

## Chapter 10: Rules for Press Conferences, Demonstrations and Similar Activities in the Immediate Vicinity of City Hall

### § 10-01 [Application.]

These procedures apply to press conferences, demonstrations, picketing, speechmaking, vigils and like forms of expressive conduct by participants or onlookers ("covered activities") on the steps, sidewalk and plaza area fronting City Hall. The "plaza area" consists of the bluestone-paved area bordered on the north by the sidewalk fronting City Hall, on the south by City Hall Park and to the east and west by cobblestone parking areas.

### § 10-02 [Activities Not Covered.]

Covered activities shall not include the following public ceremonies and commemorations: (i) inaugurations; (ii) award ceremonies for city employees; and (iii) ceremonies held in conjunction with a City-sponsored ticker-tape parade.

### § 10-03 [Conduct, Maximum Number; Larger Groups.]

Covered activities shall be conducted in accordance with these requirements and under the terms of permits issued by the Police Department pursuant to 55 RCNY § 10-06 below. Covered activities shall be conducted in a manner which does not endanger the safety or security of public employees and members of the general public, impede ingress to or egress from City Hall, or interfere with the rights of other persons engaged in covered activities. A maximum of 300 persons in total shall be permitted on the City Hall steps, sidewalk and plaza fronting City Hall for a three-hour time period in an area selected by the Police Department which reasonably accommodates groups of 300 or less. Groups of over 300 persons or who seek to hold a covered activity that exceeds three hours in duration shall be directed to obtain a permit for the use of City Hall Park or other comparable area in accordance with the rules of the Department of Parks and Recreation.

### § 10-04 [Alternative Locations; Covered Activities Not Permitted.]

Covered activities shall not be permitted when the Police Department determines that the covered activity would violate the provisions of 55 RCNY § 10-05, or under the circumstances set forth in subdivision c of 55 RCNY § 10-06. When areas of the steps, sidewalk or plaza area fronting City Hall are not available due to events enumerated in 55 RCNY § 10-02, anticipated security needs or the presence of other groups engaged in covered activities, groups shall be informed of alternative locations or times that are available for the covered activities.

### § 10-05 [Disorderly Conduct; Conduct Not Permitted.]

Disorderly conduct or conduct which obstructs the usual use of City Hall entrances, foyers, and the parking area, which otherwise impedes public employees in the performance of their official duties, vehicular and pedestrian traffic around City Hall, or the general public from obtaining government services or attending proceedings at City Hall is prohibited. Conduct shall not be permitted which (a) reasonably presents a clear and present danger to the public safety, good order or health; (b) interferes with ingress to or egress from City Hall; or (c) may result in bodily harm to any individual, damage to property, or imminent breach of the peace such that good order cannot otherwise be maintained.

### § 10-06 [Permit System; Administration.]

These procedures shall be administered by the Police Department, on behalf of the Department of Citywide Administrative Services and the Department of Parks and Recreation. In administering these procedures, the following permit system will apply:

- a. Applicants shall submit fully executed permit applications in a form prescribed by the Police Department to a designated office or division of the Police Department, which will process applications in the order they are received. In the event that multiple applications are received for the same time period, permits will be considered in the order of receipt of fully executed applications.
- b. Applications shall be granted or denied within 10 business days of the Police Department's receipt of the application. Applications filed within 10 business days of a proposed covered activity shall be processed as expeditiously as possible. In the case of applications made two business days or less before the proposed covered activity and in the absence of exigent circumstances which prevented the applicant from earlier seeking a permit, the application may be denied where the size or nature of the activity reasonably requires an additional police presence and there is insufficient time to make such presence available. In this event, the applicant will be informed of alternative locations or times for the covered activity.
- c. Permits may be denied on the following grounds:
  - (i) A permit has previously been granted to another applicant for a covered activity for the date and time requested.
  - (ii) It reasonably appears that the covered activity will present a clear and present danger to the public safety, good order or health.
  - (iii) The application proposes activities which would be in violation of law or regulation.
  - (iv) An event enumerated in 55 RCNY § 10-02 was previously calendared for the same date and time.
  - (v) The Police Department determines that the proposed covered activity conflicts with security needs anticipated for the time and place of the proposed activity. In the event that a permit is denied under paragraphs (i), (iv) or (v), the applicant will be informed of alternative locations or times available for the covered activity.
- d. Covered activities are subject to the following additional limitations:
  - (i) Applicants for permits that are issued in error because an event enumerated in 55 RCNY § 10-02 had previously been calendared or a permit had previously been granted for another covered activity will be notified and provided with a reasonable opportunity to conduct the covered activity at an alternative location or an alternative time.
  - (ii) No permit will authorize the erection or placement of structures.
  - (iii) Permits shall authorize only one covered activity by one permit holder at a time.
  - (iv) Permits shall extend for a period of not more than three hours.
- e. Permits may be revoked prior to the scheduled covered activity under the following circumstances: (i) unanticipated security needs or other exigent circumstances; or (ii) information comes to the attention of the Police Department which indicates that the proposed activity reasonably presents a clear and present danger to the public safety, good order or health. Revocations of previously granted permits which occur at least 10 days prior to the covered activity shall be made in writing.

### § 10-07 [Revocation of Permit.]

During the conduct of covered activities, a permit may be revoked by the ranking on-site New York City police officer if the covered activity or other circumstances (i) present a clear and present danger to the public safety, good order or health; (ii) interfere with ingress to or egress from City Hall or

otherwise violate the terms and conditions contained in the permit; or (iii) result in bodily harm to any individual, damage to property, or imminent breach of the peace such that good order cannot otherwise be maintained.

#### **§ 10-08 [Police Department Powers Not Restricted; Searches.]**

Nothing in these procedures shall restrict the power and authority of the Police Department to preserve the public peace and safety in the vicinity of City Hall, including but not limited to using magnetometers or other security devices, submitting all persons, bags and packages to mechanical inspection or search.

#### **§ 10-09 [Emergency; Close Area.]**

The Police Department may order the closure of or limit access to the City Hall area in the event of an emergency or period of heightened security.

#### **§ 10-10 [Contents of Permit.]**

All permits issued shall include the conditions set forth above.