

# **GUIDELINES AND STANDARDS OF CONDUCT**

## **FOR ANYONE WISHING TO ENGAGE IN EXPRESSIVE ACTIVITY IN THE CITY OF GRAND RAPIDS**

**1. Q. What is “Expressive Activity”?**

A. Expressive Activity is any act of speech or expression protected by the First Amendment to the U.S. Constitution, including any organized gathering of one or more persons on public property for the purpose of engaging in such activity, including but not limited to:

- (1) Meetings and other group activities;
- (2) Speeches, demonstrations, marches, rallies, vigils, and other events; or
- (3) Distribution of literature, such as leafleting and pamphleting.

**2. Q. What about food and merchandise sales?**

A. The sale of merchandise, food, or services is not “Expressive Activity”. Such commercial activity is not Constitutionally-protected expressive activity, and must comply with the Special Event permitting process.

**3. Q. Am I required to provide advance notice to the City that I intend to organize a group to engage in Expressive Activity?**

A. No. However, the City encourages every organizer of Expressive Activity to notify the City in advance. Notice to the City helps in the allocation of limited space, staffing, and other resources.

**4. Q. Am I required to get a Special Event Permit in order to engage in Expressive Activity?**

A. No. But all attendees need to follow all laws, rules, regulations and the Standards of Conduct included with these Guidelines.

**5. Q. Can I protest on a street or highway without a permit?**

A. No, not without necessary permits.. Anyone obstructing or impairing traffic in the public right-of-way is violating the law: *“A person, without authority, shall not block, obstruct, impede, or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public street or highway in this state, by means of a barricade, object, or*

*device, or with his or her person.*” MCL 257.676b. The City urges you to keep all attendees on the sidewalk and comply with traffic regulations and controls.

**6. Q. What if I want to have a parade, or otherwise be in the street?**

A. You should contact the Office of Special Events for a permit.

**7. Q. What if I want to organize a march in the street in response to a current event, and there is limited time to get a Special Event Permit?**

A. If the activity is to occur on a street, then a permit is required. Street closures require planning. Barricades must be placed by City workers. Police officers are needed for traffic safety, especially at intersections. There are costs associated with those services. Anyone wanting to use City streets should contact the City's Special Events Department during regular business hours, or the GRPD outside of regular business hours. Otherwise, if the group wants to conduct a march without a permit, participants should remain on the sidewalk and obey all traffic control devices.

**8. Q. What are the fees?**

A. There are no fees for Expressive Activities. If you want to have a Special Event Permit for your gathering, please contact the Office of Special Events.

**9. Q. Why would I want a Special Event Permit, if one is not required?**

A. If you want to reserve a specific location for your group, a Special Event Permit is recommended. For instance, if you want to use the stage at Rosa Parks Circle for expressive activity without a permit, then keep in mind that the stage is open to ALL who may want to speak. If you want the City to close streets, or you need to rent equipment from the City, or schedule overtime for City employees, then those services are arranged through the Special Event Permit process.

**10. Q. Do I need to get insurance?**

A. No. But if you decide to get a Special Event Permit, then insurance may be required just as it is for any other Special Event.

**11. Q. What if I organize Expressive Activity and someone else has already reserved the same location for a Special Event?**

A. This is a good example of why advance notice to the City is helpful to everyone. If the venue is overbooked or incompatible (i.e., there is construction underway in the area, or the capacity of the location will not adequately contain the anticipated crowd), then City staff can help organizers arrange suitable

alternative arrangements to resolve those issues. Be aware that providing notice to the City of an upcoming event is not a reservation. Only a Special Event Permit can reserve space for your group.

**12. Q. What if I organize Expressive Activity and a different group arrives at the same location with opposing views? Will the police shut down the counter-demonstration? Will the other group be able to shut down my event?**

A. No and no. The law allows people with different objectives and perspectives to peacefully assemble and express their views. Where competing groups appear at the same location, the City is allowed under the law to allocate space at that location on an equitable basis, proportionate to the number of objectives being promoted. That means that if there are two groups with different views, the City may allocate space in two areas. If there are three different groups, there will be three areas, and so on. Again, we encourage all event organizers to notify the City of your intended plans and secure a Special Event permit to reserve adequate space for your group.

**13. Q. I've heard that another group may appear and they will be hostile to my group. What do I do?**

A. Please let the City know if you have information of this nature. Contact the Police Department for non-emergencies, or dial 911 for emergency situations. The City will work to ensure a safe and lawful event for all involved.

**14. Q. I have a Special Event Permit. Will the City eject anyone who shows up and tries to disrupt my event?**

A. If your event is free and open to the public, the First Amendment protects expressive activity. However, if the activity violates the Standards of Conduct such that individual behavior disrupts the event, then you should contact the police. The police will not eject someone from your event merely because you or your attendees don't like the message being expressed.

**15. Q. I have a Special Event Permit. The event is free and open to the public. Someone wants to set up a table within my event boundaries. What do I do?**

A. If the event organizer does not want the table within the event boundaries, they can be asked to leave. The individual may be allowed to set up their table outside of the event boundaries, provided they do not impede pedestrian traffic.

**16. Q. I have a Special Event Permit. Is a person allowed to distribute leaflets or pamphlets within my special event?**

A. Yes. If the event is free and open to the public, this is protected First Amendment speech.

**17. Q. I have a Special Event Permit. What if someone shows up at my event holding signs?**

A. If the event is free and open to the public, this is protected First Amendment speech.

**18. Q. Can my Expressive Activity Event include sound amplification devices or instruments?**

A. Sound amplification devices can be used on a public property so long as the sound is not louder than the “average conversational level” 100 feet away from the source of the sound. Musical instruments are also allowed. However, the City Noise Ordinance contains “quiet hours” between 10:00pm and 7:00am. Please be aware of residents and businesses around your location and the time of day you are using sound amplification or instruments. The Office of Special Events can also issue permits that allow for use of sound equipment and increased sound levels.

Here are some important provisions of the noise ordinance for you to consider as you plan your Expressive Activity:

Sec. 9.63 Prohibited Noise

No person shall:

\* \* \*

(2) Between 10:00 p.m. and 7:00 a.m., operate or play any radio, television, electronic audio equipment, drum, musical instrument, or device creating amplified sound such that the sound emanating therefrom can be heard across a property line of property devoted to residential uses.

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(4) Operate any device creating amplified sound on any public property or public right-of-way that is louder than average conversational level at a distance of one hundred (100) feet or more, measured vertically or horizontally, from the source.

\* \* \*

(9) Between 10:00 p.m. and 7:00 a.m., yell, cry, call, shout, whistle, or sing upon a public way, or in such proximity to a public way, as to be distinctly and loudly audible upon such public way.

You can review the rest of the ordinance [here](#).

## **STANDARDS OF CONDUCT**

All individuals engaged in Expressive Activity, regardless of whether Special Event Permit has been issued, are subject to the following time, place and manner restrictions:

1. The participants shall not block access to buildings, nor impede ingress or egress to any parking lot, park, facility, or event. [City Code Sec. 9.132, MVC 257.676b.] Under no circumstance shall any participant impede vehicular or pedestrian ingress or egress to any hospital, fire station, or other emergency response facility.
2. The participants shall not obstruct vehicular or pedestrian traffic. [City Code Sec. 9.132, MVC 257.676b.] Under no circumstance shall any participant impede access to any interstate highway, including ramps, access roads and bridges serving such highways.
3. The Expressive Activity shall not constitute unlawful activity. Participants must follow all Federal, State, and Local, laws, statutes, ordinances, regulations, and rules.
4. Any person may use sound amplification devices on public property so long as the sound is not louder than the average conversational level at a distance of 100 feet or more, measured vertically or horizontally, from the source in accordance with the City Noise ordinance or as otherwise authorized by a Special Events Permit. [City Code Sec. 9.63(-4) (Noise) or 4.207 (Special Events)]
5. The Expressive Activity shall not include littering, or posting materials on City property, utilities, or sidewalks. Participants shall be responsible for picking up any printed materials dropped on the ground around the areas of distribution. [City Code Sec. 9.26.]
6. Parking lots, ramps, and garages are not designated or suitable for Expressive Activities, and placing flyers on windshields is not permitted. [City Code Sec. 9.26.]
7. The Expressive Activity must occur during the normal operating hours of the facility in which it is held. [City Code Sec. 3.8 (Parks)]