

Bond Case Briefs

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MUNICIPAL ORDINANCE - ILLINOIS

City of Chicago v. Haywood

Appellate Court of Illinois, First District, FIFTH DIVISION - December 21, 2018 - N.E.3d - 2018 IL App (1st) 180003 - 2018 WL 6815497

Ticket seller was arrested on separate occasions for violating city ordinance by selling or offering to sell baseball tickets near a baseball field.

After trial, the Circuit Court sua sponte declared the ordinance unconstitutional and found the ticket seller not liable for violating it. City appealed.

The Appellate Court held that:

- Ordinance prohibiting any person from selling tickets near a stadium or playing field was not facially unconstitutional as overbroad under First Amendment;
- The right to sell tickets for sporting event was not a fundamental right, and thus rational basis review applied; and
- Ordinance was rationally related to city's interests in promoting public safety and welfare and, thus, was facially constitutional.