

FIRST AMENDMENT DEMONSTRATION PERMIT APPLICATION

Permit requests must be submitted for approval by the Chief of Police at least 3 days prior to the event.

First Amendment demonstration means any demonstration, assembly, picketing, speechmaking, marching, protesting, vigil or religious service, and all other like forms of conduct, in or upon any street, including the sidewalk area thereof, park or other public place in the city, that involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct of which is reasonably likely to draw a crowd or onlookers. City Code § 25-36.

No person shall engage in, participate in, aid, form or start any First Amendment demonstration, consisting of twenty-five (25) or more persons, unless a First Amendment demonstration permit shall have been obtained from the chief of police. Any person engaging in any First Amendment demonstration for which a First Amendment demonstration permit has been issued shall not violate any of the conditions or provisions of such permit. This shall not apply to: A First Amendment demonstration consisting of less than twenty-five (25) persons or a spontaneous gathering. Organizers of a First Amendment demonstration consisting of less than twenty-five (25) persons or a spontaneous gathering are encouraged to give as much advanced notice as reasonably possible to permit the city to provide services necessary to promote, protect, and assure the safety and convenience of citizens in their use of city streets, sidewalks, parks, and of city property. Nothing in this subsection shall preclude the city from enforcing other laws, ordinances, rules, regulations, conditions or provisions, adopted to provide for the health, safety, and welfare of the city and its citizens. City Code § 25-39

*** Depending on the size and scope of the event, you may be referred to the [Special Events permit](#) process, which requires a minimum of 45 day notice. City Code § 25-40

**Upon completion, please return this form to offduty@charleston-sc.gov.
Contact the CPD Special Events Office at 843-720-2459 with questions.**

TITLE OF EVENT: _____ **DATE OF EVENT:** _____

APPLICANT:

Applicant Name: _____

Address: _____

Telephone number (primary): _____ secondary: _____

E-mail address: _____

*If parade is designed to be held by and on behalf of, or for any person other than the applicant, the applicant shall file along with this application a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his or her behalf. Absent such written authorization the applicant will be deemed to have applied for the permit in their own name and shall be deemed the responsible party.

ORGANIZATION (if applicable):

Name of Organization: _____

Head of Organization: _____

Address: _____

Telephone number (primary): _____ secondary: _____

E-mail address: _____

RESPONSIBLE PARTY:

Responsible Party Name: _____

Address: _____

Telephone number (primary): _____ secondary: _____

E-mail address: _____

EVENT:

Location(s): _____

Hours of event: _____

Estimated number of attendees: _____

General Description of Event:

If more than one location or a walk/march, list starting point, termination point, detailed description of route to be traveled, and when the walk/march will begin and end:

GENERAL CONDITIONS :

City Code § 25-44 unless otherwise noted.

- 1) The event will not begin before 8:00 a.m. and must terminate before 8:00 p.m. *City Code § 25-37*
- 2) The conduct of the demonstration will not substantially interrupt the safe and orderly movement of other traffic, pedestrian and vehicular, contiguous to its route. It shall be unlawful for any person to point or present a firearm (as defined in S.C. Code § 16.25.10(7)), or to brandish a weapon (as defined in City Code § 21-219), while participating in or attending a First Amendment demonstration as defined in this article. All signs must be hand- held. *City Code § 25-38*
- 3) The conduct of the demonstration will not require the diversion of so great a number of police officers of the city properly to police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city.
- 4) The concentration of persons at assembly points of the demonstration will not unduly interfere with proper fire and police protection of areas contiguous to such assembly areas.

- 5) The conduct of such demonstration will not interfere with the movement of firefighting equipment enroute to a fire.
- 6) The conduct of the demonstration is not reasonably likely to cause injury to persons or property, or to provoke disorderly conduct.
- 7) The demonstration is scheduled to move from its point of origin to its point of termination expeditiously, without unreasonable delays enroute and without passing by any location more than once.
- 8) If the demonstration is to be solely on the sidewalk areas of the city, the demonstration shall be in single file only of persons participating, with no animals, vehicles or other nonhuman objects except reasonably sized signs individually carried in the line of procession.

REGULATIONS:

City Code § 25-52 unless otherwise noted.

Notwithstanding the twenty-five (25) person threshold for First Amendment demonstration permits required in Division 2 of this article, the following regulations shall apply to First Amendment demonstrations and spontaneous gatherings of any size:

- 1) It shall be unlawful for demonstrations to disrupt, block, obstruct or interfere with pedestrian or vehicular traffic or the free passage of pedestrian or vehicular traffic on or into any driveway, sidewalk, public right-of-way, building, pedestrian entrance, stairway, ramp, or other access to buildings, which abut the public sidewalks.
- 2) It shall be unlawful for a demonstration to occur within fifteen (15) feet from the outermost edge of any monument or memorial, to include fountains, sculptures, plaques, statues, markers, gazebos, objects and other architectural elements or structures with commemorative, historical, symbolic, aesthetic, or artistic significance in order to preserve the intended use of a monument or memorial and to ensure all persons' use and enjoyment and safe and unimpeded ingress and egress to and from such property.
- 3) It shall be unlawful for a demonstration to remain stationary in front of or to pass repeatedly by an individual's residence or dwelling.
- 4) It shall be unlawful during a demonstration to place any structure, enclosure, tent, tables, chairs, bicycles, motor vehicles, golf carts, mopeds or other equipment on any city property, or park any bicycles, motor vehicles, golf carts, mopeds or other equipment, except in designated parking spots and except as specifically authorized by the permit.
- 5) It shall be unlawful during a demonstration to remove, deface, damage, or otherwise injure any structure, sign, fence, equipment, improvement, monument or memorial, to include fountains, sculptures, plaques, statues, markers, gazebos, objects and other architectural elements or structures, including hanging, attaching or placing signs, flags, placards or any other object of any kind on such city property.
- 6) It shall be unlawful during a demonstration to walk, stand, sit, lie, or climb upon any wall, fence, shelter, tree, shrub, or other vegetation, or any structure, monument or memorial, to include fountains, sculptures, plaques, statues, markers, gazebos, objects and other architectural elements not designed or intended for such purposes.
- 7) It shall be unlawful during a demonstration to damage landscaping, plantings, flowers, trees, shrubs, grass, ground cover or other vegetation located on city property.
- 8) It shall be unlawful during a demonstration to enter onto private property without prior written permission from the property owner.
- 9) It shall be unlawful during a demonstration to enter onto federal, state, or county property without prior written permission from the applicable governmental agency.

- 10) It shall be unlawful for any participant of a demonstration to harass or intimidate any bystanders; it shall also be unlawful for any participant to interfere with the movement of non-participants, including ingress or egress to or from any city building, driveway, stairway, ramp, sidewalk, public right-of-way, monument or memorial, to include fountains, sculptures, plaques, statues, markers, gazebos, objects and other architectural elements or structures.
- 11) Participants of a demonstration shall comply with lawful directions or instructions set forth on any sign posted pursuant to law or by the city for or in connection with the event.
- 12) Participants of a demonstration shall abide by city park rules if the demonstration is held in a city park and shall not interfere with the intended use of the park or interrupt the reasonable use and enjoyment of the park by non-participants.
- 13) Participants of a demonstration shall abide by and be subject to all local, state and federal laws, ordinances, and regulations and any directions given by a law enforcement officer.
- 14) It shall be unlawful for any person(s), participating in a First Amendment demonstration for which a permit has been issued, to openly carry a firearm. Organizers may be directed to post signs indicating the specific area open carry of firearms are prohibited. *City Code § 25-38b*

Nothing in this section prohibits a law enforcement officer from issuing a command to disperse in the event of a riot, breach of the peace, disorderly conduct or other unlawful assembly.

Nothing in this subsection shall preclude the city from enforcing other laws, ordinances, or regulations.

Nothing in this section is intended to restrict free speech or any other constitutional right.

By initialing each page of this application and signing below, as the applicant, I hereby agree to the above general conditions, regulations, and any other special conditions imposed as part of the approval process. Failure to follow the conditions of this permit or violations of related ordinances is a criminal violation subject to arrest and/or citation. *City Code § 25-55*

Applicant _____
Date

Upon completion, please return this form to offduty@charleston-sc.gov. A member of the CPD Special Events Office will acknowledge receipt of applications submitted within one business day.

The chief of police shall act upon the application for a First Amendment demonstration permit within one (1) week after the filing thereof, or, if the application was filed less than seven (7) days before the proposed demonstration, then within two (2) days after the filing thereof. If the chief of police disapproves the application, he shall provide written notice to the applicant within two (2) days after the date of his determination, or within a reasonably practical time period, a notice of denial, stating the reasons for his denial of the permit.

Contact the CPD Special Events Office at 843-720-2459 with questions.

-----CPD SPECIAL EVENT OFFICE USE ONLY:-----

Special Events Committee Advised: Date: _____

Special Events Commander Authorization:	Approved	Disapproved
Signature: _____	Date: _____	
Chief of Police Authorization:	Approved	Disapproved
Signature: _____	Date: _____	