

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

FEB 18 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

INTERNATIONAL SOCIETY FOR
KRISHNA CONSCIOUSNESS OF
CALIFORNIA, INC., a California
nonprofit religious corporation; EMIL
BECA, one of its individual members,

Plaintiffs - Appellants,

v.

CITY OF LOS ANGELES, a California
municipal corporation; STEPHEN YEE,

Defendants - Appellees.

No. 06-56660

D.C. No. CV-03-00293-CBM

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Consuelo B. Marshall, Senior District Judge, Presiding

Submission Deferred July 22, 2010**
Resubmitted February 13, 2015
Pasadena, California

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: PREGERSON, TROTT, and PAEZ, Circuit Judges.

On July 22, 2010, we withheld submission of this case pending final resolution of proceedings in *International Society for Krishna Consciousness of California, Inc. v. City of Los Angeles*, No. 01-56579/12-56621 (“*ISKCON I*”). On August 20, 2014, this court resolved *ISKCON I*. Therefore, this case is resubmitted and the judgment entered in *ISKCON I* applies to this case, *International Society for Krishna Consciousness of California, Inc. v. City of Los Angeles*, No. 06-56660 (“*ISKCON II*”).

In *ISKCON I*, this court addressed whether § 23.27(c) of the Los Angeles Administrative Code—which bans continuous or repetitive solicitation for the immediate receipt of funds at LAX—is a reasonable restriction on protected speech under the First Amendment. *ISKCON v. City of Los Angeles*, 764 F.3d 1044, 1046 (9th Cir. 2014). This court held that § 23.27(c) is a reasonable restriction on protected speech under the First Amendment because it “is limited in nature and leaves open alternative channels for ISKCON to raise money.” *Id.* at 1055.

In *ISKCON II*, we are asked to decide whether § 171.07 of the Los Angeles Municipal Code—which requires groups, including ISKCON, to obtain permits to solicit and receive funds in designated areas within airport terminals—violates the First Amendment. Because this court has upheld § 23.27(c), a more restrictive

ordinance than § 171.07, as a reasonable restriction on protected speech under the First Amendment, we hold that § 171.07 is likewise a reasonable restriction on protected speech under the First Amendment.

The district court's summary judgment in favor of Defendants is
AFFIRMED.