Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

THOMAS ET AL. *v.* CHICAGO PARK DISTRICT

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

No. 00–1249. Argued December 3, 2001—Decided January 15, 2002

Respondent Chicago Park District adopted an ordinance requiring individuals to obtain a permit before conducting large-scale events in public parks. The ordinance provides that the Park District may deny a permit on any of 13 specified grounds, must process applications within 28 days, and must explain its reasons for a denial. An unsuccessful applicant may appeal, first, to the Park District's general superintendent and then to state court. Petitioners, dissatisfied that the Park District has denied some, though not all, of their applications for permits to hold rallies advocating the legalization of marijuana, filed a 42 U. S. C. §1983 suit, alleging, *inter alia,* that the ordinance is unconstitutional on its face. The District Court granted the Park District summary judgment, and the Seventh Circuit affirmed.

Held:

1. A content-neutral permit scheme regulating uses (including speech uses) of a public forum need not contain the procedural safeguards described in *Freedman* v. *Maryland,* 380 U. S. 51. *Freedman* is inapposite because, unlike the motion picture censorship scheme in that case, the Park District's ordinance is not subject-matter censorship but content-neutral time, place, and manner regulation of the use of a public forum. None of the grounds for denying a permit has anything to do with the content of speech. Indeed, the ordinance is not directed at communicative activity as such, but to all activity in a public park. And its object is not to exclude particular communication, but to coordinate multiple uses of limited space; assure preservation of park facilities; prevent dangerous, unlawful, or impermissible uses; and assure financial accountability for damage caused by an event. Pp. 4–7.

2. A content-neutral time, place, and manner regulation can be ap-

plied in such a manner as to stifle free expression. It thus must contain adequate standards to guide an official's decision and render that decision subject to effective judicial review. See *Niemotko* v. *Maryland,* 340 U. S. 268, 271. The Park District's ordinance meets this test. That the ordinance describes grounds on which the Park District "may" deny a permit does not mean that it allows the Park District to waive requirements for some favored speakers. Such a waiver would be unconstitutional, but this abuse must be dealt with if and when a pattern of unlawful favoritism appears, rather than by insisting upon a rigid, no-waiver application of the permit requirements. Pp. 7–9.

3. Because the Park District's ordinance is not subject to *Freedman*'s procedural requirements, this Court does not reach the question whether the requirement of prompt judicial review means a prompt judicial determination or the prompt commencement of judicial proceedings. Pp. 9–10.

227 F. 3d 921, affirmed.

SCALIA, J., delivered the opinion for a unanimous Court.