

WILL: Sends demand letter to the city of Neenah for First Amendment violation

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The News: Over the past several weeks, the City of Neenah sent a number of “Notice of Violation” letters to residents, ordering them to remove signs opposing re-zoning efforts in the city. Today, on behalf of one of the families receiving such a notice, the Wisconsin Institute for Law & Liberty (WILL) sent a [letter](#) to the City of Neenah, demanding that they immediately withdraw the Notice of Violation and give assurances that the city’s efforts to stifle First Amendment-protected speech will stop immediately.

The Quotes: Lucas Vebber, WILL Deputy Counsel, stated, “Unfortunately, it is becoming all too common for government actors at all levels to use their authority to silence opposing voices. We are proud to help these residents stand up and fight back.”

“This is and will continue to be an important issue for our family and our community, and we simply want to be able to continue expressing our opposition going forward—this sign is one way in which we can get our message across,” said Tim Florek, WILL client.

Background: The Neenah School District plans to sell a soon-to-be vacant school building to a developer, who plans to redevelop the property into apartments and single-family homes. But before this development can move forward, the City of Neenah must re-zone the property. Whether the property should be re-zoned has become a significant issue within the City of Neenah, and the subject of considerable public debate.

Tim and Megan Florek are among the residents in Neenah who oppose the attempts to re-zone the property. To express their opposition to the re-zoning effort, they display a yard sign which reads “Don’t Rezone Shattuck Middle School Leave R-1 Alone.” Hundreds of similar yard signs are displayed in the city.

To shut down this public debate, the City of Neenah sent out “Notice of Violation” letters earlier this month to properties displaying such signs, demanding that they be taken down by early February. The Floreks received such a letter, which was sent by the City of Neenah Police Department. The letter from the city accused the Floreks of violating the City’s sign ordinance. The penalty for non-compliance is a fine of up to \$500 for the first offense, and of \$1000 for each subsequent offense. Each day the sign is displayed is considered a separate offense.

The Letter: In response to the “Notice of Violation,” WILL’s [letter](#) to the city explained that their threats violate the First Amendment. WILL demanded that the violation letter be withdrawn within five days, or additional steps would be taken to protect the Floreks’ legal rights.

Read More: [WILL Letter to the City of Neenah](#), January 19, 2023 R

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