

Boston

Every finding's bottom line, with citations — the legal analysis lives in the full reference

As of Jul 18, 2026

Research completed Jul 18, 2026

Confidence: medium



- This city is **moderately regulated** — sidewalk demonstration is lawful, but permit, noise, or buffer-zone rules apply.

RECORDING CONSENT	All-party	✓ OPEN RECORDING IN PUBLIC	Lawful	✓ RECORD POLICE	Recognized	AMPLIFICATION PERMIT	Conditional
DAYTIME NOISE LIMIT	70 dBA, or plainly audible at 300 ft (100 ft for amplification)			QUIET HOURS	11pm-7am	✓ HANDHELD SIGN RULES	None
HEALTHCARE BUFFER ZONE	State	RESIDENTIAL PICKETING	Targeted only	SIDEWALK PERMIT	Never required	✓ LEAFLETING	Unrestricted
✓ ANTI-MASK LAW	None	✓ STOP-AND-IDENTIFY	No	PENDING CHANGE	See below		

§ Jurisdiction overview

OVERVIEW

Moderate rules; strong sidewalk speech rights. Peaceful sidewalk advocacy generally needs no permit, but Boston regulates amplification, noise, obstruction, and nighttime targeted residential picketing.

Editor's note. The municipal-code platform identifies its version as 2026 S-2; verify later City enactments before an event.

Verified at source · high confidence · Boston Municipal Code § 16-26.8

§ Which law governs here

THE CITY / COUNTY / STATE HIERARCHY

City and state law govern; no county ordinance layer. Boston ordinances and Massachusetts statutes govern city sidewalks; the live Boston code states that no Suffolk County ordinances apply.

Verified at source · high confidence · Boston Municipal Code §§ 22-1, 22-2

COUNTY LAW: SUFFOLK COUNTY

No Suffolk County ordinances apply. The current Boston code states that no Suffolk County ordinances apply, leaving no county demonstration code to enforce in Boston.

Editor's note. This does not eliminate state laws or special statutes applicable in Suffolk County.

Verified at source · high confidence · Boston Municipal Code §§ 22-1, 22-2

THE FIRST AMENDMENT BASELINE

First Circuit protects public police recording. Boston sidewalks and parks are traditional public forums, and the First Circuit recognizes a First Amendment right to record police performing public duties without interference.

Editor's note. The Project Veritas holding is specific to secret audio recording of police performing official duties in public.

Verified at source · high confidence · Glik v. Cuniffe, 655 F.3d 78 (1st Cir. 2011) · Project Veritas Action Fund v. Rollins, 982 F.3d 813 (1st Cir. 2020)

§ Signage

HANDHELD SIGNS

Handheld signs generally unrestricted. No verified Boston ordinance imposes a permit, size, number, or content rule on a person carrying a handheld sign on a public sidewalk.

Editor's note. The absence of a handheld-sign rule does not authorize blocking passage or carrying an item used as a weapon.

Verified at source · high confidence · Boston Municipal Code § 16-23.3

STICKS, POLES & SIGN MATERIALS

No codified sign-pole rule verified. No current Boston provision was verified restricting ordinary handheld-sign sticks, poles, or support materials.

Editor’s note. Check event-specific permit conditions and police safety perimeters before bringing poles to a large event.

Verify before publication · medium confidence · Boston Municipal Code chapter XVI

STATIONARY & ATTACHED DISPLAYS

Affixing public-property signs needs consent. Boston prohibits posting or affixing a notice, advertisement, or bill on listed public property without the Mayor's consent.

Verified at source · high confidence · Boston Municipal Code § 16-23.3

GRAPHIC IMAGERY

Graphic-image rule unclear. No current Boston rule specifically targeting political graphic imagery was verified, although the code contains an obscenity provision concerning specified sexually explicit material.

Editor’s note. No Boston-specific enforcement history concerning political graphic signs was verified.

Verified at source · medium confidence · Boston Municipal Code § 16-25.1

§ Sound & amplification

AMPLIFIED SOUND

Loud amplification banned in public places. Boston prohibits operating a loud amplification device in any public way or public place, but a valid city permit can exempt noise to its stated extent.

Editor’s note. The city permit system must be administered consistently with First Amendment limits on prior restraints.

Verified at source · high confidence · Boston Municipal Code § 16-26.8 · Boston Municipal Code § 16-26.13(C) · Boston Municipal Code § 16-19.2

NOISE LIMITS

dB(A) limits plus audible-distance standard. Boston uses A-weighted decibel limits and, absent an applicable external standard, a 300-foot plainly-audible rule reduced to 100 feet for loud amplification.

Editor’s note. The fallback audible-distance rule is textually conditioned on the absence of an applicable Air Pollution Control Commission standard.

Verified at source · high confidence · Boston Municipal Code § 16-26.1(B) · Boston Municipal Code § 16-26.13

UNAMPLIFIED VOICE

Unamplified voice may trigger general noise rules. Unamplified shouting, chanting, or singing can fall within Boston's general unreasonable-noise definition, and residential noise has a meter-based enforcement provision.

Editor’s note. Constitutional protection for speech does not create an exemption from content-neutral volume restrictions.

Verified at source · medium confidence · Boston Municipal Code §§ 16-26.1(A), 16-26.6

SENSITIVE LOCATIONS

No separate hospital or school noise limit verified. No Boston noise rule specific to hospitals, schools, churches, or courthouses was verified; reproductive-health-facility access is governed by a separate state statute.

Editor’s note. Facility-specific court orders or property rules may create additional restrictions not identified here.

Verified at source · medium confidence · Boston Municipal Code § 16-26.1

§ Recording & photography

THE STATE CONSENT LAW

All-party rule for secret audio recording. Massachusetts criminalizes secret interception of wire or oral communications without prior authority from all parties, while Project Veritas protects secret public recording of police performing duties.

Editor’s note. The Project Veritas holding does not invalidate § 99 for private conversations or all other public recording scenarios.

Verified at source · high confidence · Mass. Gen. Laws ch. 272, § 99(B)(4) · Project Veritas Action Fund v. Rollins, 982 F.3d 813 (1st Cir. 2020)

RECORDING PEOPLE IN PUBLIC

Open public recording lawful. Open photography and video recording of people in public is lawful, subject to general harassment, privacy, and location-specific laws.

Editor’s note. Audio recording presents additional § 99 issues if it is secret and outside the public-police-recording rule.

Verified at source · high confidence · Mass. Gen. Laws ch. 265, § 43A(a) · Mass. Gen. Laws ch. 272, § 99(B)(4)

RECORDING POLICE

Police-recording right recognized. The First Circuit recognizes a First Amendment right to record police performing public duties, including secret audio recording in public under Project Veritas.

Editor’s note. The right does not authorize obstruction, trespass, or violation of a lawful safety perimeter.

Verified at source · high confidence · Glik v. Cunniffe, 655 F.3d 78 (1st Cir. 2011) · Project Veritas Action Fund v. Rollins, 982 F.3d 813 (1st Cir. 2020)

PUBLISHING FOOTAGE

Public-footage publication generally protected. Publishing lawfully obtained public footage is generally protected, while Massachusetts separately prohibits specified harmful distribution of private nude or sexual visual material.

Editor’s note. This finding does not resolve defamation, copyright, commercial-appropriation, or a particular privacy-tort claim.

Verified at source · medium confidence · Mass. Gen. Laws ch. 265, § 43A(b)(6)

DRONES

FAA rules primarily govern drones. No Boston drone rule was verified in this review; federal aviation rules and any site-specific property restrictions govern aerial demonstration photography.

Editor’s note. Check current FAA airspace and operational rules before each flight.

Verify before publication · medium confidence · Boston Municipal Code chapter XVI

§ Assembly & permits

WHEN A PERMIT IS REQUIRED

Park demonstrations need permits; sidewalk threshold absent. Boston requires a permit for a defined demonstration on park land, but no numerical permit threshold for a stationary sidewalk assembly was verified.

Editor’s note. Street closures, parades, park use, structures, and amplification can independently require permissions.

Verified at source · high confidence · Boston Municipal Code § 16-19.3(A)

FEES, INSURANCE & INDEMNIFICATION

Park cleanup bond required. Park-demonstration permits require a cleanup bond or cash deposit in an amount set by the Commissioner, with unused money returned.

Editor’s note. No current administrative event-insurance schedule was verified in this adjudication.

Verified at source · medium confidence · Boston Municipal Code § 16-19.3(B)

SPONTANEOUS & SMALL GROUPS

Small or casual park use excluded. The park permit definition excludes casual park use lacking intent and propensity to attract a substantial crowd; no sidewalk permit threshold was verified.

Editor’s note. The city has not defined “substantial crowd” numerically in this provision.

Verified at source · high confidence · Boston Municipal Code § 16-19.3(A)

DENIAL & APPEAL

Park Commissioner may set time, place, manner. The park ordinance says the Commissioner shall honor permit requests, subject to specification of time, place, and manner for competing use and public safety.

Editor’s note. Seek written conditions and legal advice promptly if an event date makes judicial review necessary.

Verified at source · medium confidence · Boston Municipal Code § 16-19.3(A)

§ Location rules

SIDEWALKS & STREETS

Obstruction rule applies in market limits. Boston prohibits occupying or obstructing a sidewalk within market limits so as not to leave a clear and direct passage for travelers.

Editor’s note. Additional state offenses can apply to obstruction, trespass, or a facility entrance.

Verified at source · high confidence · Boston Municipal Code § 16-10.2

PARKS & PLAZAS

Park demonstrations and amplification regulated. Park demonstrations attracting a substantial crowd require a permit, and public-ground amplification requires a Mayor's permit.

Editor's note. This review did not independently verify park-hour schedules or each plaza's forum classification.

Verified at source · high confidence · Boston Municipal Code §§ 16-19.1 to 16-19.3

HEALTHCARE BUFFER ZONES

Conditional state 25-foot withdrawal order. Massachusetts authorizes a written 25-foot withdrawal order after same-day substantial impediment of access to a reproductive health care facility.

Editor's note. The statute's defined facility excludes a place within or upon hospital grounds.

Verified at source · high confidence · Mass. Gen. Laws ch. 266, § 120E1/2(b)

RESIDENTIAL PICKETING

Nighttime targeted residential picketing prohibited. Boston prohibits picketing specifically directed at occupants of a particular residence from 9:00 p.m. to 9:00 a.m.; daytime conduct remains subject to other laws.

Editor's note. Repeated targeted conduct can also support criminal-harassment charges or civil protective orders under applicable state law.

Verified at source · high confidence · Boston Municipal Code § 16-64 · Mass. Gen. Laws ch. 265, § 43A(a)

SCHOOLS & OTHER SENSITIVE SITES

No school-specific demonstration rule verified. No Boston or Massachusetts demonstration-specific school, courthouse, or transit-stop restriction was verified in this review beyond general rules.

Editor's note. State court and MBTA property rules are outside this limited municipal-code adjudication.

Verify before publication · medium confidence · Boston Municipal Code § 16-26.1

§ Person-to-person contact

LEAFLETING

Sidewalk leafleting generally protected. No Boston license or permit requirement for noncommercial hand-to-hand leafleting was verified; anti-posting and litter rules still apply.

Editor's note. Do not represent this conclusion as permission to leave materials on vehicles or property without consent.

Verified at source · high confidence · Boston Municipal Code § 16-23.3

APPROACHING PEOPLE

Brief approaches generally lawful. No general sidewalk bubble zone was verified, but repeated targeted conduct causing serious alarm can constitute criminal harassment.

Editor's note. The health-facility withdrawal-order statute creates a distinct, conditional 25-foot restriction after substantial same-day impediment.

Verified at source · high confidence · Mass. Gen. Laws ch. 265, § 43A(a)

HARASSMENT & DISORDERLY CONDUCT

Harassment requires repeated targeted conduct. Criminal harassment requires a willful, malicious pattern or series of targeted acts causing serious alarm and objectively reasonable substantial emotional distress.

Editor's note. The precise judicial narrowing of disorderly-conduct law was not re-verified in this adjudication.

Verified at source · high confidence · Mass. Gen. Laws ch. 265, § 43A(a)

ANONYMITY & MASKS

No general anti-mask prohibition. Massachusetts penalizes disguise only when accompanied by specified intent to obstruct law or intimidate, hinder, or interrupt lawful duties or rights.

Editor's note. A mask may not be used to facilitate another offense.

Verified at source · high confidence · Mass. Gen. Laws ch. 268, § 34

§ Police interaction

IDENTIFICATION

No general pedestrian stop-and-identify rule verified. No general Massachusetts statute compelling a pedestrian to identify themselves during a detention was verified; furnishing false information following arrest is separately prohibited.

Editor’s note. Ask whether you are free to leave, but seek legal advice about a particular detention.

Verify before publication · medium confidence · Mass. Gen. Laws ch. 268, § 34A

DISPERSAL ORDERS

Qualifying unlawful assemblies may be dispersed. Massachusetts statutes address official commands to disperse specified unlawful, riotous, or tumultuous assemblies and related refusal consequences.

Editor’s note. The statute's applicability to a specific order depends on the assembly, command, notice, and circumstances.

Verify before publication · medium confidence · Mass. Gen. Laws ch. 269, § 1

COMMON CHARGES & OUTCOMES

Municipal citations and state misdemeanors differ. Noise and residential-picketing violations carry municipal noncriminal fines, while state harassment and public-order offenses can carry criminal penalties.

Editor’s note. No centralized Boston prosecution-outcomes dataset was verified in this adjudication.

Verified at source · high confidence · Boston Municipal Code § 16-64(C) · Mass. Gen. Laws ch. 265, § 43A(a)

§ Law-in-effect vs. law-on-the-books

ENFORCEMENT REALITY

Codified rules and facts determine exposure. Small peaceful sidewalk advocacy has no verified numerical permit trigger, but enforcement can arise from amplified sound, access obstruction, targeted harassment, or location-specific restrictions.

Editor’s note. Do not infer a current police practice from older litigation, news accounts, or interest-group guidance not re-verified here.

Verified at source · medium confidence · Boston Municipal Code § 16-26.8

☒ Penalties a demonstrator could face

OFFENSE	LEVEL	PENALTY
Unreasonable noise / public-way loud amplification — Boston Municipal Code § 16-26.8	Civil infraction	First \$50; second \$100; third and later \$200 within 12 months
Targeted residential picketing — Boston Municipal Code § 16-64	Civil infraction	\$50 first offense, \$150 second, \$300 third and subsequent offense within 12 months
Park demonstration violation — Boston Municipal Code § 16-19.3	Civil infraction	\$300 fine plus restoration, rehabilitation, cleanup, and collection costs
Criminal harassment — Mass. Gen. Laws ch. 265, § 43A(a)	Misdemeanor	Up to 2.5 years in a house of correction, up to \$5,000 fine, or both
Failure to comply with reproductive-health-facility withdrawal order — Mass. Gen. Laws ch. 266, § 120E1/2(c)	Misdemeanor	First offense: up to \$500 or 3 months; later offense: \$500-\$5,000 or up to 2.5 years
Disguise with prohibited intent — Mass. Gen. Laws ch. 268, § 34	Misdemeanor	Up to \$500 fine or up to 1 year imprisonment

☒ Recent changes

▪	Mar 2026	H.1839, concerning disorderly-person penalties; H.4684, concerning police masks or disguises; and H.1981, concerning personal protective medical equipment, each accompanied House study order H5281 and is not a pending proposal.
▪	Dec 2025	S.1758, proposing a ban on tear gas against civilians, accompanied study order S2798 and is not a pending proposal.
▪	Jul 2025	S.1427, concerning municipal bans of face coverings for protective or medical use, accompanied study order S2568 and is not a pending proposal.

- Jun 2024H.1556 (193rd), concerning a residential protest restriction near elected officials' homes, accompanied study order H4517 and did not pass.
- Mar 2022Boston Ordinance 2022 c. 2 enacted the current targeted-residential-picketing rule, codified at § 16-64.

⌘ Pending changes to watch

S.1204 — An Act updating the Commonwealth's wiretap statutes
State legislation · Reported favorably by the Judiciary and referred to Senate Ways and Means on 2025-10-09; still shown at that stage on the official bill page.
If enacted, the bill could amend Massachusetts wiretap law, which could affect recording rules relevant to public advocacy.

⌘ Key authorities

Boston Noise Ordinance Boston Municipal Code §§ 16-26.1, 16-26.8, 16-26.13
Defines dB(A) and audible-distance standards, bars loud amplification in public places, and identifies permit-based exemptions.

Boston Park Demonstration Permit Boston Municipal Code § 16-19.3
Requires permits for defined park demonstrations and excludes specified casual park use.

Boston Targeted Residential Picketing Ordinance Boston Municipal Code § 16-64
Prohibits targeted residential picketing from 9 p.m. to 9 a.m. and creates escalating noncriminal fines.

Boston Sidewalk Obstruction Rule Boston Municipal Code § 16-10.2
Requires clear and direct pedestrian passage in market limits.

Massachusetts Wiretap Statute Mass. Gen. Laws ch. 272, § 99
Defines secret interception and establishes the Commonwealth's all-party rule.

Massachusetts Reproductive Health Facility Law Mass. Gen. Laws ch. 266, § 120E1/2
Authorizes a conditional written 25-foot withdrawal order after same-day substantial impediment.

Massachusetts Criminal Harassment Statute Mass. Gen. Laws ch. 265, § 43A
Criminalizes repeated targeted conduct causing serious alarm and substantial emotional distress.

Massachusetts Disguise Statute Mass. Gen. Laws ch. 268, § 34
Makes disguise unlawful only with specified obstructive or intimidating intent.

Glik v. Cunniffe 655 F.3d 78 (1st Cir. 2011)
Recognizes a First Amendment right to peacefully film police performing public duties.

Project Veritas Action Fund v. Rollins 982 F.3d 813 (1st Cir. 2020)
Bars application of the wiretap statute to secret audio recording of police performing official duties in public.

§ Research notes

Overall confidence: Medium. This adjudicated survey is current through 2026-07-18. The Massachusetts 194th General Court remains in session through its scheduled formal-session and final-session dates, so S.1204 may change. Verify current City enactments, event-specific permit requirements, court orders, and public-safety conditions before demonstrating. This is legal information, not legal advice.

Unresolved points. No official City enactment record was opened to independently confirm whether amendments postdating the 2026 S-2 hosted code changed any relevant text. — No current Boston administrative outdoor-event permit procedures, fee schedules, or insurance rules were independently verified. — No comprehensive current BPD protest-policy manual, arrest database, or prosecution-outcomes database was reviewed. — No exhaustive current-biennium legislative database search was technically available through the legislature search interface; the identified bill pages were verified individually. — The scope of any Boston obscenity provision as applied to political graphic imagery remains unresolved.

Generated from the structured demonstration-law deep-research record for Boston, Massachusetts (research completed 2026-07-18). This digest carries each finding's bottom line and citations only — the quoted ordinance text and legal analysis behind every conclusion are in the full reference PDF and the full Boston survey. This document has not been reviewed by a lawyer and should not be used as legal advice.