

Columbus Parade Ordinance On Appeal

A challenge to new Columbus city ordinances which require the payment of permit and police protection fees for groups wishing to conduct parades in Columbus steets has been filed with the U.S. Sixth Circuit Court of Appeals.

The challenge has been taken up on behalf of Stonewall Union, a Columbus-based non-profit organization formed for the purpose of advocating and supporting the civil rights and liberties of gay men and lesbians. Stonewall Union has, since 1982, sponsored an annual gay rights parade in downtown Columbus, culminating in a rally on the grounds of the Ohio Statehouse.

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The appeal seeks review of the federal district court’s denial of a preliminary injunction to stay enforcement of the parade ordinance fee provisions as violative of basic First Amendment rights of free speech. The charges as originally assessed to parade organizers totalled over \$1100. After proceedings in the challenge commenced, they were revised downward to total nearly \$800.

Testimony was presented before the district court to show that the new parade fee requirements caused the American Legion to move its annual Veteran’s Day parade to Hilliard, due to an assessment of “over \$2000.” The District Commander of the American Legion in Franklin County “testified to the effect that the American Legion felt that the imposition of police service charges as a prerequisite to its right to hold a Veteran’s Day parade demonstrated a decline in respect for veterans.”

“The error of both the District Court and the City is their mutual failure to understand that public streets are public forums,” the appeal brief points out. “As such, the constitutional guarantees of a right of access to these forums limit the City’s power to impose pecuniary conditions upon their use. The only permissible restriction on the right of access are reasonable regulations designed to assure that speech activities are orderly and not unduly disruptive. Legitimate regulations do not include municipal fund raising devices designed solely to safeguard the City’s treasury.”