

# **Court: Tahoe beaches do not have to be open to the public**

**By Cy Ryan, Las Vegas Sun**

CARSON CITY — A general improvement district that purchased four beaches on the Nevada side of Lake Tahoe in 1968 is not violating the U.S. Constitution in barring the public from the areas, a federal court has ruled.

The U.S. Ninth Circuit Court of Appeals has denied the petition of Frank Wright, who contends the ordinances of the Incline Village General Improvement District are invalid.

The appeals court, in a decision Tuesday written by Judge Milan D. Smith Jr., quoted a prior ruling that said, “The First Amendment does not guarantee access to property simply because it is owned or controlled by the government.”

Smith wrote, “The government may limit the use of properties under its control to the uses to which the properties are lawfully dedicated.”

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