by this Policy, no person or group is permitted to:

- i. Picket or distribute leaflets/literature at any area except during the days and times and at the locations designated by NAA;
- ii. Obstruct, delay, interfere with the free movement of, coerce, intimidate, impede, hamper, or physically grasp at any person, including but not limited to travelers, visitors, persons who work at the Airport, and persons checking or picking up baggage;
- iii. Repeatedly attempt to give literature to any person who has indicated that such person does not wish to accept the leaflet/literature;
- iv. Assist or offer to assist any person in the carrying or handling of baggage or any other item;
- v. Obstruct, delay or interfere with any vehicle or person;
- vi. Sell any products, goods or services or otherwise engage in commercial activities;
- vii. Identify themselves as representatives of NAA or the Airport;
- viii. Misrepresent the identity of an individual or organization for which the individual is performing the permitted activity;
- ix. Use a sound or voice amplification device, any electronic device, or any noisemaker or musical instrument, or do anything that will reduce the effectiveness of the public address system or that interferes with the business functions of the Airport;
- x. Engage in solicitation for contributions of money or other articles of value, or receive money or other articles of value whether in the form of cash, checks, credit or debit vouchers, bitcoin, or any other form of negotiable instruments in the public areas of the Airport;
- xi. Conduct games of chance;
- xii. Distribute any raffle ticket or entry in a game of chance;
- xiii. Sell or distribute any food, drink, or merchandise, including, but not limited to jewelry, candles, flowers, or clothing;



- xiv. Sell any literature, pamphlet, flyer, good, or service;
- xv. Solicit customers for a commercial enterprise;
- xvi. Erect any table, chair, or other structure, and/or use any wheeled or stationary device on Airport property;
- xvii. Attach signs to windows, doors, clubs, poles or other hard objects – signs must be carried or otherwise attached to participants engaged in Picketing activity;
- xviii. Wear or display informational signs, clothing, or placards inside terminal buildings, except as permitted under this Policy;
- xix. Leave any item intended for distribution, or used in picketing activities, unattended;
- xx. Gather signatures on Airport premises;
- xxi. Block or obstruct sidewalks, doorways, or roadways;
- xxii. Place signs, notices, advertisements or other writings, in or on any structure or building on Airport property, except as permitted under this Policy;
- xxiii. Obstruct or interfere with the use of escalators, stairs, restrooms, corridors, halls, doorways, walkways, or elevators at the Airport in conducting their activities; or
- xxiv. Violate any federal or state law, local ordinance, or other Airport regulation or policy.

X. Violations by Participants

Violations of this Policy by persons or organizations authorized to engage in picket or leaflet/distribute literature or other permitted activity at the Airport may cause the revocation of the permit under which they are operating and will be grounds for denial of any subsequent application by that person or organization for a period of one (1) year. In the event of revocation, the NAA General Counsel, or other NAA representative, will give written notice thereof to the holder of the permit. Upon receipt of the notice of termination, the person whose permit has been revoked may use the appeal process



described in Section VII, above. Nothing in this section precludes NAA from removing from the Airport persons in violation of this Policy.

XI. Multiple Applicants

In the event multiple applicants request the use of either leaflet/literature distribution areas and/or picketing areas at the same time, NAA reserves the right to control access to the areas in any manner it deems necessary to preserve the operational integrity, safety, and security of the Airport.

XII. Accidents/Reporting Responsibilities

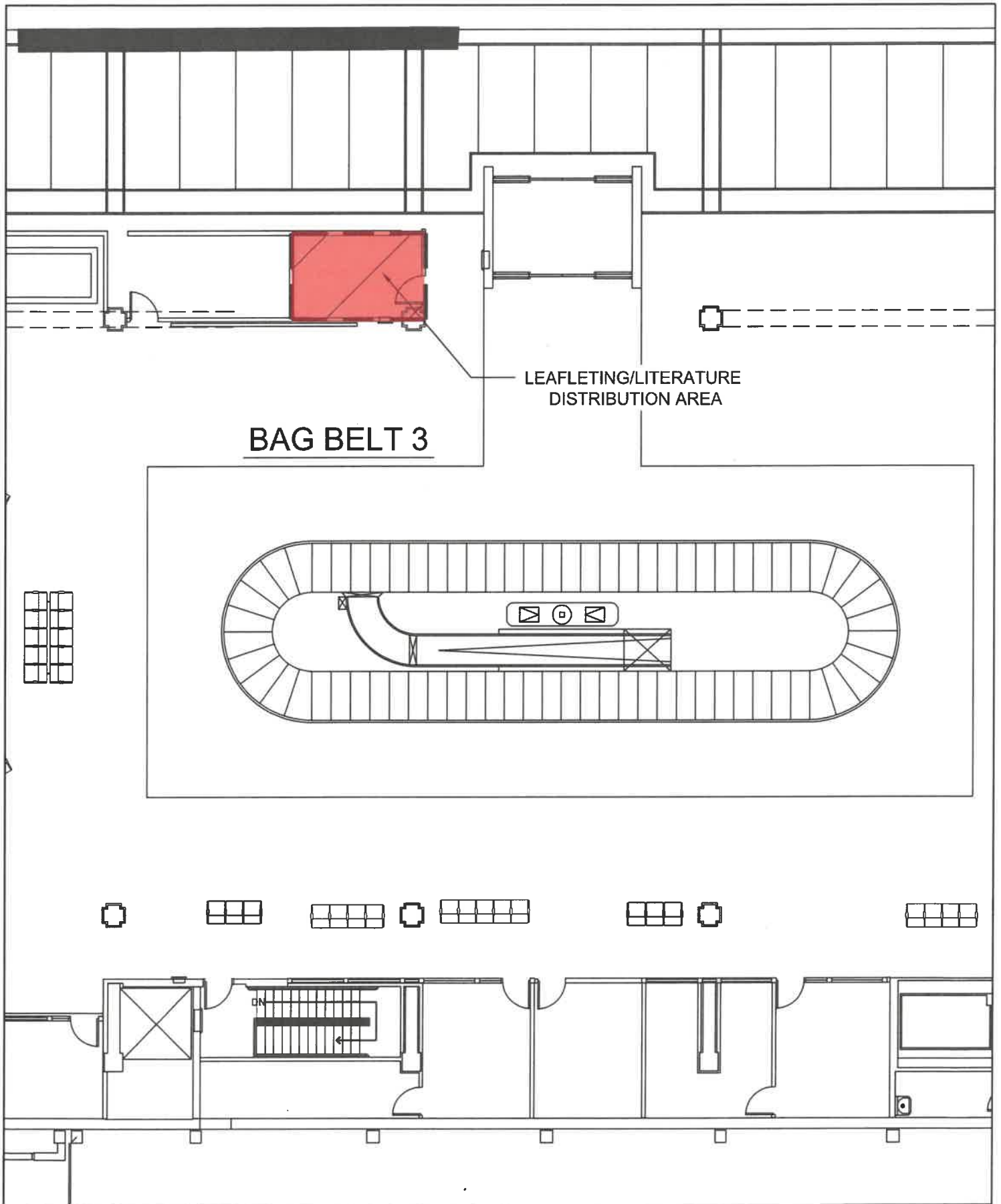
If any participant is involved in an accident on Airport property or other incident in which any person is injured or property is damaged, a participant or authorized representative of the participating organization must immediately notify the Airport Police Department at 757-857-3223, or, in cases involving an emergency, at 757-857-3344.

XIII. This Policy is effective on the date of approval by the Authority.

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Date Approved: 29 July 2024

By   
Mark A. Perryman, Assoc. AIA  
President and Chief Executive Officer  
Norfolk Airport Authority



FIRST AMENDMENT ACTIVITIES  
ARRIVALS TERMINAL - FIRST FLOOR

LEAFLETING/LITERATURE DISTRIBUTION

EXHIBIT A  
JULY 2024

ARRIVALS BUILDING

SOUTH SIDE

DESIGNATE PICKETING AREAS

NORTH SIDE

DEPARTURES BUILDING



FIRST AMENDMENT ACTIVITIES  
DEPARTURES

DESIGNATED PICKETING AREAS

EXHIBIT B  
JULY 2024