

# Notes on the “demonstration ordinance” at the June 5 Public Safety meeting — final vote tonight!

The Bethlehem Gadfly City government, Serious Issues June 18, 2019

*(The latest in a series of posts on City government)*

The ordinance: [Bill 19-2019 Establish Article 961-Special Event Activity Permits-1](#)

*Nicole Radzievich, “Want to protest in Bethlehem? There could soon be a permit for that.” Morning Call, June 14, 2019.*

The May 7 Council meeting minutes: pp. 17-20

[Summary of discussion at the May 7 Council meeting](#)

[video of the June 5 Public Safety meeting](#)

[Summary of discussion at the June 5 Public Safety meeting](#)

Article 961 will come up for final passage tonight.

The concern is public safety. The impetus mainly is the “brouhaha” caused by a group of outsiders at Musikfest in 2017.

The contrasting concern is freedom of speech.

The key issue in Council discussion is the definition of a demonstration, specifically the number of people that triggers the need for a permit.

The number in the proposed ordinance is 5:

*“DEMONSTRATION” shall mean a parade, march, public assembly, meeting or gathering, rally or protest event, political rally or event, speechmaking, marching, the holding of vigils or religious services, and all other like forms of conduct, the primary purposes of which is expressive activity or the communication of expression of views or grievances, that: (1) is **engaged in by more than five (5) persons** and the conduct of which shall occur in whole or in part on City Property and has **the effect, intent or propensity to draw a crowd or onlookers**.*

The concern expressed at the Public Safety committee meeting June 5 is that the number 5 may be ok for Musikfest but is too small for other situations and might cause hardship or an obstacle to free speech.

Discussion at the Public Safety meeting was thorough. Everyone understood the relevance to Musikfest. Councilwoman Negron was worried about effects on smaller groups like MANA or the MLK Day activities. Councilwoman Van Wirt was concerned about overreach and inhibitions to free speech. President Waldron pointed to the subjectivity of the number 5.

For a concise understanding of concerns, consult the [video](#) and/or notes ([Summary of discussion at the June 5 Public Safety meeting](#)) on approx mins 1:23 to 1:47 of the June 5 meeting.

The City felt that a two-tiered system — one number for Musikfest, another for smaller events — would not pass legal muster.

The number 20 was discussed as an alternative.

It looks like an amendment will be forthcoming tonight at Council before the vote on final passage.

Small groups worried about the impact of this ordinance on their events should register concern with City officials immediately (contact info on the sidebar) and/or speak during public comment tonight.

The vote on final passage is tonight.