

**CHICAGO DEPARTMENT OF AVIATION
AMENDED RULES AND REGULATIONS
GOVERNING FIRST AMENDMENT ACTIVITIES
AT THE CITY OF CHICAGO AIRPORTS
EFFECTIVE DECEMBER 1, 2024**

WHEREAS, from time to time, individuals and groups seek to engage in activities implicating the First Amendment, such as the distribution of literature, charitable solicitation, and peaceful picketing, at the City of Chicago’s O’Hare International and Midway International Airports (the “Airports”);

WHEREAS, to insure the safe, orderly, and efficient operation of the Airports, while allowing for such speech activities on the premises, it is necessary that such activities be subject to reasonable time, place and manner regulations; and

WHEREAS, such regulations are especially necessary given that Chicago’s Airports are among the nation’s busiest, and the post 9/11 aviation and COVID-19 pandemic environment present new security demands and increased congestion;

NOW, THEREFORE, pursuant to the authority vested in the Commissioner of the Department of Aviation (the “Commissioner”) by Chapters 2-20 and 10-36 of the Municipal Code of the City of Chicago, I, Jamie L. Rhee, hereby promulgate these Amended Rules and Regulations (“Regulations”), which supersede all earlier versions, and provide as follows:

Section 1. Activities Covered by these Regulations

- A. “Distribution”
the distribution of literature and materials for the exposition of ideas and opinions in the exercise of freedom of speech, association, assembly, and religion, but excluding commercial materials, which shall be coordinated with the holder of the applicable license for advertising at the Airports;
- B. “Solicitation”
the solicitation of funds on behalf of not-for-profit organizations for charitable, philanthropic, patriotic, political, or religious purposes; and
- C. “Demonstration”
a gathering of persons for the purpose of expressing a group opinion to observers through use of their speech, signs, and/or expressive conduct, excluding expression of a message for commercial purposes (collectively with Distribution and Solicitation “Covered Activity”).

Section 2. Purposes of these Regulations

- A. To ensure the free and orderly flow of pedestrian traffic into and through terminals in the Airports, and of the vehicular traffic outside the terminals;
- B. To protect persons using the Airports from repeated communications or encounters that might be perceived as harassment or intimidation;
- C. To protect travelers from being an unwilling captive audience;
- D. To maintain security by restricting the activities allowed hereunder to public-use, non-secured areas in the Airports and by implementing additional restrictions where necessitated by increased security threats;
- E. To accommodate the requests of persons and groups to engage in such activities by providing designated areas within the Airports; and
- F. To protect the integrity of the City's contractual relationships with concessionaires and lessees at the Airports.

Section 3. Permit Application Process

- A. Any persons or groups seeking to engage in Covered Activity at the Airports must first obtain a written permit from the Chief of Safety and Security for the Chicago Department of Aviation (the "Chief"). To obtain a permit, the applicant shall submit to the Chicago Department of Aviation (the "Department") a written permit application no later than six (6) business days before and no earlier than thirty (30) days before the date requested for the activity. The application shall be on a form provided by the Department, which shall set forth the location where such permit application shall be filed. Failure to provide ALL information in the application may result in an application denial. The application shall contain the following:
 - 1. The full name, mailing address, telephone number, and email address of the person(s) or group(s) sponsoring and/or conducting the proposed activities;
 - 2. The full name, mailing address, telephone number, and email address of:
 - (a) the person who will supervise and be responsible for the conduct of the proposed activities ("the responsible person"); and

- (b) each person who will participate in such activities at the Airports under the permit sought.
3. A copy of any material proposed for distribution at the Airports, solely for informational purposes, and not for exercising any judgment on its contents; provided that the Department shall not grant a permit for the distribution of any material that is indecent or sexually explicit, portrays graphic violence, is directed to inciting or producing imminent lawless action and is likely to incite or produce such action, or violates any federal, state or local law or regulation.
 4. A brief description of the proposed activities, including the method of communication and which type of permit is requested within the categories of Covered Activity.
 5. The date(s) and time(s) of the proposed activities; provided that a permit will not be issued for a period in excess of thirty (30) days, nor for any time between the hours of 4:00 p.m. and 8:00 a.m. In addition, the application shall state the number of persons who are requesting to participate at any one time (e.g., an organization requests a permit for 20 persons but plans to have only 6 persons present at one time).
 6. Where a permit for solicitation is requested, the application must include as an attachment reliable documentary evidence of the not-for-profit status of an organization sponsoring and/or conducting the solicitation.
 7. An undertaking by the applicant(s) to indemnify and hold harmless the City of Chicago, the Airports, the airlines operating at the Airports, the Airports' tenants and lessees, and all their respective officials, officers, employees and agents, against any claims that arise or are made against any of the foregoing in connection with activities within the direction or control of the permit holder(s) or its agents at the Airports.
- B. Within five (5) business days after the Department receives a permit application, the Chief shall issue the permit or provide a written response explaining the reasons for any denial, which shall be limited to the following:
1. Non-compliance with the permit application requirements set forth in **Section 3.A**, above, in which case the Department response shall explain the nature of the problem. If an applicant files another application to comply with the requirements of **Section 3.A**, the five-business-day review period shall start over.

2. Insufficient space available in the areas designated for such activities at the time(s) requested, in which case the Chief shall offer the applicant, in writing, a substitute date(s) or time(s) for the permit and/or shall issue a permit for a smaller number of persons or a permit allowing participation by a limited number of persons at any given time.
 3. Any alert on the National Terrorism Advisory System issued by the United States Department of Homeland Security, with regard to security conditions for operations at the Airport(s). In such cases, based on the totality of the security situation, including the availability of security resources at the Airports in light of increased demands and requirements by the federal government, the Chief may deny a permit request for Covered Activity in their entirety or may limit the size or scope of such activities and/or designate alternate sites for the conduct of those activities outside the core area of the Airports. Where a permit is denied in its entirety, where feasible, the Department shall designate a location for the posting of written information as an alternative means of disseminating the information covered by the permit request.
- C. Each permit issued shall include the name of the person who is entitled to use it, and each permit may be used only by the person to whom it is issued. The Department shall proscribe the form of identification that each permit holder shall be required to wear and display conspicuously on his or her person while engaged in the permit activities.
- D. Permits shall be issued on a first come- first served basis.

Section 4. Permit Denial Appeal Process

Any person whose permit request is denied in full or in part may appeal the decision to the Commissioner, by means of a letter stating the grounds thereof, within five (5) business days of receiving a response from the Chief. The Commissioner shall review the initial permit decision and the appeal, and shall issue a written decision affirming the denial or challenged limitation, or granting or modifying the permit as requested, within five (5) business days of receipt of such appeal. This decision shall be sent certified mail to the responsible person at the address provided, with a copy by email, and shall be effective upon such service. It shall constitute a final decision of the Department and may be appealed to an appropriate court as provided by law.

Section 5. Permitted Locations for Permit Activities

- A. The Chief shall designate blue boxes and demonstration areas (“Designated

Areas”) within the Airports where permitted Covered Activity may be conducted. The Designated Areas are set forth in Exhibits 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 to these Regulations.

- B. All Covered Activity that takes place at the Airports shall be limited to these Designated Areas, unless the Chief expressly designates and issues a permit for an alternate location under **Section 3.B.3** of these Regulations.
- C. Each permit shall specify the designated area in which the covered activities may take place; provided that the Chief may move such permitted activities from one designated area to another, upon written notice to the applicant/permit holder, when, in the judgment of the Chief, such relocations are or become necessary to the safe and efficient operation of the Airports. In addition, under no circumstances shall any Covered Activity take place in any of the following locations:
 - 1. in any secured area;
 - 2. beyond the passenger screening checkpoints through which passengers and visitors are required to pass when moving toward an aircraft gate position, or within fifty (50) feet thereof;
 - 3. in any parking areas, roadways, restroom facilities, elevators, terminal doors, or within twenty (20) feet of any stairways, vestibules, and storage areas;
 - 4. at any ticket or baggage check-in counter;
 - 5. at any baggage pick-up or collection areas;
 - 6. within (10) feet of, or within, any areas used by concessionaires or lessees pursuant to a contract, agreement, or lease with the City of Chicago and/or the Department, except with the express permission of the concessionaire or lessee; or
 - 7. in any portion of the O’Hare Automated Transit System, including the platforms and access bridges.
- D. The Chief may order the emergency closure of one or both of the Airports, or any portion thereof, on account of emergency security, health or safety conditions, catastrophe or disaster, unusually congested or extreme weather conditions, or government orders; and all persons holding permits under these Regulations shall immediately cease all activities thereunder for the duration of the emergency closure, upon notice by the Department.
- E. When the federal government declares an alert on the National Terrorism

Advisory System issued by the United States Department of Homeland Security, with regard to security conditions for operations at the Airport(s), the Chief may suspend Covered Activity in their entirety or, based on the totality of the security situation, including the availability of security resources at the Airports in light of increased demands and requirements by the federal government, may limit the size or scope of such activities and/or designate a location for the posting of written information as an alternate means of disseminating the information covered by the permit request.

- F. In response to threats to the health or safety of the public requiring social distancing by City, State, or Federal authority, such as the COVID-19 pandemic, the Chief may suspend Covered Activity in their entirety, may limit the size or scope of such activities, and/or may designate a location for the posting of written information as an alternate means of disseminating the information covered by the permit request.
- G. Permit holders who desire to bring their vehicles to the Airports should park them in designated public lots.

Section 6. Number of Persons Allowed at Designated Areas

The number of persons permitted in each Designated Areas is set out below:

- A. A maximum of six (6) persons in the Designated Areas depicted in Exhibits 1, 2, 3, 4, 7, 9, 10, and 11 to these Regulations.
- B. A maximum of one hundred and thirty (130) persons in the Designated Areas depicted in Exhibits 5 and 6 to these Regulations.
- C. A maximum of twenty-five (25) in Designated Area depicted in Exhibit 8 to these Regulations.

Section 7. Rules Governing Conduct of the Permitted Activities

In conducting the activities governed by these Regulations, no person or group is permitted to:

- A. obstruct, delay, interfere with the free movement of, coerce, intimidate, impede, hamper, or physically grasp at any person, including but not limited to travelers, visitors, persons who work at the Airports, and persons checking or picking up baggage;
- B. assist or offer to assist any person in the carrying or handling of baggage;
- C. obstruct, delay or interfere with any vehicle;
- D. state or represent that he or she or the organization is a representative of or

otherwise affiliated with the City of Chicago, the Department, the Airports, or an airline;

- E. fail to wear the required identification prescribed by the Department at any time while engaging in the permitted activities;
- F. use a sound or voice amplification device or any noisemaker or musical instrument, since such noise may interfere with or impede the transaction of business by airlines, concessionaires, and lessees, or the safe, orderly, and efficient operation of the Airports;
- G. except for holders of a permit for solicitation under these Regulations, receive or accept any donation, contribution, gift or payment of money;
- H. conduct any credit/debit card transaction or electronic funds transfer or any enrollment for any credit/debit transaction or electronic funds transfer. This prohibition specifically includes, but is not limited to, holders of permits for solicitation;
- I. erect any object including tables, chairs, inflatables or other structures, and/or use any wheeled or stationary device without prior approval;
- J. store or keep any literature or other materials anywhere on the premises of the Airports, except in a carry bag, which must be carried or harnessed onto a person, so as not to extend beyond the person's body width;
- K. carry any banners or signs that are posted on poles or sticks of any type or that exceed the following size limitation: banners or signs may be held by a person or worn on an individual's person, so long as such banners or signs do not protrude beyond the person's front or back or exceed the person's body width;
- L. film or photograph while conducting the Covered Activity at the Airports. A person who desires to film or photograph at the Airports must submit a separate application which is available on the Departments website at <https://www.flychicago.com/business/media/filming/pages/default.aspx> .
- M. distribute food, drinks or anything that can be consumed; or
- N. violate any federal, state or local law, regulation or policy.

Section 8. Violations

- A. For purposes of this section, an "offense" shall mean one or more of the following: (1) a false or misleading material statement or omission, on a permit application; (2) engaging in any of the activities covered by these

Regulations in a location outside the area designated in the permit; (3) engaging in any of the activities covered by these Regulations without a valid permit; (4) violating any of the rules governing conduct set forth in **Section 7** of these Regulations; (5) failing to cease or alter permit activities during an emergency or increased security threat, as required in **Section 5.D and 5.E.** of these Regulations.


- B. Any offense that in the judgment of the Chief is substantial and did or may result in a threat to the health, safety, comfort or security of the patrons and workers at the Airports shall result in (1) the immediate temporary suspension of the permit, where applicable, of the individual or group who or which committed the offense, and (2) institution of proceedings for revocation of the permit, where applicable, under **Section 9**, below.
- C. All offenses under these Regulations are a violation of Section 10-36-350 the Municipal Code and shall subject the offender to the fines provided in Section 10-36-370.

Section 9. Permit Revocation Hearing Process

- A. Within one business day of a permit suspension under Section 8. B, above and/or where the Chief determines an offense has occurred and a permit should be revoked, the Department shall provide written notice thereof, by certified mail to the address provided, with a copy by email, to the responsible person (as described in **Section 3.A.2.(a)** hereof) and to the person(s) committing the offense, where different. Such notice shall state that a hearing on the temporary emergency suspension and/or proposed revocation will take place before duly designated representatives of the Commissioner. No person who has been involved in any aspect of the suspension and/or revocation decision may serve as a hearing officer. The hearing shall be set for a date within (5) business days upon request.
- B. At the hearing, the Department shall present evidence, including from one or more witnesses with personal knowledge of the offense. The responsible person, or his designee, may present documentary evidence and/or witness testimony related to the alleged offense; may be represented by counsel; and may cross-examine any witness called by the Department. The strict rules of evidence shall not apply. All testimony must be recorded, by tape or other appropriate means, and the Commissioner must preserve this record and copies of all documents related to the hearing. To revoke a permit, the Department must show, by a preponderance of the evidence, that the offense occurred. If the responsible party does not appear for the hearing, and has not requested, or has already received, a continuance, then the hearing officer may revoke the permit by default.
- C. Within five (5) business days following the hearing, the hearing officer shall

issue a written decision stating whether the permit shall be revoked, and the grounds therefor. This decision shall be sent by certified mail to the responsible person at the address provided, with a copy by email, and shall be effective upon such service. It shall constitute a final decision of the Department, and may be appealed to an appropriate court, as provided by law. If there was insufficient evidence for a permit revocation, any temporary emergency suspension still in effect shall be dissolved and the permit reinstated. If the decision is to revoke the permit, and the permit holder(s) is/are still engaged in Covered Activity at the Airports, the Department may serve a copy of the decision on the persons engaged in such activities and the permit revocation shall be effective immediately.

- D. Any person or organization whose permit is revoked shall not be entitled to apply for a new permit under these Regulations for a period of three months following the date of the hearing officer's revocation decision.



Jamie L. Rhee
Commissioner

11/6/24
Date

**CHICAGO DEPARTMENT OF AVIATION
AMENDED RULES AND REGULATIONS
GOVERNING FIRST AMENDMENT ACTIVITIES
AT THE CITY OF CHICAGO AIRPORTS
EFFECTIVE DECEMBER 1, 2024**

**PERMIT APPLICATION ADDENDUM
INDEMNIFICATION**

Pursuant to **Section 3.A.7.** of the Chicago Department of Aviation’s Amended Rules and Regulations Governing First Amendment Activities at the City of Chicago Airports, the permit applicant(s) hereby agrees and undertakes to indemnify and hold harmless the City of Chicago, the Airports, the airlines operating at the Airports, the Airports’ tenants and lessees, and all their respective officials, officers, employees and agents, against any claims that arise or are made against any of the foregoing in connection with activities within the direction or control of the permit holder(s) or its agents at the Airports.

The undersigned is authorized to sign this indemnification on behalf of the permit applicant(s).

Printed Name

Position with Permit Applicant
(where applicable)

Signature

Date

**CITY OF CHICAGO
DEPARTMENT OF AVIATION**

TO: ALL FIRST AMENDMENT APPLICANTS

In order to ensure compliance with the Chicago Department of Aviation Amended Rules and Regulations Governing First Amendment Activities and to guarantee an equal opportunity for all distributors/solicitors/demonstrators, the following rules and regulations must be adhered to:

SECTION 7. RULES GOVERNING CONDUCT OF THE PERMITTED ACTIVITIES

In conducting the activities governed by these Rules and Regulations, no person or group is permitted to:

- A. obstruct, delay, interfere with the free movement of, coerce, intimidate, impede, hamper, or physically grasp at any person, including but not limited to travelers, visitors, persons who work at the Airports, and persons checking or picking up baggage;
- B. assist or offer to assist any person in the carrying or handling of baggage;
- C. obstruct, delay or interfere with any vehicle;
- D. state or represent that he or she or the organization is a representative of or otherwise affiliated with the City of Chicago, the Department of Aviation, the Airports, or an airline;
- E. fail to wear the required identification prescribed by the Department at any time while engaged in the permit activities;
- F. use a sound or voice amplification device or any noisemaker or musical instrument, since such noise may interfere with or impede the transaction of business by airlines, concessionaires, and lessees, or the safe, orderly, and efficient operation of the Airports;
- G. except for holders of a permit for solicitation under these Regulations, receive or accept any donation, contribution, gift or payment of money;
- H. conduct any credit/debit card transaction or electronic funds transfer or any enrollment for any credit/debit transaction or electronic funds transfer. This prohibition specifically includes, but is not limited to, holders of permits for solicitation;
- I. erect any object including tables, chairs, inflatables or other structures,

use any wheeled or stationary device without prior approval;

- J. store or keep any literature or other materials anywhere on the premises of the Airports, except in a carry bag, which must be carried or harnessed onto a person, so as not to extend beyond the person's body width;
- K. carry any banners or signs that are posted on poles or sticks of any type or that exceed the following size limitation: banners or signs may be held by a person or worn on an individual's person, so long as such banners or signs do not protrude beyond the person's front or back or exceed the person's body width;
- L. film or photograph while conducting the Covered Activity at the Airports. A person who desires to film or photograph at the Airports must submit a separate application which is available on the Departments website at <https://www.flychicago.com/business/media/filming/pages/default.aspx>;
- M. distribute food, drinks or anything that can be consumed; or
- N. violate any federal, state or local law, regulation or policy.

It is your obligation to be cognizant of not only the aforementioned rules and regulations, but the entire Amended Rules and Regulations Governing First Amendment Activities.

I have read **Section 1** through **Section 9** of the Chicago Department of Aviation Amended Rules and Regulations Governing First Amendment Activities at the City of Chicago Airports and by my signature attest to understanding their contents and agree to fully comply with the rules and regulations set forth.

Signature of applicant

Date

Printed Name

**APPLICATION FOR PERMITS TO SOLICIT,
DISTRIBUTE INFORMATION OR DEMONSTRATE
PURSUANT TO THE CHICAGO DEPARTMENT OF AVIATION
AMENDED RULES AND REGULATIONS
GOVERNING FIRST AMENDMENT ACTIVITIES
AT CITY OF CHICAGO AIRPORTS**

Application for Chicago O'Hare International Airport: _____

Application for Chicago Midway International Airport: _____

COMPANY OR INDIVIDUAL APPLICANT:

Name: _____

Address: _____

City, State, & Zip Code: _____

Telephone Number: _____ Cell Number: _____

E-Mail Address: _____

PERSON HAVING SUPERVISION OVER THE ON-SITE ACTIVITIES:

Name: _____

Address: _____

City, State, & Zip Code: _____

Telephone Number: _____ Cell Number: _____

E-Mail Address: _____

DESCRIPTION OF MATERIALS TO BE DISTRIBUTED:

(e.g., candy, handbills, books, etc.)

DESCRIPTION OF ACTIVITIES:
(e.g., Distribution, Solicitation, or Demonstration)

DESCRIPTION OF OBJECTS TO BE ERECTED
(e.g., tables, chairs, inflatables or other structures, wheeled or stationary device)

PLEASE NOTE:

If soliciting funds, your not-for-profit status documents must be attached to this application. No person or group is permitted to conduct any debit/credit transaction or electronic funds transfer or any enrollment for credit/debit transaction or electronic funds transfer. Applicant must provide a copy of all the material that is to be handed out or used to solicit funds when applying for permits. If applicant fails to comply with the request for material, the permits will not be issued.

For the purpose of distribution activity, you must provide copies of all material that will be handed out, and or carried, at the time of the application. Failure to submit all requested material will result in a delay of issuance of permits.

DATE, TIME, AND DESIGNATED AREA REQUESTED
(NOTE: A permit is valid for a maximum of thirty (30) days)

DATE: _____

TIME: _____

DESIGNATED AREA(S):

INDICATE NUMBER OF PERMITS REQUESTED FOR FIRST AMENDMENT
ACTIVITY AT DESIGNATED AREA(S) :

(NOTE: maximum of twenty permits may be requested for Designated Areas

depicted in Exhibits 1, 2, 3, 4, 7, 9, 10, and 11, however, no more than six (6) persons may be present in the Designated Area at any one time; maximum of one hundred and thirty (130) permits for Designated Area depicted in Exhibits 5 and 6; and maximum of twenty-five (25) permits for Designated Area depicted in Exhibit 8.)

NAME, ADDRESS, AND TELEPHONE NUMBER OF EACH PARTICIPANT:

(You may use the space below or a separate sheet of paper for this section)

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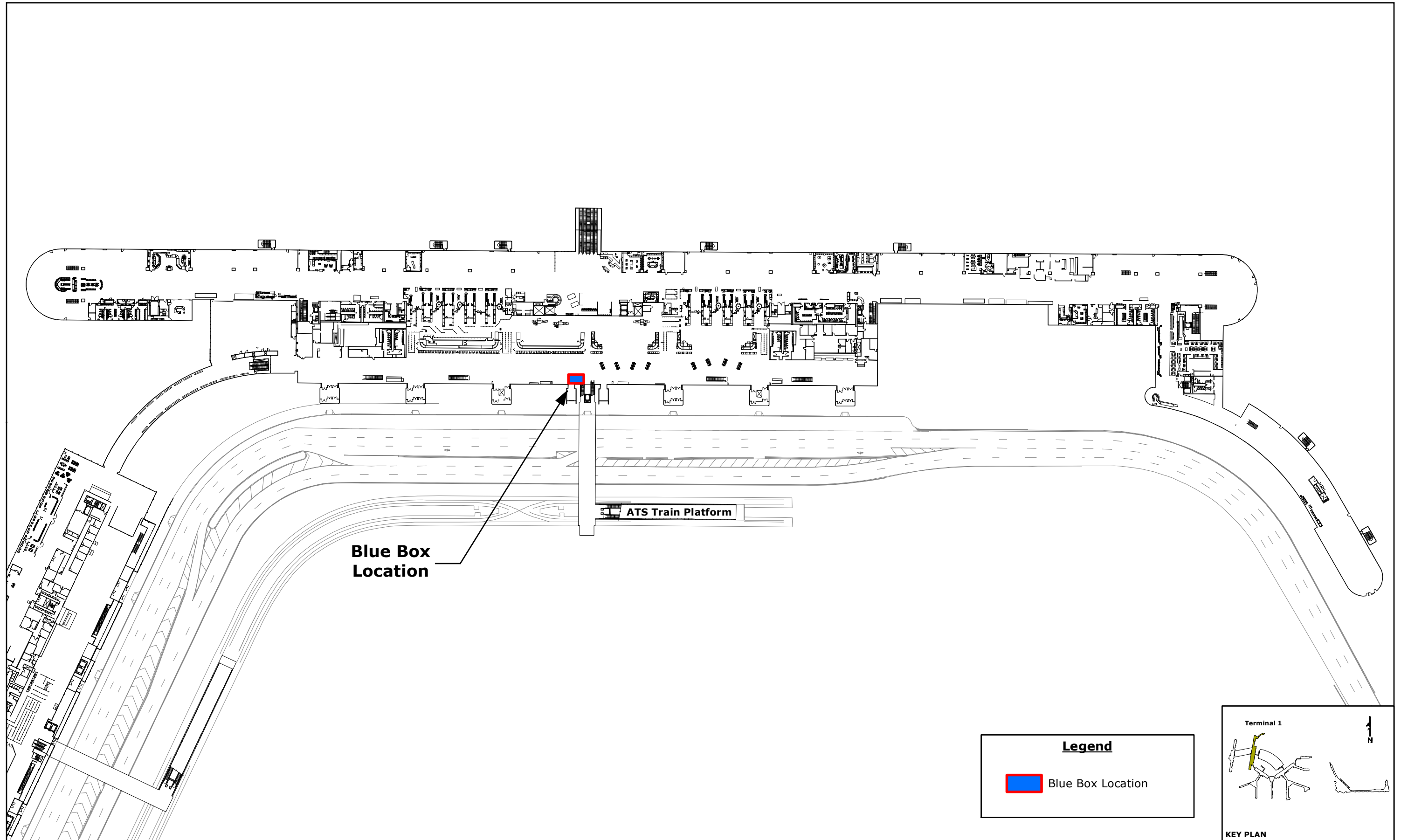
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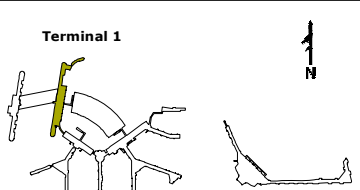
Blue Box Location

ATS Train Platform

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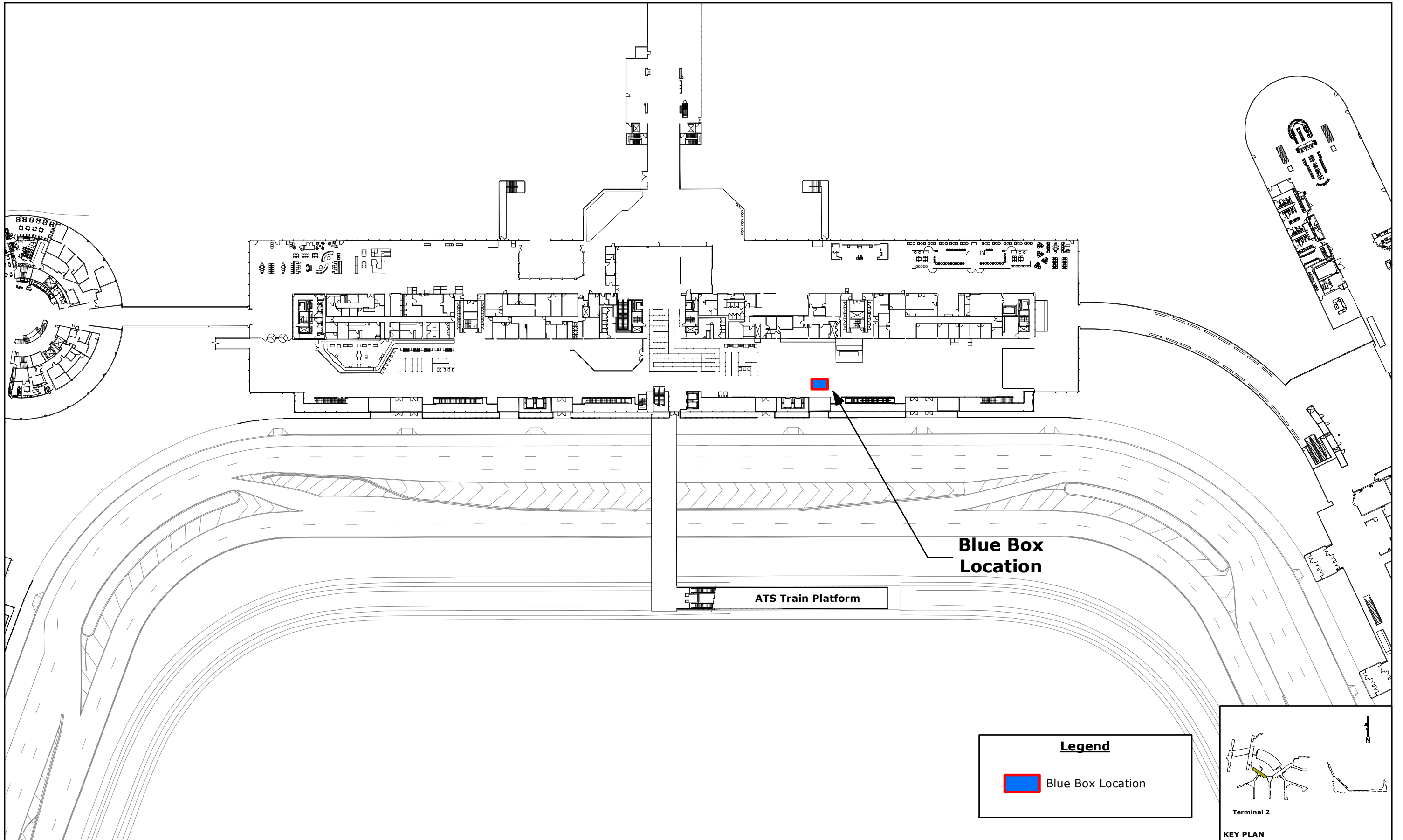
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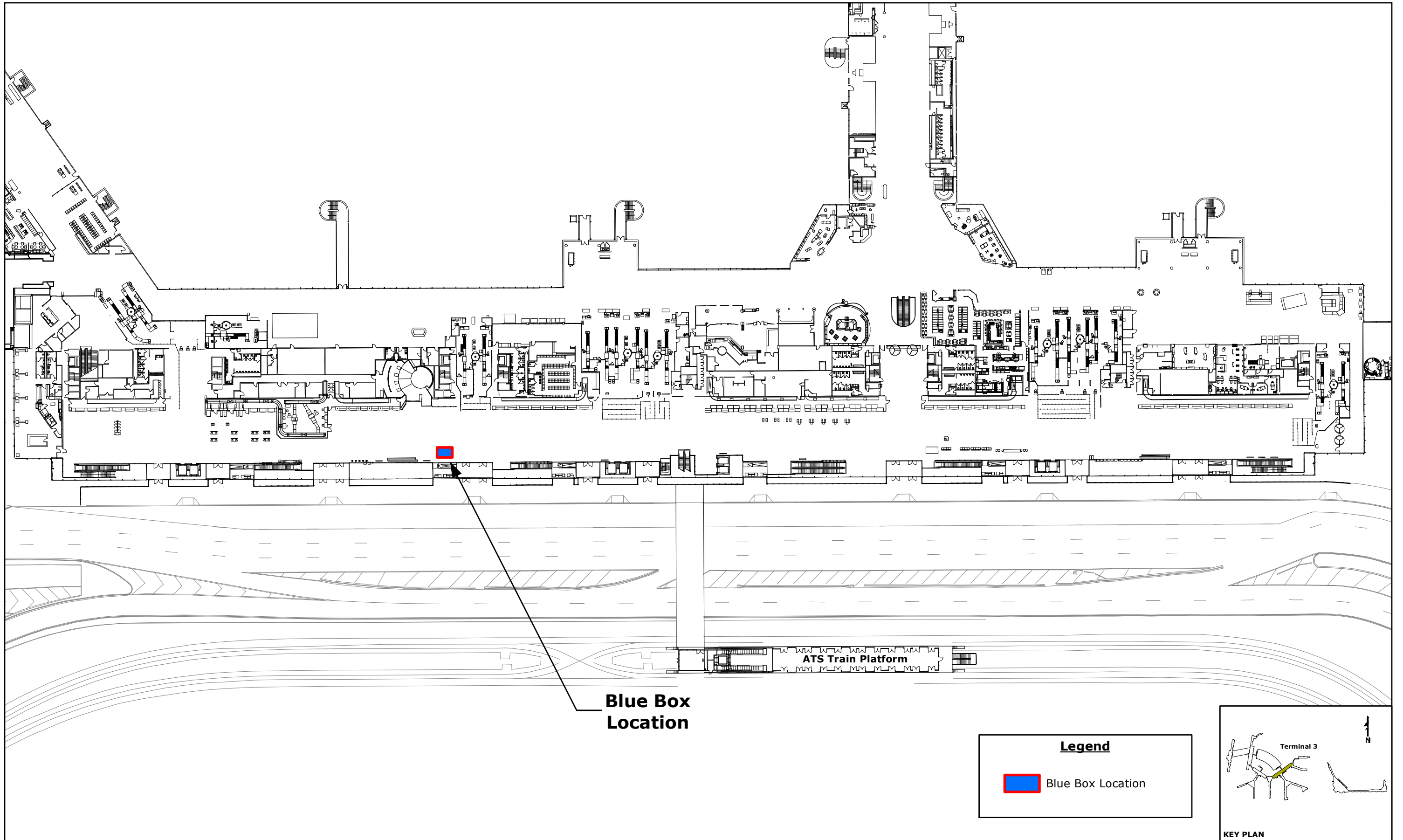
Terminal 1



KEY PLAN

As of: 6/13/2024
Plot File: 1_ORD_BlueBox_T1Upper.mxd






Blue Box Location

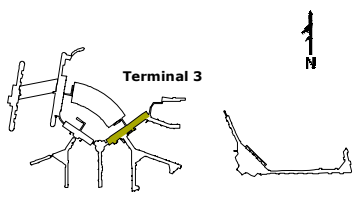
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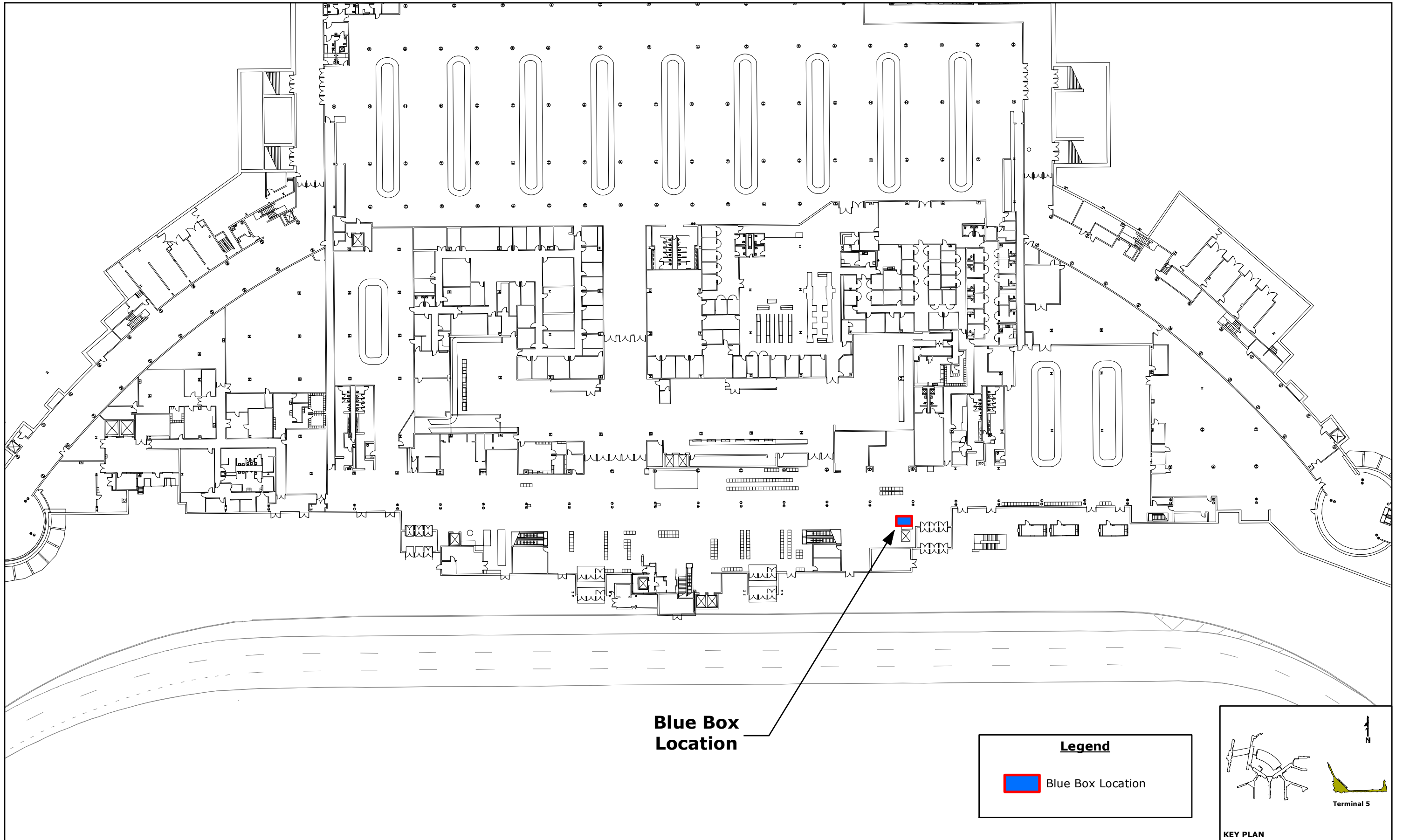
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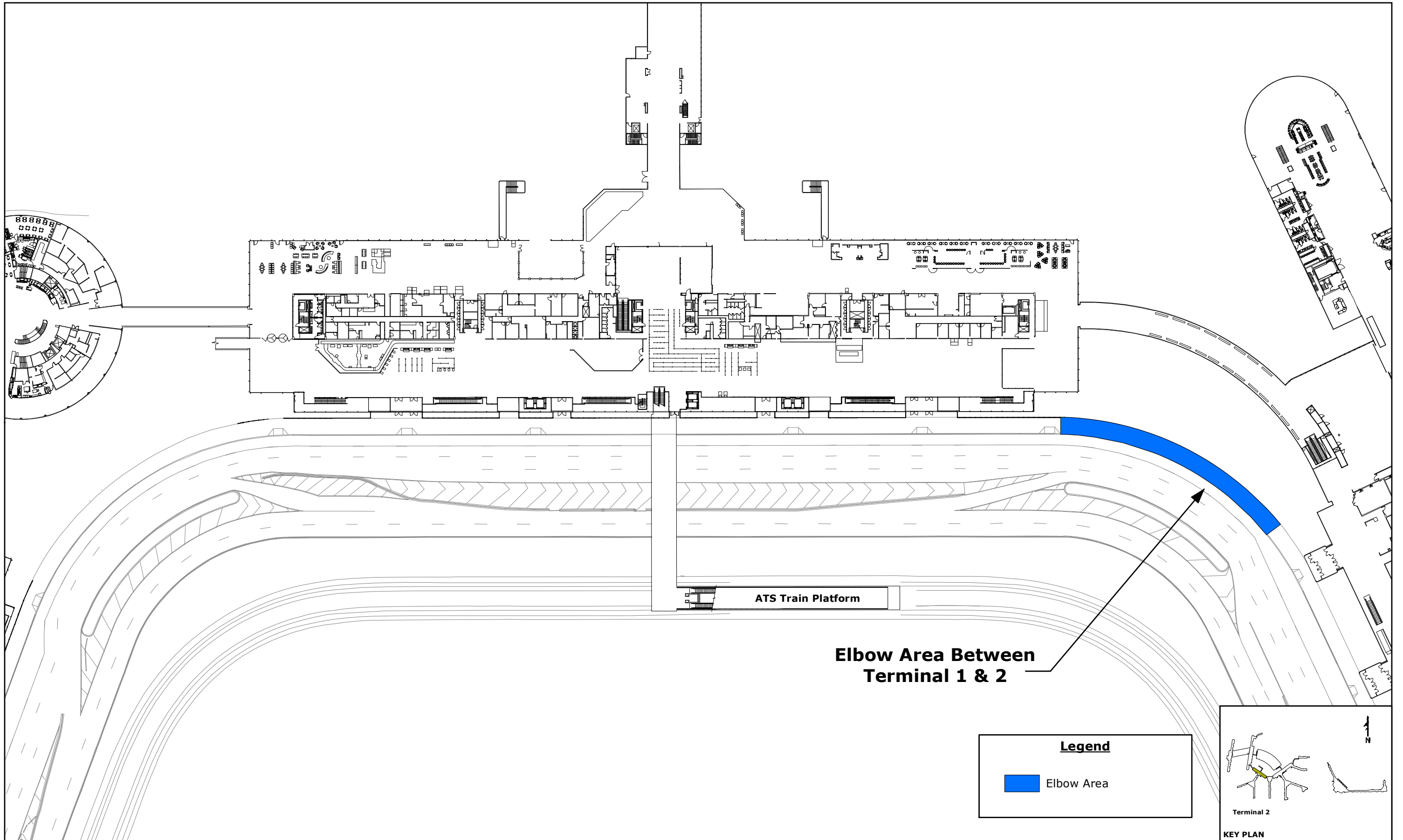
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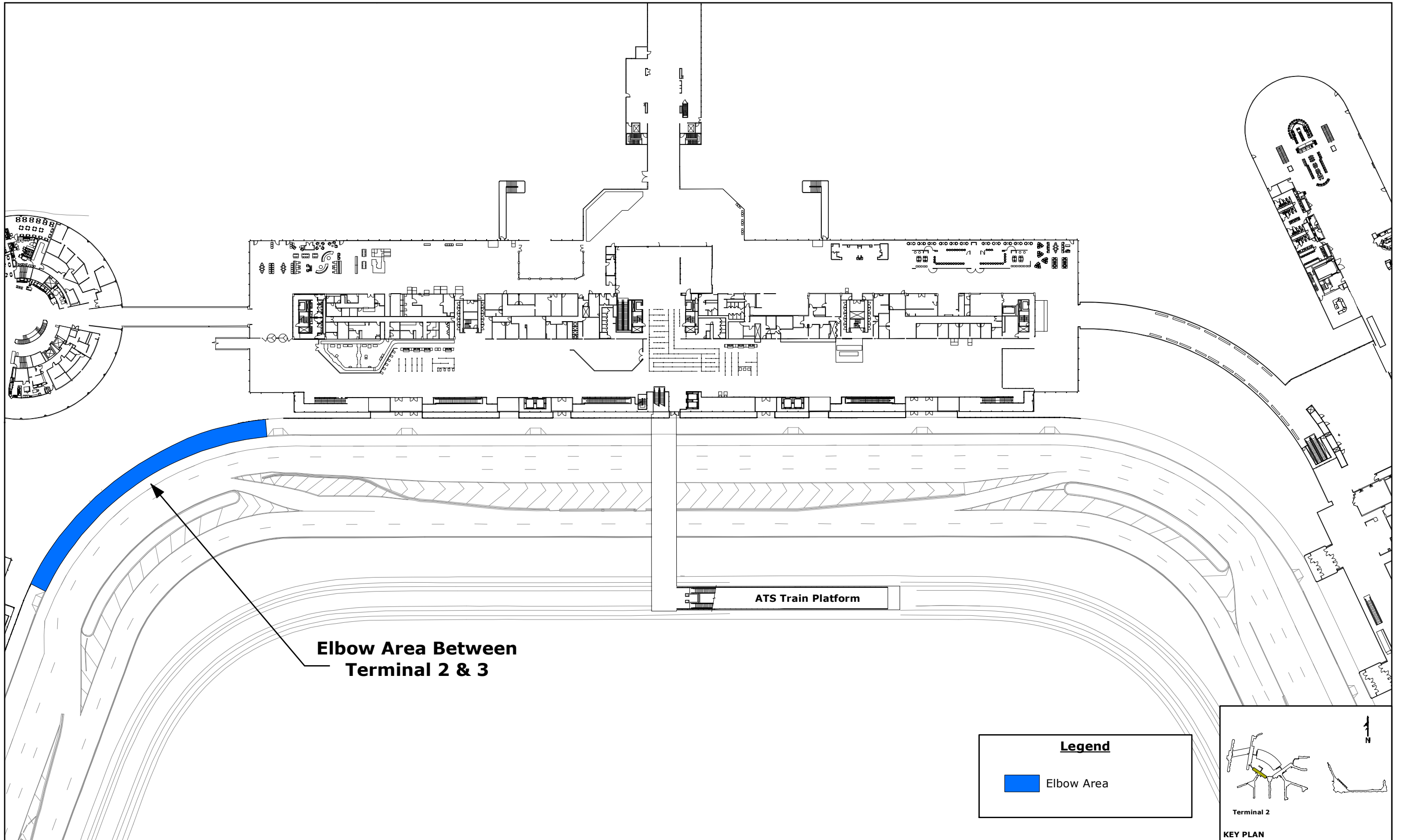
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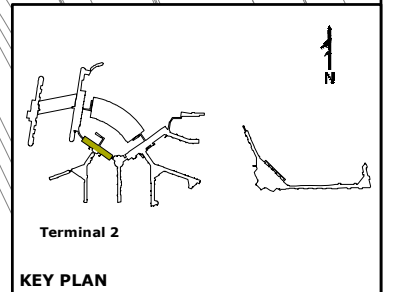


**Elbow Area Between
Terminal 2 & 3**

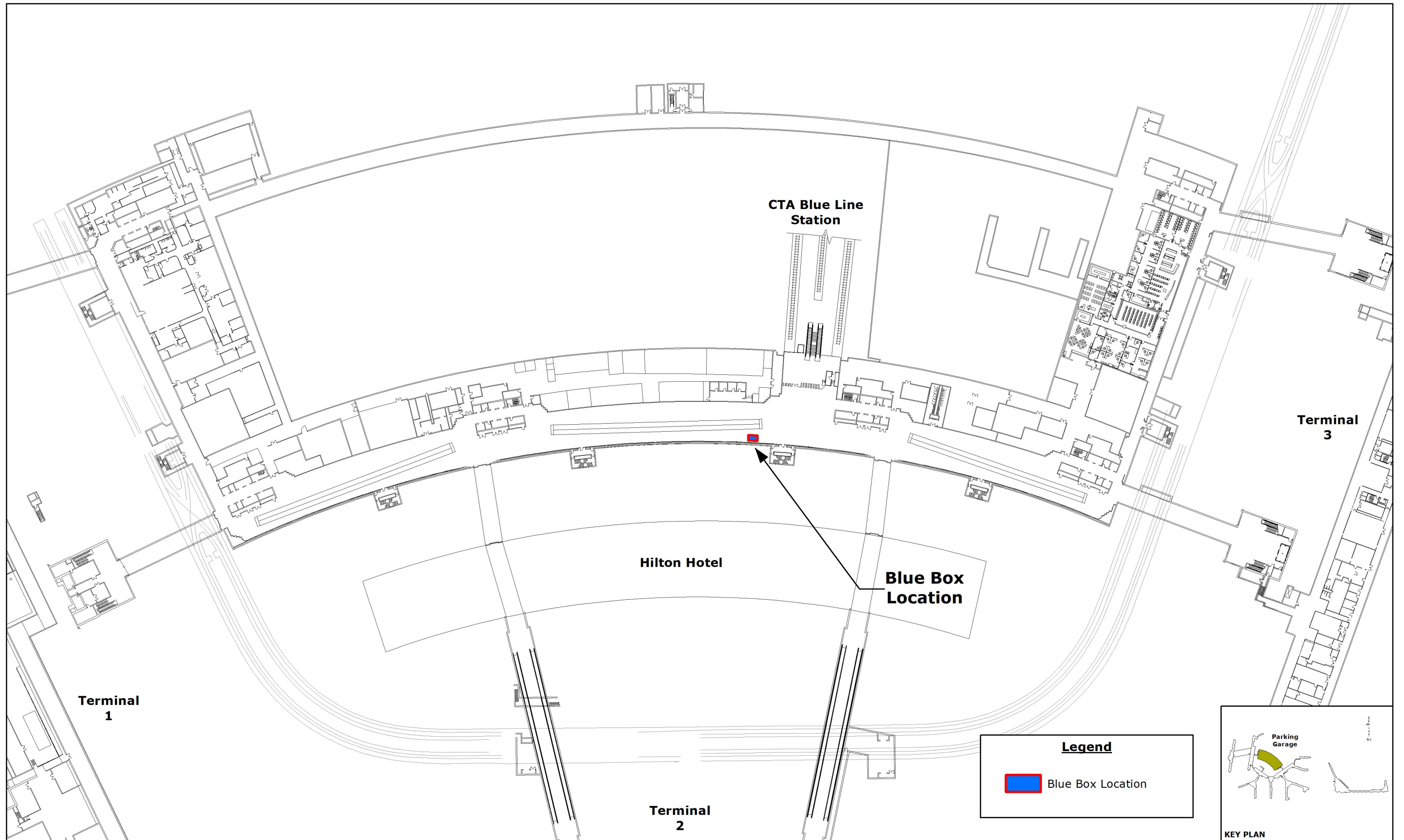
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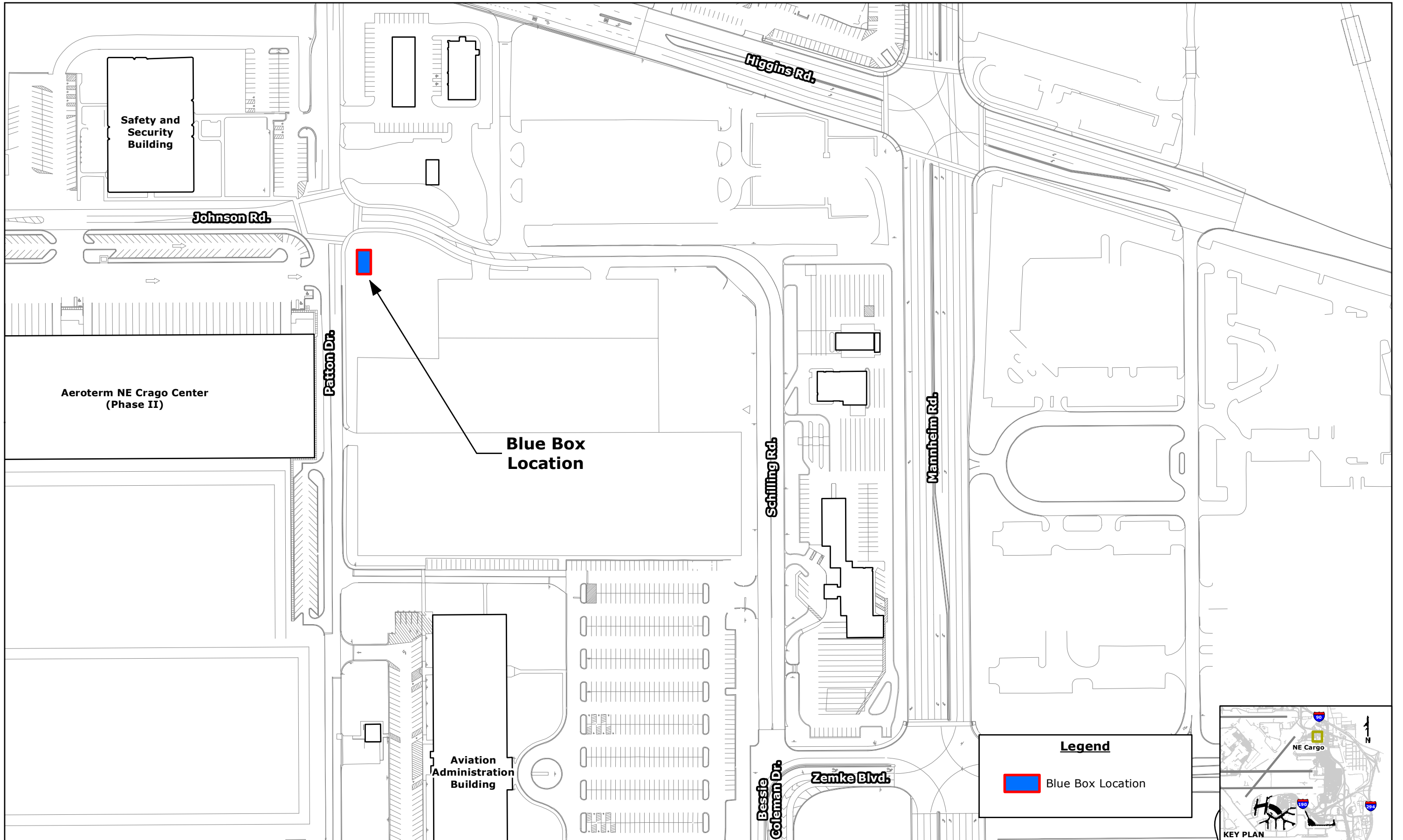
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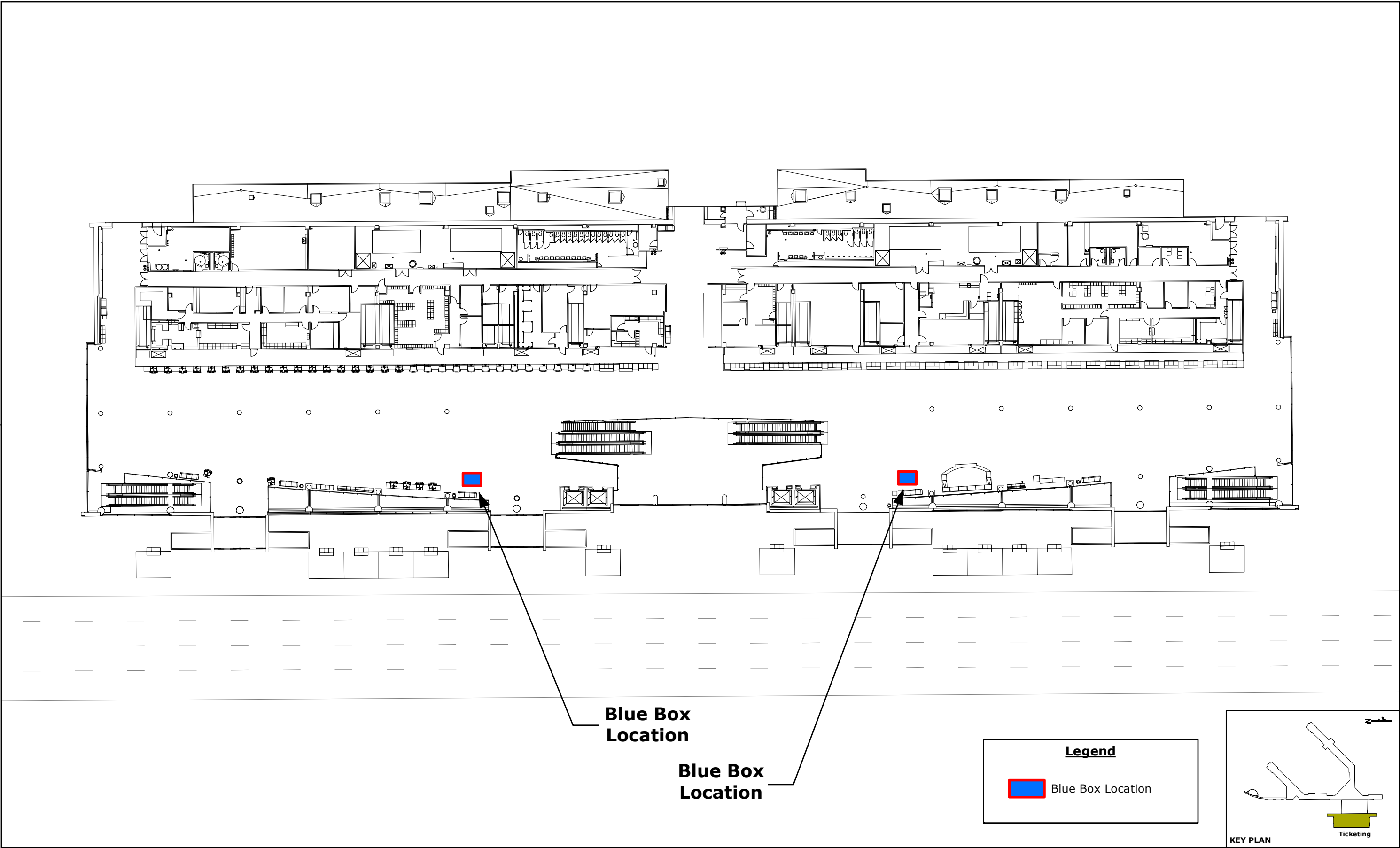
 Elbow Area



KEY PLAN






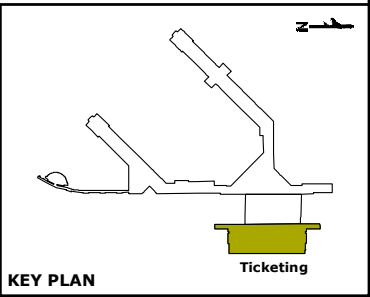


Blue Box Location

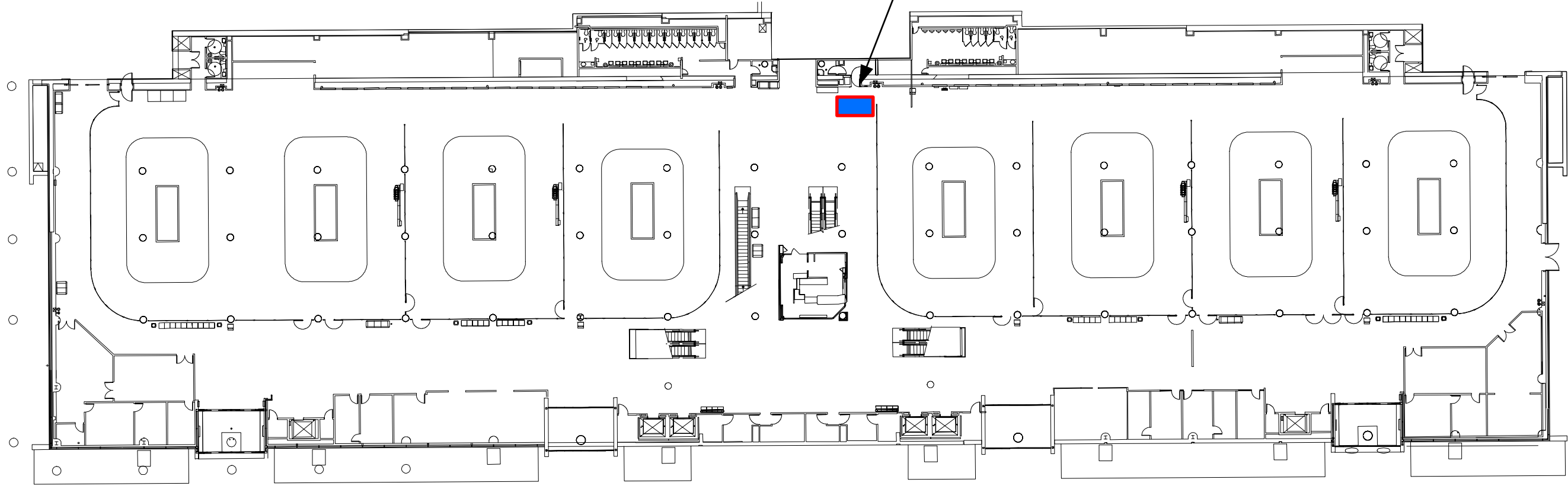
Blue Box Location

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 Blue Box Location

