

Sec. 38-3. - Open air public meetings.

- (a) *Permit required for open air public meetings on a public street, sidewalk, alley or mall.* No person or group of persons shall hold an open air public meeting upon a public street, alley, sidewalk or mall unless a permit therefor shall first be obtained from the city. For purposes of this section, the term "open air public meeting" is defined to include the delivery of a public address, lecture, sermon or discourse, or the conducting of a public musical or theatrical performance.
- (b) *Form and contents of permit; scope of permit.* Every permit issued under this section shall be in writing and shall specify the day and hour of such open air public meeting, and shall be limited to a specific occasion on a single day.
- (c) *Application for permit; granting or denial; appeals.* Application shall be made in writing, using forms provided by the city, and shall be filed with the community and business development department at least 48 hours in advance of the proposed open air public meeting. The community and business development department shall be in charge of processing the application which process shall include soliciting input from the appropriate city personnel from other city departments including but not limited to the chief of police or his designee. The community and business development department shall promptly deliver the application to the chief of police or his designee, who shall act thereon within 24 hours from the time the application is filed with the community and business development department. If the chief of police or his designee does not approve the application and grant the permit to hold an open air public meeting, the applicant shall be notified in writing of said denial by the community and business development department. The applicant may appeal the denial of said application for a permit to the city council. The notice of appeal must be filed with the community and business development department within 48 hours of notification of the denial. The city council shall act upon the appeal at the first meeting of the city council held more than two working days (exclusive of the council meeting day) after the rejection of the application by the chief of police or his designee. No permit shall be denied by the chief of police, his designee, or the city council unless the chief of police, his designee, or city council finds that the proposed open air public meeting will conflict with one already scheduled, or that the proposed open air public meeting will seriously obstruct the free flow of vehicular or pedestrian traffic.

- (d) *Meetings on other public property.* A permit shall not be required to hold an open air public meeting on other public property of the city, including the front steps or walk area closest to the front entrance of city hall, where such open air public meeting does not encroach or go upon any city street, alley, sidewalk or mall, provided public property is not damaged thereby, ingress and egress to public buildings and other public areas are not obstructed, and the public business is not impeded. To avoid scheduling conflicts, any person or group of persons wishing to use the front steps or walk area closest to the front entrance of city hall for an open air meeting must reserve said location with the community and business development department at least 24 hours in advance of the open air public meeting.

(Code 1975, § 12-6; Ord. of 1-6-03, § 1; Ord. No. 4813, § 3, 4-21-14, eff. 7-1-14; Ord. No 4826, § 7, 8-18-14)