

# **Bond Case Briefs**

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## **MUNICIPAL ORDINANCE - MINNESOTA**

### **Working America, Inc. v. City of Bloomington**

**United States District Court, D. Minnesota - November 4, 2015 - F.Supp.3d - 2015 WL 6756089**

Advocacy organization focusing on labor issues brought action challenging city ordinance that required certain door-to-door solicitors to obtain a solicitor's license prior to soliciting and that imposed an 8:00 p.m. curfew, and seeking a declaratory judgment that city's ordinance unconstitutionally infringed on organization's First and Fourteenth Amendment rights. Organization and city cross-moved for summary judgment.

The District Court held that:

- Ordinance was content based restriction on speech;
- Ordinance was not narrowly tailored to further compelling government interest, and thus ordinance could not withstand strict scrutiny;
- Ordinance vested city's licensing authority with subjective discretion to deny someone solicitor's license on grounds that applicant was not of good moral character or repute, and thus was facially unconstitutional;
- Under First Amendment, curfew ordinance facially discriminated based on content of message being spoken and thus was content based restriction on speech; and
- Ordinance imposing curfew restriction was not narrowly tailored to further compelling government interest, and thus ordinance could not withstand strict scrutiny.