

DEMONSTRATING IN NEW YORK CITY

KNOW YOUR RIGHTS



New Yorkers have the constitutional right to engage in peaceful protest activity on public sidewalks and streets, and in public parks. This includes the right to distribute flyers or leaflets; the right to hold press conferences, demonstrations, and rallies; and the right to march on public sidewalks and in public streets.

At the same time, the City imposes restrictions, and in some instances requires a permit, to ensure that demonstrations maintain order, do not have a negative impact on the neighborhood, and keep people from harm.

PERMIT REQUIREMENTS

You do not need a permit to:

- Distribute flyers on a public sidewalk or in a public park;
- Have a demonstration, rally, or press conference on a public sidewalk; or
- March on a public sidewalk without amplified sound.

You need a permit to:

- Use amplified sound on public property;
- Have an event with more than 20 people in a New York City park;
- Conduct a march in a public street; or
- Conduct a procession involving 50 or more vehicles or bicycles in a public street.

DEMONSTRATIONS, MARCHES, AND RALLIES ON A PUBLIC SIDEWALK

- You are not required to contact the NYPD. If you do, officers may appear at the event. If your event involves a significant number of people, the NYPD may set up a pen, but you are not required to stay in the pen.
- You cannot block building entrances or prevent pedestrians from passing on a sidewalk. Leave at least one-half of the sidewalk free.
- You may distribute flyers, but not to people in vehicles in traffic.

MARCHES AND PARADES IN A PUBLIC STREET

- You may be able to march in a public street (as opposed to on a sidewalk) in some circumstances. To march in a street, you must obtain a permit from the NYPD on their website: <https://www1.nyc.gov/site/nypd/services/law-enforcement/permits-licenses-permits.page>
- If you expect 1,000 or more people, the NYPD encourages you to apply nine months prior to the event. However, you can apply no less than 36 hours in advance.
- If you expect 1,000 or more people or your march route includes any portion of Fifth Avenue in Manhattan, then you can file a permit application with the Office of the Chief of Department at 1 Police Plaza or over the phone (646-610-6710) in lieu of applying for a permit online.

- If you expect fewer than 1,000 people, the NYPD encourages you to apply for a permit 10 days prior to the march. However, you can apply no less than 36 hours in advance.
- If you file a permit application within 10 days of the event, you must file the request through the precinct where the parade is expected to take place.

To find the proper precinct, use the NYPD's Precinct Finder at: <https://www1.nyc.gov/site/nypd/bureaus/patrol/find-your-precinct.page>. You can visit the precinct in person or call the Community Affairs detective or officer to discuss your event. (The telephone number of the Community Affairs Officer is available on the precinct's website.)

- To apply for a permit by mail or in person, file your permit application with the New York Police Department's precinct where the march will originate.
- There is a non-refundable processing fee of \$25.50 for a parade permit.
- As a general rule, the NYPD will only allow marches to take place in the street if there are enough people so that it is not safe or otherwise reasonable to march on the sidewalk. For street marches, the police will close a portion of the roadway.

BICYCLES AND VEHICLES

You are entitled to drive or ride as a group on a public street, but if you have 50 or more vehicles or bicycles in the procession, you will need a parade permit from the NYPD. Permit applications are handled the same way as applications for street marches, as described above.

AMPLIFIED SOUND

- To use amplified sound in a public place, you must get a Sound Device Permit from the NYPD. You can download a permit application here: <https://www1.nyc.gov/site/nypd/services/law-enforcement/permits-licenses-permits.page>. You can also obtain an application from the precinct where the prospective event will take place.

To find the proper precinct, use the NYPD's Precinct Finder at: <https://www1.nyc.gov/site/nypd/bureaus/patrol/find-your-precinct.page>. You can visit the precinct in person or call the Community Affairs detective or officer to discuss your event. (The telephone number of the Community Affairs Officer is on the precinct's website.)

- Once you complete the application, submit it in person at the precinct where the event will take place. If you are issued a permit, there is a one-time, \$45 sound permit fee. The precinct will only accept a bank teller's check, certified check, or money order. (Cash or personal or corporate checks are not accepted.)
- Though City rules specify that permits must be sought at least five days before the event, you are entitled to receive a permit even if you apply less than five days before your event.
- The City rules prohibit the use of amplified sound:

Between the hours of 10 p.m. and 9 a.m. in nonresidential areas; and in residential areas, between 8 p.m. or sunset, whichever is later, and 9 a.m.

on weekdays, and between 8 p.m. or sunset, whichever is later, and 10 a.m. on weekends.

In any location within 500 feet of schools, courthouses, and churches when they are in session, or a hospital or similar institution at any time.

- Sound Device Permits may specify a decibel limit on the level of permissible sound.
- If you intend to use amplified sound that requires electricity, you are not allowed to tap into public power (e.g., a light pole) unless you have made specific arrangements with the City to do so.

SIGNS

You may use signs at your event, as long as they are not affixed to wooden sticks or plastic or metal poles. Signs cannot be attached to public property, such as trees, light posts, or police barriers.

CITY PARKS

- You are entitled to distribute expressive materials or have a rally, press conference, or demonstration in a city park.
- If the event will include more than 20 participants, you must obtain a Parks Special Event Permit from the New York City Parks Department. You can apply online at the Parks Department's website <https://nyceventpermits.nyc.gov/Parks/>. The online application fee is \$25.

The New York City Parks Department needs 21 to 30 days to process a permit request.

If you would like to plan an event in a city park to be held within five to seven business days of the date you expect to apply for a permit, submit a permit application at the New York City Parks Department's office in the borough where the park is located. That office will have a hard copy of the permit application.

- You may use amplified sound at an event in a city park. As with amplified sound in other public places, you must obtain a permit from the NYPD. The NYPD will typically not issue a sound permit until you obtain your Parks Special Event Permit.

EVENTS IN FRONT OF CITY HALL

- You are entitled to have a rally, press conference, or demonstration on the steps of City Hall or in the plaza directly in front of the steps. City Hall Park also is open for such events, subject to the normal rules for parks events.
- Groups are limited to 300 people, only a portion of the steps may be used, and all people attending an event must pass through a metal detector.
- Contact the NYPD's Municipal Security Section at 212-341-5063 to make "special arrangements." Special arrangements may be made for press conferences/rallies/demonstrations to be held either on the steps of City Hall for an event that is no longer than a one-hour block of time for under approximately 120 people or, alternatively, in the plaza of City Hall for one-hour events with over approximately 120 participants.

TIPS: WHAT ELSE SHOULD I KNOW?

- Apply for permits as early as possible. Be persistent, keep copies of all paperwork, and record the names of the public officials you talk to.
- In many instances, groups holding events on public property in New York City – with or without a permit – will be contacted by the police so they can plan for it. The NYPD can ask for information, but you are not obligated to provide it.