

Special Events Office



Regulations Related to Demonstrations

- A. ORIGIN AND PURPOSE: The regulations herein are issued pursuant to 37 TRO § 1405(N). The purpose of these regulations is to establish a process for permitting Special Events which fall within the definition of Demonstration as found in 37 TRO § 1401(C).
- B. DEFINITIONS: Definitions of terms used herein, if not otherwise defined herein, shall be the same as those found in 37 TRO § 1401. Some of the definitions from 37 TRO § 1401 are included verbatim below for ease of use of these Regulations.
1. “Demonstration” shall mean any formation, procession, or assembly of persons which, for the purpose of expressive activity, is to assemble or travel in unison on any street in a manner that does not comply with normal or usual traffic regulations or controls or to gather at a public area.
 2. “Expressive activity” shall include conduct, the sole or principal object of which is the expression, dissemination or communication by verbal, visual, literary or auditory means of opinion, views or ideas and for which no fee or donation is charged or required as a condition of participation in or attendance at such activity. It includes public oratory and distribution of literature.
 3. “Long-Standing Annual Event” shall mean a long-standing regular event as stated in 37 TRO § 1405(F) which has been conducted on or about a certain date, on a substantially similar route or in a substantially similar location, and in connection with a specific holiday or consistent theme, for at least four (4) of the prior five (5) years. Organizers of Long-Standing events should note that if they do not have their application submitted prior to an application being received from a Non-Exempt Demonstration SEP Applicant, the Demonstration may receive preference over the Long-Standing Annual Event applicant for the same date(s).
 4. “Organizer” shall mean any person who conducts, manages, promotes, organizes, aids or solicits attendance at a special event.
 5. “Person” shall mean any person, firm, partnership, association, corporation, company or organization of any kind.
 6. “Public rights-of-way” shall mean any street, sidewalk, alley, and/or easement deeded or dedicated to public use. This includes a City of Tulsa maintained trail.
 7. “Sidewalk” shall mean that portion of the highway, other than the roadway, set apart by curbs, barriers, markings on other delineation for pedestrian travel.
 8. “Sign” shall mean any sign, pennant, flag, banner, inflatable display, or other attention-seeking device.

9. "Special Events Coordinator" or "Coordinator" shall be the individual designated by the Director of the Working in Neighborhoods Department of the City of Tulsa.
10. "Special Event Permit" or "SEP" shall mean a permit issued under Chapter 14 of Title 37 of the Tulsa Revised Ordinances.

C. INTENT: It is the intent of the City of Tulsa to protect the rights of its citizens to engage in free speech expression activities within reasonable, time, place, and manner restrictions that also allow the City to protect the health and safety of demonstrators and the public, prohibit illegal activity from occurring within or near demonstrations, serve the government's responsibility to keep streets open and available for movement, ensure public safety and proper traffic regulation, recover expenses incurred due to the production of a special event, and protect the rights and interests granted a special event permit holder. These regulations are further intended to provide an accelerated permit process for those Demonstrations that occur as a spontaneous response to current, unforeseen events.

D. The message of the Demonstration shall not be considered in determining the issuance or denial of an application for a SEP for a Demonstration.

E. DEMONSTRATIONS EXEMPTED FROM SPECIAL EVENT PERMITS

1. Any Demonstration not falling within the exemptions listed within this Subsection, or other exemptions found in 37 TRO § 1403(A), shall require a Special Event Permit as required by Chapter 14 of Title 37 of the Tulsa Revised Ordinances and these Regulations.
2. DEMONSTRATIONS USING ONLY SIDEWALKS: A lawful Demonstration or picketing solely on the sidewalks which does not involve the use of a street, vehicles, animals, fireworks, or equipment (other than sound equipment) is exempted from a special event permit pursuant to 37 TRO § 1403(A)(3).
 - a. Provided that, individuals involved in such non-permitted sidewalk Demonstrations are required to comply with general regulations governing public safety and health.
 - b. Individuals involved in a non-permitted sidewalk Demonstration must comply with all City ordinances related to free passage and use of sidewalks which includes, but may not be limited to, allowing access to buildings and parking lots and not interfering with free passage of non-demonstrators using the sidewalks.
 - c. Any Demonstration that seeks to block passage of a sidewalk to non-demonstrators must obtain a Special Events Permit.
3. DEMONSTRATIONS CONDUCTED ENTIRELY WITHIN PARKS: A lawful demonstration or picketing "conducted entirely within City of Tulsa Parks, Tulsa County Parks, River Parks Authority or private parks" which does not involve the use of a street, vehicles, animals, fireworks, or equipment (other than sound equipment) is exempted from a Special Event Permit pursuant to 37 TRO § 1403(A)(6).
 - a. Provided that, individuals involved in such non-permitted park Demonstrations are required to comply with general regulations governing public safety and health including, but not limited to, park-specific rules, regulations, and ordinances.

- b. Individuals involved in a non-permitted park Demonstration must allow free passage and use of sidewalks and paths within and through the park by non-demonstrators.
 - c. Any Demonstration that seeks to block passage by non-demonstrators to sidewalks or paths within a park or seeks to limit the use of the park by non-demonstrators must obtain a Special Events Permit.
 - 4. DEMONSTRATIONS ON PRIVATE PROPERTY WITH PERMISSION OF THE OWNER/POSSESSOR: A lawful Demonstration which occurs entirely within private property that does not use a street, vehicles, animals, fireworks, pyrotechnics, or equipment (other than sound equipment) is exempt from a Special Event Permit.
 - a. Demonstrations on private property without the consent of the owner and/or possessor of the property are prohibited, and the City cannot issue a Special Events Permit that would allow such a Demonstration.
 - b. It is recommended that any organizer of a Demonstration have on their person during the Demonstration written permission from the owner or possessor of the property for verification purposes.
 - 5. No Demonstration is permitted on any portion of public rights-of-way without a SEP allowing such activity obtained from the Working in Neighborhoods Department except as stated in this Subsection and in 37 TRO §1403(A).

- F. PLANNED NON-EXEMPT DEMONSTRATIONS. Any Demonstration that does not fall within an exemption found in either 37 TRO § 1403(A) or Subsection E of these regulations requires a Special Event Permit. The Special Event Permit application for a Planned Non-Exempt Demonstration that does not fall within Subsection G of these Regulations must be received by the Special Events Coordinator not less than fifteen (15) days prior to the commencement of the non-exempt Demonstration.

- G. SPONTANEOUS DEMONSTRATIONS IN RESPONSE TO CURRENT EVENTS. Demonstrations that do not fall within an exemption found in either 37 TRO § 1403(A) or these Regulations require a SEP, provided that the Coordinator shall consider an application for a Demonstration permit which is filed less than fifteen (15) days before the proposed event where the purpose of such event is a spontaneous response to a current event.

- H. APPLICATIONS FOR SPECIAL EVENT PERMITS FOR NON-EXEMPT DEMONSTRATIONS. The Regulations in this Subsection shall apply to applications for a SEP for any non-exempt Demonstration such as those designated in Subsections F and G of these Regulations.
 - 1. No person or organization may submit more than one application for the same Demonstration date and location/route, or for a Demonstration substantially similar in theme or units described but requesting an alternate date or location/route, whether using the same name, different names, or different affiliations that the person or organization may control or be a member of.
 - 2. No person or organization may submit an application on behalf of another person or entity that is also filing a Demonstration application.

3. Where a person or organization submits multiple applications for the same Demonstration date and location/route, or for a Demonstration substantially similar in theme or units described but requesting an alternate date or location/route, whether by using one name or multiple names, that person or organization shall not be eligible for such a permit.
4. The Coordinator is authorized to disregard any such multiple applications and to deny any permit on the basis of a violation of this subsection. Any applicant who disagrees with the Coordinator's actions hereunder may appeal, in the manner set forth in Subsection (J) of these Regulations.
5. As a condition of the permit, the permit holder shall keep all information current. Any change in the required information shall be reported to the Coordinator immediately.
6. Each Non-Exempt Demonstration SEP application shall be accompanied by the non-refundable application fee established in Title 49, Chapter 10 of the Tulsa Revised Ordinances in effect at the time of the application.
7. The application shall be in a form and format as prescribed by the Coordinator. The Coordinator is authorized to disregard any application filed not in compliance with the SEP Ordinance and these Regulations, and in such cases, the applicant will be notified that the application was not accepted and the reasons therefor.
8. Upon receipt of an application for, issuance of, or denial of a Special Event Permit for a Non-Exempt Demonstration, the Coordinator shall notify the Mayor and/or his/her designee, the City Council and/or their designee, and the Chief of Police and/or his/her designee.
9. Any requirement for an application fee or requirement for cost recovery provided for in Title 37, Chapter 14 of the Tulsa Revised Ordinances or these Regulations shall apply to Non-Exempt Demonstration SEPs under these regulations, provided that the applicant may request that all fees and costs be waived by the City Council pursuant to the City Charter.
10. An applicant for a Non-Exempt SEP shall not be required to comply with the insurance requirement found in Title 37, Section 1408, unless there is a specific, demonstrable history of personal injury or property damage claims being awarded against the applicant attributable to the applicant's conduct of previous events in the City that are similar in nature to the proposed event.

I. DETERMINATIONS ON APPLICATIONS FOR SPECIAL EVENT PERMITS FOR NON-EXEMPT DEMONSTRATIONS.

1. The Coordinator shall review the facts set out in the application, in consultation with the Tulsa Police Department, which shall be sent copies of the application immediately upon receipt.
2. Where the Coordinator determines that additional information on the factors set forth in Subsections (I)(4)(a) – (d) of these Regulations is required, copies of the application and a request for such information also shall be sent to any appropriate City department or other governmental agency, including any sister agency. Where the Coordinator determines that any such entities may need to make advance preparations for a Demonstration, or may have information useful to planning for City services supporting

the event, a copy of the application, permit, or an alternative form of notice shall be sent to the appropriate City department, and any governmental agency, including any sister agency, which may be affected by the Demonstration.

3. The Coordinator shall send a copy of each Demonstration SEP application to the City Councilor for the location in which the Demonstration is to be held, with a request for any information on the factors set forth in Subsections (I)(4)(a) – (d) of these Regulations, and, once a determination is made, a copy of the grant or denial of a Demonstration SEP.
4. After such review, the Coordinator shall issue a SEP when the Coordinator finds that:
 - a. The Demonstration will not substantially or unnecessarily interfere with traffic in the area contiguous to the activity, or that, if the Demonstration will substantially interfere with such traffic, that there are available at the time of the proposed Demonstration sufficient City resources to mitigate the disruption;
 - b. There are available at the time of the Demonstration a sufficient number of on-duty Police officers, or other City employees authorized to regulate traffic, to police and protect lawful participants in the Demonstration and non-participants from traffic-related hazards in light of the other demands for police protection at the time of the proposed Demonstration;
 - c. The concentration of persons, animals, vehicles, or things at the assembly and disbanding areas and within and/or along the Demonstration location/route will not prevent proper Fire and Police protection or emergency medical services;
 - d. The Demonstration location and/or route will not substantially inhibit access into or out of emergency police, fire, or medical facilities.
 - e. The Demonstration will not interfere with the use of the requested area by another party to whom a valid SEP has been issued for the same area or route, and/or does not conflict with another application, or with a Long-Standing Annual Event;
 - f. The Demonstration will not be conducted for any unlawful purpose or be conducted in any manner made unlawful elsewhere in these Regulations or the City of Tulsa Ordinances or by any other local, state, or federal law; and
 - g. The application contains sufficient information about the person or organization applying for the permit, the Demonstration organizer, and the proposed date, time, location, route, and number of participants.
5. Resolving Conflicts Between Applications. Subject to subsection (a) of this section, all applications for a Demonstration permit shall be processed on a first-in-time basis; provided that if there is a conflict between two or more applications filed, the conflict shall be resolved as follows:
 - a. Where there is a conflict between any two or more applications with an application for a Long-Standing Annual Event, the Coordinator shall first evaluate whether the conflict could be resolved by assigning the applicants consecutive times on the same day and route/location, giving consideration to the criteria set forth in Subsection (I)(4)(a) – (d) of these Regulations. For purposes of this section, a conflict arises for the same time, place, and location, when there is less

than two (2) hours or two (2) city blocks between events due to the necessity of allowing one event to be removed while the other is being set up, to allow for suitable detours, traffic control, and reasonable access to businesses, facilities, and residences. If the Coordinator finds that consecutive times or alternative locations at the same time are appropriate, the Coordinator shall notify each applicant that the permit shall be granted for the specified alternative time or location. For those applicants who are not assigned their requested time period or location, such notice shall be treated as a denial and offer of alternative under Subsection (1)(7) of these Regulations for purposes of the five (5)-business-day time period in which to file an acceptance or appeal.

- b. Where consecutive times or locations are not deemed appropriate and the conflict is with an application for a Long-Standing Annual Event, the Long-Standing Annual Event shall receive the permit.

6. Timing and Notice.

- a. The Coordinator shall take action upon the application for a Demonstration SEP, and provide notice to the applicant of the decision thereon, within 10 business days after filing of an application, except that where the purpose of such event is a spontaneous response to a current event, the Coordinator shall act within two (2) business days.
- b. Notice shall be made in writing to the applicant by mail, fax, or e-mail directed to the applicant, stating the facts and conclusions which are the basis for any denial of the permit, and, if the action taken is setting an alternative date, time, or location, then describing the conflict among application requests.
 - i. If the Coordinator denies an application for failure of the applicant to provide sufficient information about the proposed route or the estimated number of participants, the Coordinator shall specify what additional information must be provided in a new or amended application.
 - ii. In the event that the Coordinator fails to take action within the time prescribed in Subsection 6(a) of these Regulations after the date upon which the application was filed, the application shall be deemed approved and the permit deemed granted as to the time, date, location, and route as set forth in the application.

7. Alternative Denial Permits. When the Coordinator denies an application for a Demonstration SEP, the Coordinator shall authorize the conduct of a Demonstration on a date, at a time, at a location, or over a route different from that named by the applicant. This alternate SEP shall, to the extent practicable, authorize an event that will have comparable public visibility and a similar route, location, and date to that of the proposed Demonstration. An applicant desiring to accept an alternate Demonstration SEP shall, within five (5) business days after notice of the alternative action by the Coordinator, file a written notice of acceptance with the Coordinator.

8. The Coordinator is empowered to limit the Demonstration to the sidewalk or to one or more traffic lanes of the street if it is determined that such limited area is capable of accommodating the number of Demonstration participants or Demonstration units

anticipated, based upon the information submitted by the applicant and the experience of previous comparable events, and such limitation shall not be considered a denial.

9. Any applicant who disagrees with the Coordinator's actions hereunder may appeal, in the manner as set forth in Subsection J of these Regulations.
10. When an application for a SEP is made for a Non-Exempt Demonstration is made far enough in advance to be reviewed by the City Council instead of the Coordinator, the Coordinator shall process such application under the regular time-frames and requirements of Title 37, Chapter 14 of the Tulsa Revised Ordinances.

J. APPEAL OF COORDINATOR DECISION ON DEMONSTRATION PERMIT APPLICATION.

1. Any applicant who believes that his/her application for a permit is wrongfully denied may file an appeal with the Mayor, or his/her designee, within five (5) business days of the date notice of the Coordinator's decision is sent to the applicant. If no appeal is filed within five (5) business days of the date notice of the Coordinator's decision is sent, that decision shall be deemed final. The appeal shall be filed by e-mailing a request for review of the denial to DemonstrationAppeal@cityoftulsa.org.
2. Upon the filing of such appeal, the Mayor, or his/her designee, shall cause a hearing to be held within two (2) business days and based upon the evidence contained in the record of such hearing, either affirm or reverse the decision of the Coordinator.
3. Any final decision of the Mayor, or his/her designee, shall be subject to judicial review in accordance with applicable law.
4. In the event that the Mayor, or his/her designee, fails to act within two (2) business days of the conclusion of a hearing held under this section, the application for a permit shall be deemed approved and the permit deemed granted as to the date, time, location, and route as set forth in the application.
5. If there is not sufficient time to file the appeal in accordance with the procedure set forth in this subsection, the decision by the Coordinator shall be deemed a final decision subject to judicial review in accordance with applicable law.

K. DURATION OF A DEMONSTRATION REQUIRING STREET CLOSURE.

1. Any Non-Exempt Demonstration SEP which is issued as a result of an application received less than fifteen (15) days before the date of the event and results in closure of one or more streets shall last no longer than four (4) hours. For those Non-Exempt Demonstration SEPs which were applied for fifteen (15) or more days in advance, the duration may be longer than four (4) hours.
2. The Non-Exempt Demonstration SEP duration time along a route of or within an area of closed streets may be reduced by the Working in Neighborhoods Department after receipt of the Demonstration lineup, where the number and size of the planned Demonstration units are not sufficient to fill the permit time while proceeding at a reasonable pace. The Demonstration SEP duration time along a route of closed streets may be reduced by the Tulsa Police Department on location, for the same reason, where the actual size and number of Demonstration units participating are insufficient to

require a 4-hour. Once the last unit has started on the Demonstration route, the Police Department will reopen the streets to traffic as the Demonstration proceeds out of the closed area. Once the last Demonstration unit has completed the Demonstration route, all Demonstration participants must disperse from the street so that it may be safely cleaned and reopened to traffic.

3. Where the Non-Exempt Demonstration SEP was limited to the sidewalk or one lane of traffic based on the estimated number of Demonstration participants and Demonstration units, and in the event that the number of participants in attendance exceeds anticipated levels, members of the Police Department are authorized to make reasonable accommodation to increase the portion of the public way made available to the Demonstration in order to preserve public health and safety. Alternatively, where the number or size of Demonstration participants or Demonstration units participating are substantially less than expected, members of the Police Department are authorized to limit the available portion of the public way, where one lane of traffic or the sidewalk is capable of accommodating the number of participants and Demonstration units present.
4. The Working in Neighborhoods Department and Police Department are encouraged to work with the applicant and/or organizer when altering the duration or size of the permitted area while on location. A reduction to the duration of the length of the Demonstration or the size of the permit area under this Section K of the Regulations shall not be considered a denial or revocation of a permit.