

ORDINANCE NO. 054-036

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 16. STREETS AND SIDEWALKS, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS; PROVIDING FOR A PERMIT FOR PARADES; PROVIDING FOR AN APPLICATION FOR PERMIT; PROVIDING FOR BOND REQUIREMENTS; PROVIDING FOR STANDARDS FOR ISSUANCE OF PARADE PERMITS; PROVIDING FOR NOTICE OF REJECTION AND APPEAL PROCEDURE; PROVIDING FOR ALTERNATIVE PERMIT; PROVIDING FOR CONTENTS OF PERMIT; PROVIDING FOR DUTIES OF PERMITEE; PROVIDING FOR PUBLIC CONDUCT DURING PARADES; PROVIDING FOR REVOCATION OF PERMIT; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the Code of Ordinances of the Town of Addison, Texas is hereby amended to add Article V, to read as follows:

ARTICLE V. PARADE ORDINANCE

SECTION 16.95. Short Title. This Ordinance shall be known and may be cited as the "Parade Ordinance of the Town of Addison."

SECTION 16.96. Definitions:

(a) "Chief of Police" is the Chief of Police of the Town of Addison, Texas, or his designee.

Published  
6-18-84

RECEIVED - JUN 18 1984

(b) "Parade" is any parade, march, ceremony, show, demonstration, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, sidewalk, park or other public place in the City.

(c) "Parade Permit" is a permit as required by this Ordinance.

(d) "Person" is any person, firm, partnership, association, corporation, company or organization of any kind.

SECTION 16.97. 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 (or other appropriate official or body).

(a) Exceptions. This Ordinance shall not apply to:

(1) funeral processions;

(2) students going to and from 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 within the scope of its functions.

SECTION 16.98. 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 twenty-one (21) days nor more than sixty (60) 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 of the authorized and responsible heads of such organization;

(3) The name, address and telephone number of the person who will be the parade chairman 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 parade;

(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 designed to be held by, and on behalf of 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 should issue.

(c) Late Applications. The Chief of Police, where good cause is shown therefor, shall have the authority to consider any application hereunder which is filed less than twenty-one (21) days before the date such parade is proposed to be conducted.

(d) Fee. There shall be paid at the time of filing the application for a parade permit a fee of \$25.00.

SECTION 16.99. Bond Requirements. Every applicant for a permit referred to herein shall, before the permit is granted, file with the Chief of Police a continuing bond in the penal sum of \$500.00 if the proposed parade is to travel along a designated route between two or more points within the City; or in the penal sum of \$250.00 if the proposed parade is limited to one small, designated area within the City, such bond to be executed by the applicant and a surety company to be approved by the Chief of Police and conditioned for the faithful observance of the provisions of this ordinance and all amendments thereto, and which shall indemnify and save harmless the City from any and all costs and expenses which the said City may incur or suffer to clean or repair the public place upon which the parade was conducted.

SECTION 16.100 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 otherwise be 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 or substantially interrupt the safe and orderly movement of other pedestrians on the sidewalk.

(b) The conduct of the parade will not require the diversion of so great a number of police officers of the City to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the City.

(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 City other than that to be occupied by the proposed line of march and areas 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 fire-fighting 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.

SECTION 16.101. Notice of Rejection. The Chief of Police shall act upon the application for a parade permit within ten (10) days after the filing thereof. If the Chief of Police disapproves the application, he shall mail to the applicant within fourteen (14) days after the date upon which the application was filed, a notice of his action, stating the reasons for his denial of the permit.

SECTION 16.102. Appeal Procedure. Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within ten (10) days after notice. The City Council shall act upon the appeal within forty-five (45) days after its receipt.

SECTION 16.103. 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 seven (7) days after notice of the action of 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 under, this Ordinance.

SECTION 16.104. Notice to City 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 Mayor (City Manager or other head);
- (b) The City Attorney;
- (c) The Fire Chief;
- (d) The Director of the Department of Public Works;

SECTION 16.105. Contents of Permit. Each parade permit shall state the following information:

- (a) Starting time;
- (b) Minimum speed;
- (c) Maximum speed;
- (d) Maximum interval of space to be maintained between the units of the parade;
- (e) The portions of the streets to be transversed that may be occupied by the parade;
- (f) The maximum length of the parade in miles or fractions thereof;

(g) Such other information as the Chief of Police shall find necessary to the enforcement of this Ordinance.

SECTION 16.106. Duties of Permittee. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

(a) Possession of Permit. 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.

SECTION 16.107. Public Conduct During Parades.

(a) Interference. No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.

(b) Driving Through Parades. No driver of a vehicle, street car or trackless trolley 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 a 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. No person shall be liable for parking on a street unposted in violation of this Ordinance.

SECTION 16.108. 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.

SECTION 2. Penalty. That any person, firm or corporation violating any of the provisions of this Ordinance, shall upon



commission be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Two Hundred and no/100 Dollars (\$200.00) for each offense, and each day such violation continues shall constitute a separate offense.

SECTION 3. Severability. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

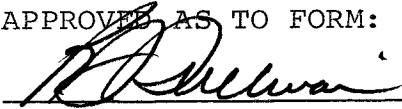
SECTION 4. Emergency. The fact that the present Code does not provide regulation of parades and demonstrations, and is therefore inadequate to properly safeguard the general public, health and safety, creates an urgency and an emergency, and requires this Ordinance to become effective immediately upon its passage and publication of the caption as the law in such cases provides.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 12 day of JUNE, 1984.

  
\_\_\_\_\_  
MAYOR

ATTEST:

  
\_\_\_\_\_  
CITY SECRETARY

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
\_\_\_\_\_

Published  
6-27-84