



*Our mission is to make Indiana a more welcoming place for **all** people.*

AN OPEN LETTER TO OWEN COUNTY COMMISSIONERS FROM SPENCER PRIDE

October 24th, 2019

Commissioners Brothers, Williamson, & Burton:

On behalf of the Spencer Pride Board of Directors, I am writing to provide our feedback on the recently proposed special events ordinance for Owen County.

Spencer Pride supports efforts to improve the county's special events ordinance. Making sure that taxpayer-funded county resources are appropriately managed and protected is important. We agree that organizations, such as Spencer Pride, should bear some of the costs associated with events they coordinate, regardless of the significant financial revenue brought into the community by these events. We want to ensure that all organizations have equal access to county resources and that county resources are made available to all organizations which use it respectfully and follow reasonable efforts to apply for its use.

There are two ordinances currently in effect that have been adopted by Owen County Commissioners. The Commissioners have admitted during recent public meetings, that the County has not been ensuring compliance to these existing ordinances, imposing existing fees, or assessing damages to county property that may have been caused during one or more special events. While focusing on effective and efficient compliance to current ordinances would have been more fiscally prudent, Owen County Commissioners have taken a more costly and time-consuming path, resulting in the proposal of an extensive new ordinance. This new ordinance tests the limits of the county's authority and sets up a circumstance ripe for litigation.

The draft special events ordinance as proposed by Owen County Commissioners during the October 21st meeting is greatly flawed. We encourage Owen County Commissioners to reevaluate and improve several areas of the ordinance to ensure clarity of expectations and the implementation of a fair process for utilization of county resources.

Our concerns can be grouped into the following themes:

1. Unnecessarily vague requirements that could be used capriciously and invite litigation, which will cost taxpayers far more than the funds brought in by the new ordinance.
2. Excessive costs as compared to similar ordinances in communities throughout the Midwest, including other Indiana towns and cities.
3. Highly restrictive limitations on the utilization of county property which create unreasonable financial and personnel burdens for organizations that host special events for the community.
4. Compliance with requirements in one area of the proposed ordinance creates a direct conflict with the ability to comply with other areas of the same document.

If enacted as written, this ordinance would impact the Spencer Pride Festival in the following ways:

- **decreasing services/activities offered**
- **burdening local businesses with increased participation costs to offset extensive new fees**
- **constraining accessibility to some aspects of the festival by those with physical limitations**
- **creating new safety concerns**

ORGANIZATIONAL CONTACTS

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All other special events in downtown Spencer would also be impacted, some more significantly than others. Special events are an important lifeblood for our downtown community. Our Commissioners should work to ensure that these events are supported and cultivated.

Given that neither current rules nor fees have been appropriately managed, many people have questioned why the Commissioners have approached resolution of their concerns by creating more complicated restrictions and establishing higher fees. In addition, County Commissioners have demonstrated both a lack of transparency and willingness to deceive taxpayers regarding their motivation behind these efforts. Based on feedback provided by County Officials and our experience with some of the Commissioners, we believe that these efforts have been undertaken to undermine the success of the Spencer Pride Festival, which celebrated its 13th annual festival this past June with more than 4,500 people in attendance.

The Spencer Pride Festival has always been a family-friendly event, rooted deeply within Owen County. For 12 of the past 13 years the event has taken place on the grounds of the Owen County Courthouse, where it has brought thousands of people from within and outside of our community. Some of the largest employers in Owen County have booths at our festival and see the value it brings to the community. In 13 years, there have been zero arrests for lewd behavior during our festival and no citations have been issued to Spencer Pride for violations of county or town ordinances. While Spencer Pride has always provided evidence of the county-required liability insurance, we have never been accused by the county or town of causing damage to county facilities and therefore never needed to make a claim on our insurance. This is due to the responsible behavior of our volunteers, vendors, and event participants.

The Spencer Pride Festival has helped drive awareness to our wonderful community. It has also improved the reputation of our county, which unfortunately has suffered an abundance of negative press over the years, mostly related to corrupt government officials. We believe that our event has been a success because of the need for places that allow authentic self-expression. We also believe that we have been successful due to our particular approach within our community. Rather than drive change through protest and litigation, we start with engagement and education. We treat people with respect and follow the "golden rule."

We respectfully request that Owen County Commissioners work with Spencer Pride, other local organizations, and businesses to craft a more practical ordinance that achieves all of the righteous goals outlined in the draft ordinance's introduction. We ask that the Commissioners reevaluate their motivations for undertaking these efforts and ensure that they are acting as responsible agents without ideological bias for the citizens of our community. The community has clearly shown its support for downtown events like the Spencer Pride Festival, and we sincerely hope that the Commissioners can rise to meet the expectations of the citizens who elected them.

Respectfully submitted,

Jonathan A. Balash
President
Spencer Pride, Inc.

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