



January 12, 2017  
Letter #17-005

Robert Ray or Andrew Anglin  
The Daily Stormer  
6827 N. High Street, Suite 121  
Worthington, OH 43085

Dear Mr. Ray or Mr. Anglin:

We understand from the Daily Stormer website that you have postponed the proposed march in Whitefish from January 16, 2017 until a future date in February. I was in the process of approving the march Special Event Permit with conditions when we found out about the postponement. We will keep your application for a Special Event Permit on file here for two months from this date in case you wish to reactivate it and provide a new date for the march.

If your future march remains the same as the existing Application for Special Event which we have on file, I would approve your Special Event Permit with conditions as allowed by Whitefish City Code, Section 7-4-1 B. The conditions placed on your Special Event Permit would be as follows:

1. Submit another money order for \$65.00. Large parades require a \$125.00 application fee. We have cashed your \$60.00 money order, so please remit another payment of \$65.00.
2. I will waive the requirement for a Certificate of Insurance so as not to limit your right to freedom of speech and freedom of assembly.
3. I will waive the requirement that you have to petition or notify adjacent property owners – we will do that notification ourselves in this case.
4. There can be no concealed or unconcealed (open carry) weapons for this march. Section 45-8-351 (2) of the Montana Criminal Code gives cities the power to prevent and suppress the carrying of concealed or unconcealed weapons to a public assembly, publicly owned building, park under its jurisdiction, or school. A copy of the law is shown below:

MCA Contents (../J.J./ind... / TITLE 45 (../J.J./chapte... / CHAPTER 8 (../J./parts...  
/ Part 3 (../sections\_inde... / 45-8-351 Restriction on...

TITLE 45. CRIMES  
CHAPTER 8. OFFENSES AGAINST PUBLIC ORDER  
Part 3. Weapons

## Restriction On Local Government Regulation Of Firearms

45-8-351. Restriction on local government regulation of firearms. (1) Except as provided in subsection (2), a county, city, town, consolidated local government, or other local government unit may not prohibit, register, tax, license, or regulate the purchase, sale or other transfer (including delay in purchase, sale, or other transfer), ownership, possession, transportation, use, or unconcealed carrying of any weapon, including a rifle, shotgun, handgun, or concealed handgun.

(2) (a) For public safety purposes, a city or town may regulate the discharge of rifles, shotguns, and handguns. A county, city, town, consolidated local government, or other local government unit has power to prevent and suppress the carrying of concealed or unconcealed weapons to a public assembly, publicly owned building, park under its jurisdiction, or school, and the possession of firearms by convicted felons, adjudicated mental incompetents, illegal aliens, and minors.

(b) Nothing contained in this section allows any government to prohibit the legitimate display of firearms at shows or other public occasions by collectors and others or to prohibit the legitimate transportation of firearms through any jurisdiction, whether in airports or otherwise.

(c) A local ordinance enacted pursuant to this section may not prohibit a legislative security officer who has been issued a concealed weapon permit from carrying a concealed weapon in the state capitol as provided in 45-8-317 (../section\_0170/0450-0080-0030-0170.html).

History: En. Sec. 1, Ch. 589, L. 1985; amd. Sec. 11, Ch. 759, L. 1991; amd. Sec. 3, Ch. 384, L. 2011.

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5. Your request to march from Memorial Park to City Hall on 2<sup>nd</sup> Street is conditioned, for public safety purposes, upon you and marchers assembling on 4<sup>th</sup> Street between Pine Avenue and Fir Avenue (entering from Pine Avenue), marching north on Pine Avenue to East 2<sup>nd</sup> Street, west on East 2<sup>nd</sup> Street to City Hall at Baker Avenue. As there is no place to assemble at the City Hall site, we will need you to load up on your buses and leave the City Hall site at the conclusion of your march. We will allow your buses to stage for pickup on East 1<sup>st</sup> Street between Central Avenue and Baker Avenue.

6. You will need to provide 10 portable toilets on East 4<sup>th</sup> Street at the assembly site to accommodate your approximately 200 + attendees.

If you have any questions, please call me at 406-863-2406. Thank you.

Sincerely,



Chuck Stearns

City Manager

[cstearns@cityofwhitefish.org](mailto:cstearns@cityofwhitefish.org)

cc: Bill Dial, Police Chief  
Angela Jacobs, City Attorney