



Legislation Details (With Text)

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**Title:** Resolution to Authorize the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be Filed with the United States Supreme Court in *McCullen v Attorney General for the Commonwealth of Massachusetts*

**Sponsors:** Christopher Taylor, Jane Lumm, Sabra Briere

**Indexes:**

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Date	Ver.	Action By	Action	Result
11/7/2013	1	City Council	Approved	Pass

Resolution to Authorize the City of Ann Arbor to be Listed as a Supporting Municipality in an Amicus Brief to be Filed with the United States Supreme Court in *McCullen v Attorney General for the Commonwealth of Massachusetts*

Prepared by: Stephen K. Postema, City Attorney

Sponsors: Councilmembers Taylor, Lumm, and Briere

Whereas, The United States Supreme Court has decided to hear the case entitled *McCullen v Attorney General for the Commonwealth of Massachusetts*;

Whereas, This case involves the rights of a municipality to enact "Fixed Buffer Zone Laws" (in this case a 35 foot buffer zone within which protesters are not permitted) which was created in order to ensure the safety and order on public streets and sidewalks outside of reproductive healthcare clinics;

Whereas, The City of Ann Arbor, along with other cities, have an interest in the police power to balance free speech rights with the right to privacy, including individual rights to access to healthcare, free from harassment and intimidation;

Whereas, The City of Ann Arbor has adopted in 1990 in its Charter, Chapter 20, a provision designating Ann Arbor as a Zone of Reproductive Freedom;

Whereas, It is the interest of the City of Ann Arbor to be supportive of the concept of "Fixed Buffer Zone Laws";

Whereas, The Massachusetts law and the other Fixed Buffer Zone laws epitomize the type of content-neutral time, place, and manner restrictions that state and local governments must have at their disposal to deal with uniquely local concerns and to protect the significant rights and interests of their residents; and

Whereas, The City of San Francisco and other municipalities are filing a brief in support of the position of the State of Massachusetts on November 14, 2013;

RESOLVED, That the City of Ann Arbor shall request, through its City Attorney, to be listed as a supporting municipality to the amicus brief, filed by the City of San Francisco and other municipalities.