**EXAMPLE PARADE ORDINANCE**

**The City of Example hereby ordains:**

**100.01  FINDINGS.**

   The City Council of the City of Example finds and declares that the interests of the public health, safety and welfare of the citizens of the City of Example require the regulation, licensing and control of assemblages of large numbers of people in excess of those normally drawing upon the health, sanitation, fire, police, transportation, utility and other public services regularly provided in the City.

**100.02  DEFINITIONS.**

   As used in this chapter:

   (a)   "Attendant" means any person who obtains admission to an outdoor assembly by the payment of money or by the rendering of services in lieu of the payment of money for admission.

   (b)   "Licensee" means any person to whom a license is issued pursuant to this chapter.

   (c)   "Outdoor assembly", hereinafter referred to as "assembly," means any event, attended by more than 1,000 attendants, all or any part of which includes a theatrical exhibition, parade, public show, display, entertainment, amusement or other exhibition, including, but not limited to, musical festivals, rock festivals, peace festivals or similar gatherings, but does not mean:

      (1)   An event which is conducted or sponsored by a governmental unit or agency on publicly owned land or property;

      (2)   An event which is conducted or sponsored by an entity qualifying for tax exempt status under Section 501(c)(3) of the Internal Revenue Code of 1954, being 26 U.S.C.  501(c)(3); or

      (3)   An event held entirely within the confines of a permanently enclosed and covered structure.

   (d)   "Person" means any natural person, partnership, corporation, limited liability company, association or organization.

   (e)   "Sponsor" means any person who organizes, promotes, conducts or causes to be conducted an outdoor assembly.

 (f) “Emergency Response Plan” shall mean an all-hazard plan developed to guide response to emergencies that might arise during the event. It should include an inclement weather plan, emergency/security response plan, response to human-made events, and for unexpected road closures required during an event.

**848.03 LICENSE REQUIRED.**

**100.03  LICENSE/PERMIT REQUIRED.**

   No person shall sponsor, operate, maintain, conduct or promote an outdoor assembly or parade in the City of Example unless he or she shall have first made application for, and obtained, as hereinafter prescribed, a license for each assembly.

**848.04 APPLICATION FOR LICENSE.**

**100.04  APPLICATION FOR LICENSE/PERMIT.**

   Application for a license to conduct an outdoor assembly must be made in writing on such forms and in such manner as prescribed by the Clerk of the City of Example and shall be made at least sixty days prior to the date of the proposed assembly.  Each application shall be accompanied by a non-refundable fee to be determined from time to time by Council and shall include at least the following:

   (a)   The name, age, residence and mailing address of the person making the application.  Where the person making the application is a partnership, corporation or other association, this information shall be provided for all partners, officers and directors, or members.  Where the person is a corporation, a copy of the articles of incorporation shall be filed and the names and addresses shall be provided of all shareholders having a financial interest greater than five hundred dollars ($500.00)

   (b)   A statement of the kind, character and type of proposed assembly.

   (c)   The address, legal description and proof of ownership of the site at which the proposed assembly is to be conducted.  Where ownership is not vested in the prospective licensee, he or she shall submit an affidavit from the owner indicating his or her consent to the use of the site for the proposed assembly. In cases of using public streets for events such as parades, a route plan outlining the proposed parade along with a letter of concurrence from the Director of Public Safety (Chief of Police).

   (d)   The date or dates and hours during which the proposed assembly is to be conducted.

   (e)   An estimate of the maximum number of attendants expected at the assembly for each day it is conducted and a detailed explanation of the evidence of admission which will be used and of the sequential numbering or other method which will be used for accounting purposes.

   (f)   A Certificate of Good Standing from the Secretary of State.

**848.05 PLANS; MAPS.**

**100.05  PLANS; MAPS.**

   (a)   Each application shall be accompanied by a detailed explanation, including drawings and diagrams where applicable, of the prospective licensee's plans to provide for the following:

      (1)   Police and fire protection.

      (2)   Food and water supply and facilities.

      (3)   Health and sanitation facilities.

      (4)   Medical facilities and services, including emergency vehicles and equipment.

      (5)   Vehicle access and parking facilities.

      (6)   Camping and trailer facilities.

      (7)   Illumination facilities.

      (8)   Communications facilities.

      (9)   Noise control and abatement.

      (10)   Facilities for clean-up and waste disposal.

      (11)   Insurance and bonding arrangements.

   (b)   In addition, the application shall be accompanied by a map or maps of the overall site of the proposed assembly and/or parade route.

**848.06 INVESTIGATION.**

**100.06 PARADE REQUIREMENTS**

Applications for parades will require specific additional requirements. Those include:

1. Driver education. Local police should be consulted to determine a speed limit for the parade vehicles as well as provide safety guidelines that shall be given to each vehicle hauling floats or external passengers. Guidelines for heights and devices used for railings for external passengers on floats should also be addressed.
2. Licenses. All drivers shall be required to provide proof of a valid driver’s license to operate a moving vehicle in the City/State. All drivers must be at least 18 years of age and capable/certified to haul floats or chauffer passengers.
3. Participants. Parade organizers should identify who the participants or performers are within each parade and what vehicles, bicycles, large inflated balloons, or animals will be used by participants. Chaperones shall be provided for participants under 18 years of age.
4. Alcohol shall not be allowed to be consumed by parade participants or by viewers along city streets. Violators may be prosecuted under existing open container legislation.
5. Throwing from floats/parade marchers. No candy, pamphlets, trinkets, or other items shall be tossed to viewers of parades from parade floats or participants.
6. Weapons/firearms. No weapons or devices using gunpowder, flash powder, or open flame shall be allowed on floats or to be used by participants.
7. Animals that are featured in parades shall have on file a record of applicable vaccinations and licenses. Horses and other animals will be allowed only after a certificate of insurance naming and indemnifying the City of Example from any and all liability arising from their appearance is provided. The parade organizer shall arrange for the collection and proper disposal of wastes from animals within the parade.
8. Parade organizers shall identify on maps and in written documentation the locations for assembly and disassembly of participants. If loading docks, truck routes, or highways are impacted, the organizer and police department shall notify affected businesses by certified mail at least 60 days prior to the event of such impact.
9. Viewing stands and vendors. Designated viewing areas may be provided at which acts may conduct displays. A building permit and insurance indemnification certificate shall be provided that names the City of Example as an additional insured. Vendors shall comply with all other applicable city ordinances and/or health regulations. Vendors who are found in violation of city ordinances (income tax, sales tax, health) shall cease all business or face confiscation of their items for sale.
10. Debris removal. Following the conclusion of the parade, organizers shall plan or pay the City of Example for a cleaning of the areas through which the parade passes. The collection shall be for pamphlets, paper items, bottles, and other debris left by observers and/or participants.
11. Copies. At least four complete sets of plans for the parade shall accompany the application to the City of Example: one for the police department, one for State Department of Transportation (if crossing a state-maintained roadway), one for fire, and one for railroads (should they be present or impacted). In the case of railroads, the organizer and city shall provide proof of notification of parade times and route as communicated to the railroad along with a request for slow-down in passing trains.
12. It shall be the responsibility of the police chief to notify hospitals and other applicable emergency service providers of parades and seek input prior to issuance of permits.

**100.07  INVESTIGATION.**

   On receipt of the application by the City Clerk, copies of such application shall be forwarded to the chief law enforcement and health officers for the City of Example, the State Fire Marshal and such other appropriate public officials as the Clerk deems necessary.  Such officers and officials shall review and investigate matters relevant to the application and, within twenty days of receipt thereof, shall report their findings and recommendations to the City Council.

 **848.07 ACTION BY COUNCIL.**

**100.08  ACTION BY COUNCIL.**

   Within thirty days of the filing of the application, the City Council shall issue, set conditions prerequisite to the issuance of, or deny, a license/permit.  The City Council may require that adequate security or insurance be provided before a license/permit is issued.  Where conditions are imposed as prerequisite to the issuance of a license/permit, or where a license/permit is denied, within five days of such action, notice thereof must be mailed to the applicant by certified mail, and, in the case of denial, the reasons therefor shall be stated in the notice.

**848.08 GROUNDS FOR DENIAL.**

**100.09  GROUNDS FOR DENIAL.**

   A license or permit may be denied if:

   (a)   The applicant fails to comply with any or all requirements of this chapter, with any or all conditions imposed pursuant hereto or with any other applicable provision of State or local law; or

   (b)   The applicant has knowingly made a false, misleading or fraudulent statement in the application or in any supporting document.

**848.09 CONTENTS OF LICENSE; POSTING.**

**100.10  CONTENTS OF LICENSE/PERMIT; POSTING.**

   A license shall specify the name and address of the licensee, the kind and location of the assembly, the maximum number of attendants permissible, the duration of the license/permit and any other conditions imposed pursuant to this chapter.  The license/permit shall be posted in a conspicuous place upon the premises of the assembly and shall not be transferred to any other person or location.

**848.10 MINIMUM REQUIREMENTS.**

**100.11  MINIMUM REQUIREMENTS.**

   In processing an application, the City Council shall, at a minimum, require the following:

   (a)   Security Personnel.  The licensee shall employ at his or her own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of attendants at the assembly and for the preservation of order and protection of property in and around the site of the assembly.  No license/permit shall be issued unless the chief law enforcement officer for the City of Example, in cooperation with the Director of State Police, is satisfied that such necessary and sufficient security personnel will be provided by the licensee for the duration of the assembly. The chief law enforcement officials may also require the placement of “bike rack” fencing at key locations along parade routes, the cost of which shall be borne by the licensee.

   (b)   Water Facilities.  The licensee shall provide potable water, sufficient in quantity and pressure to assure proper operation of all water using facilities under conditions of peak demand.  Such water shall be supplied from a public water system, if available, and if not available, then from a source, constructed, located, and approved in accordance with (insert public act), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable State or local law, or from a source and delivered and stored in a manner approved by the Example County Health Director.

   (c)   Restroom Facilities.  The licensee shall provide separate enclosed water closets as defined in (insert local or state public act), as amended, and the rules and regulations adopted pursuant thereto and in accordance with any other applicable State or local law.  If such facilities are not available, the Example County Health Director may permit the use of other facilities which are in compliance with (insert local or state public act), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable State or local law.

The licensee shall provide lavatory and drinking water facilities constructed, installed, and maintained in accordance with (insert public act numbers), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable State or local law. All lavatories shall be provided with water and soap and paper towels.

The number and type of facilities required for general assemblies (excluding parades) shall be determined, on the basis of the number of attendants, in the following manner:

   Facilities      Male      Female

   Toilets         1:300      1:200

   Urinals         1:100

   Lavatories      1:200      1:200

   Drinking fountains      1:500

   Taps or faucets      1:500

Where the assembly is to continue for more than twelve hours, the licensee shall provide shower facilities, on the basis of the number of attendants, in the following manner:

   Facilities   Male      Female

   Shower heads   1:100      1:100

All facilities shall be installed, connected and maintained free from obstructions, leaks and defects and shall at all times be in operable condition as determined by the Example County Health Director.

   (d)   Food Service.  If food service is made available on the premises, it shall be delivered only through concessions licensed and operated in accordance with the provisions of (insert act number), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable State or local law.

   (e)   If the assembly is distant from food service establishments open to the public, the licensee shall make such food services available on the premises as will adequately feed the attendants.

   (f)   Medical Facilities.  If the assembly is not readily and quickly accessible to adequate existing medical facilities, the licensee shall be required to provide such facilities on the premises of the assembly.  The kind, location, staff strength and medical and other supplies and equipment of such facilities shall be as prescribed by the Example County Health Director.

   (g)   Liquid Waste Disposal. The licensee shall provide for liquid waste disposal in accordance with all rules and regulations pertaining thereto established by the Example County Health Director.  If such rules and regulations are not available or if they are inadequate, then liquid waste disposal shall be in accordance with the United States Public Health Service Publication No. 526, entitled, Manual of Septic Tank Practice.  If liquid waste retention and disposal is dependent upon pumpers and haulers, they shall be licensed in accordance with (insert public act), as amended, and the rules and regulations adopted pursuant thereto, and in accordance with any other applicable State or local law, and, prior to issuance of any license/permit, the licensee shall provide the Example County Health Director with a true copy of an executed agreement in force and effect with a licensed pumper or hauler, which agreement will assure proper, effective and frequent removal of liquid waste from the premises so as to neither create nor cause a nuisance or menace to the public health.

   (h)   Solid Waste Disposal.  The licensee shall provide for solid waste storage on, and removal from, the premises.  Storage shall be in approved, covered, fly tight and rodent proof containers, provided in sufficient quantity to accommodate the number of attendants.  Prior to issuance of any license/permit, the licensee shall provide the Example County Health Director with a true copy of an executed agreement in force and effect with a licensed refuse collector, which agreement will assure proper, effective and frequent removal of solid waste from the premises so as to neither create nor cause a nuisance or menace to the public health.

   (i)   The licensee shall implement effective control measures to minimize the presence of rodents, flies, roaches and other vermin on the premises.  Poisonous materials, such as insecticides or rodenticides, shall not be used in any way so as to contaminate food or equipment or otherwise constitute a hazard to the public health.  Solid waste containing food waste shall be stored so as to be inaccessible to vermin.  The premises shall be kept in such condition as to prevent the harborage or feeding of vermin.

   (j)   Access and Traffic Control.  The licensee shall provide for ingress to and egress from the premises so as to insure the orderly flow of traffic onto and off of the premises.  Access to the premises shall be from a highway or road which is a part of the County system of highways or which is a highway maintained by the State of EXAMPLE.  Traffic lanes and other space shall be provided, designated and kept open for access by ambulance, fire equipment, helicopter and other emergency vehicles.  Prior to the issuance of a license/permit, the Director of the Department of State Police and the Director of the Department of State Highways must approve the licensee's plan for access and traffic control.

   (k)   Parking.  The licensee shall provide a parking area sufficient to accommodate all motor vehicles, but in no case shall he or she provide less than one automobile space for every four attendants.

   (l)   Camping and Trailer Parking.  A licensee who permits attendants to remain on the premises between the hours of 2:00 a.m. and 6:00 a.m. shall provide for camping and trailer parking and facilities in accordance with (insert public act), as amended, and the rules and regulations adopted pursuant thereto and in accordance with any other applicable provision of State or local law.

   (m)   Illumination.  The licensee shall provide electrical illumination of all occupied areas sufficient to insure the safety and comfort of all attendants.  The licensee's lighting plan shall be approved by the Building Inspector.

   (n)   Insurance.  Before the issuance of a license/permit the licensee shall obtain public liability insurance with limits of not less than one million dollars/five million dollars ($1,000,000/$5,000,000) and property damage insurance with a limit of not less than two hundred fifty thousand dollars ($250,000) from a company or companies approved by the Commissioner of Insurance of the State of Example, which insurance shall insure liability for death or injury to persons or damage to property which may result from the conduct of the assembly or conduct incident thereto, and which insurance shall remain in full force and effect in the specified amounts for the duration of the license/permit.  The evidence of insurance shall include an endorsement to the effect that the insurance company shall notify the Clerk of the City of Example in writing at least ten days before the expiration or cancellation of said insurance.

   (o)   Bonding.  Before the issuance of a license/permit the licensee shall obtain, from a corporate bonding company authorized to do business in Example, a corporate surety bond in the amount of one hundred thousand dollars ($100,000) in a form to be approved by the City Attorney, conditioned upon the licensee's faithful compliance with all of the terms and provisions of this chapter and all applicable provisions of State or local law, and which shall indemnify the City of Example, its agents, officers and employees and the City Council against any and all loss, injury or damage arising out of or in any way connected with the assembly, and which shall indemnify the owners of property adjoining the assembly site for any costs attributable to cleaning up and/or removing debris, trash or other waste resultant from the assembly.

   (p)   Fire Protection.  The licensee shall, at his or her own expense, take adequate steps as determined by the State Fire Marshal and/or the Department of Public Safety (Fire Department) to insure fire protection.

   (q)   Sound-producing equipment.  Sound-producing equipment, including, but not limited to, public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of the assembly so as to be unreasonably loud or raucous, or so as to be a nuisance or disturbance to the peace and tranquility of the citizens of the City of Example.

   (r)   Fencing.  The licensee shall erect a fence completely enclosing the site of fixed location events, of sufficient height and strength as will preclude persons in excess of the maximum permissible attendants from gaining access and which will have sufficient gates properly located so as to provide ready and safe ingress and egress. In the case of parades, a fencing plan using bicycle rack or other suitable material shall be prepared in consultation with the police and fire departments.

   (s)   Communications.  The licensee shall provide public telephone equipment for general use on the basis of at least one unit for each 1,000 attendants.

   (t)   Miscellaneous.  Prior to the issuance of a license/permit, the City Council may impose any other condition reasonably calculated to protect the health, safety, welfare and property of attendants or of citizens of the City of Example.

**848.11 REVOCATION OF LICENSE.**

**100.12  REVOCATION OF LICENSE/PERMIT.**

   The City Council may revoke a license/permit whenever the licensee or his or her employee or agent fails, neglects or refuses to fully comply with any and all provisions and requirements set forth herein or with any and all provisions and regulations, ordinances, statutes or other laws incorporated herein by reference.

**848.12 VIOLATIONS; DECLARATION OF NUISANCE.**

**100.13  VIOLATIONS; DECLARATION OF NUISANCE.**

   (a)   It shall be unlawful for a licensee, or his or her employee or agent, to knowingly:

      (1)   Advertise, promote or sell tickets to, conduct or operate an assembly/parade without first obtaining a license as herein provided.

      (2)   Conduct or operate an assembly/parade in such a manner as to create a public or private nuisance.

      (3)   Conduct or permit, within the assembly/parade, any obscene display, exhibition, show, play, entertainment or amusement.

      (4)   Permit any person on the premises to cause or create a disturbance in, around or near the assembly by obscene or disorderly conduct.

      (5)   Permit any person to unlawfully consume, sell or possess intoxicating liquor while on the premises.

      (6)   Permit any person to unlawfully use, sell or possess any narcotics, narcotic drugs, drugs or other substances as defined in (insert applicable public act), as amended.

   (b)   Any of the above-enumerated violations is hereby declared to be a nuisance per se, immediately enjoinable in the Circuit Court, and, further, is a sufficient basis for revocation of the license/permit and for the immediate enjoining of the assembly by the Circuit Court.

**848.99 PENALTY.**

**100.14  PENALTY.**

**The local community should decide to what level of penalty is provided for any violations of this ordinance. Is it a felony? Misdemeanor? Most city ordinances provide for standard language based on the level and could be referenced under penalty.**