

13.05 Parade Regulations

(1) DEFINITIONS:

- (a) "Parade" is any parade, march, ceremony, show exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park, or other public place in the Village.
- (b) "Parade Permit" is a permit as required by this ordinance.
- (c) "Person" is any person, firm, partnership, association, corporation, company, or organization of any kind.

(2) PERMIT REQUIRED. No person shall engage in, participate in, aid, form, or start any parade, unless a parade permit shall have been obtained from the Chief of Police.

(a) Exception. This ordinance shall not apply to:

- 1. Funeral processions;
- 2. Students going to and from school classes or participating in educational activities, providing such conduct is under the immediate direction and supervision of the proper school authorities.
- 3. A governmental agency, acting with the scope of its functions.

(3) APPLICATION. A person seeking issuance of a parade permit shall file an application with the Chief of Police on forms provided by such officer.

- (a) Filing Period. An application for a parade permit shall be filed with the Chief of Police not less than 30 days nor more than 90 days before the date on which it is proposed to conduct the parade.
- (b) Contents. The application for a parade permit shall set forth the following information:

- 1. The name, address, and telephone number of the person seeking to conduct such parade;
- 2. If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization, and the authorized and responsible heads of such organization;
- 3. The name, address, and telephone number of the person who will be the parade chair and who will be responsible for its conduct.
- 4. The date when the parade is to be conducted;
- 5. The route to be traveled, the starting point, and the termination point;
- 6. The approximate number of persons who, and animals and vehicles which, will constitute such parade; the type of animals and description of the vehicles;

7. The hours when such parade will start and terminate;
8. A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed;
9. The location by streets of any assembly areas for such parades;
10. The time at which units of the parade will begin to assemble at any such assembly area or areas;
11. The interval of space to be maintained between units of such parade;
12. If the parade is to be conducted by or for any person other than the applicant, the applicant for such permit shall file with the Chief of Police a communication in writing from the person proposing to hold the parade authorizing the applicant to apply for the permit on his behalf.
13. Any additional information which the Chief of Police shall find reasonably necessary to a fair determination as to whether a permit shall be issued.

(c) Late Application. The Chief of Police, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than 30 days before the date such parade is proposed to be conducted.

(4) STANDARDS FOR ISSUANCE. The Chief of Police shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may be otherwise obtained, he finds that:

- (a) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
- (b) The conduct of the parade will not require the diversion of so great a number of police officers of the Village to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the Village.
- (c) The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the Village other than that to be occupied by the proposed line of march and area contiguous thereto.
- (d) The concentration of persons, animals, and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of or ambulance service to areas contiguous to such assembly areas.
- (e) The conduct of such parade will not interfere with the movement of the firefighting equipment enroute to a fire.
- (f) The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct, or create a disturbance.
- (g) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute.
- (h) The parade is not to be held for the sole purpose of advertising any product, goods, or event, and is not designed to be held purely for private profit.

(5) **DISCRETIONARY DENIAL.** An application for a parade permit may be denied by the Chief of Police if:

- (a) It is for a parade that is to be held on a work day during hours when and at places where, in addition to the proposed parade, the flow of vehicular and pedestrian traffic is usually delayed by its own volume.
- (b) It is for a parade that is to be held between the hours of 10:00 P.M. and 6:00 A.M.
- (c) Sufficient parade marshals are not provided as to reasonably ensure the orderly conduct of the parade.
- (d) More than one assembly area or more than one dispersal area is proposed.

(6) **MANDATORY DENIAL.** An application for a parade permit shall be denied by the Chief of Police if:

- (a) It is made less than 30 days in advance of the time the parade is scheduled to commence.
- (b) It is for a parade that is primarily for private or commercial economic gain.
- (c) It is for a parade which would involve violation of federal or state highway law or of other applicable provisions of this code or city ordinances.
- (d) The granting of the permit would conflict with another permit already granted or for which application is already pending.
- (e) The application does not contain the information required.

(7) **NOTICE OF REJECTION.** The Chief of Police shall act upon the application for a parade permit within seven days after the filing thereof. If the Chief of Police disapproves the application, he shall mail to the applicant within seven days after the date upon which the application was filed, a notice of his action, stating the reasons for his denial of the permit. Said notice shall be mailed to the post office address stated on that application.

(8) **APPEAL PROCEDURE.** Any person aggrieved shall have the right to appeal the denial of a parade permit to the Village Board. The appeal shall be taken within five days after notice. The Village Board shall act upon the appeal at its next regular Board meeting.

(9) **ALTERNATIVE PERMIT.** The Chief of Police, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five days after the notice of acceptance with the Chief of Police, file a written notice of acceptance with the Chief of Police. An alternate parade permit shall conform to the requirements of, and shall have the effect of a parade permit.

(10) NOTICE TO VILLAGE AND OTHER OFFICIALS. Immediately upon the issuance of a parade permit, the Chief of Police shall send a copy thereof to the following:

- (a) The Village Board President;
- (b) The Village Clerk;
- (c) The Fire Chief.

(11) CONTENT OF PERMIT. Each parade permit shall state the following information:

- (a) Starting time;
- (b) Lapsed time for completion of parade;
- (c) The portions of the streets to be traversed that may be occupied by the parade;
- (d) Such other information as the Chief of Police shall find necessary to the enforcement of this ordinance.

(12) DUTIES OF PERMITTEE. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairman or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.

(13) PUBLIC CONDUCT DURING PARADES.

- (a) Interference. No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or parades assembly or with any person, vehicle or animal participating or used in a parade.
- (b) Driving through parades. No driver of a vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade.
- (c) Parking on parade route. The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of the parade. The Chief of Police shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. Any vehicle parked in violation of a no parking on parade route notice may be towed. The owner of the vehicle shall be responsible for the costs of towing. No person shall be liable for parking on a street unposted in violation of this ordinance.
- (d) Disobedience of officers. No person who leads or participates in a parade shall disobey or encourage others to disobey this article after a police officer has directly and presently informed him of any of the provisions of this article of the terms of the parade permit that he is violating.
- (e) Compliance by permittee with laws. A permittee under this article shall comply with all applicable directions and conditions, all council approved parade rules, and with all applicable laws and ordinances.
- (f) Distribution of items:

1. No person participating in a parade shall throw, toss, pitch, or otherwise distribute any items by any means other than personally handing such items to spectators along the parade route and, then, only if such personal distribution is made in such a manner as not to induce spectators to leave the sidelines to enter into the path of the parade.
2. Any participant who intends to hand items to spectators along the parade route shall, prior to commencement of the parade, notify the parade director of the type and kind of items to be distributed.

(14) **PROOF OF INSURANCE.** The person issuing a permit under the division shall require a policy of liability insurance for the payment of all claims that may arise because of injuries to person or property as the result of any activity related to the permit. The insurance policy shall be in the minimum amount of \$1,000,000.00 and shall name the Village as an additional insured as its interests may appear. The policy shall be filed with the application for a parade permit.

(15) **REVOCATION OF PERMIT.** The Chief of Police shall have the authority to revoke a parade permit issued hereunder upon application of the standards for issuance as herein set forth.

(16) **PENALTIES.** Any person violating any of the provisions of this ordinance shall be subject to a forfeiture of not less than \$25.00 nor more than \$500.00 and in default of said payment together with the cost of prosecution and may be ordered to pay restitution, towing costs, and complete community service.