

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE
REQUIRING ANY PERSON OR ORGANIZATION WANTING TO
CONDUCT A PARADE OR MOTORCADE IN OR UPON ANY
PUBLIC STREET, SIDEWALK, OR ALLEY IN THE MUNICI-
PALITY TO OBTAIN A PERMIT FROM THE MUNICIPALITY
OF MONROEVILLE

BE IT ORDAINED and ENACTED, by the Municipality of Monroeville, in Council assembled as follows:

Section 1. The following words and phrases when used in this Ordinance shall have the meaning hereby ascribed to them, except in those instances where the context clearly indicates a different meaning:

(a) Motorcade - an organized procession containing twenty-five (25) or more vehicles, except funeral processions, upon public street, sidewalk or alley.

(b) Parade - any march or procession consisting of people, animals, or vehicles or a combination thereof, except funeral processions, upon any street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls.

(c) E.S.T. - is an abbreviation for Eastern Standard Time, and shall be deemed to refer to Eastern Daylight Savings Time during such periods as Eastern Daylight Savings Time shall be in effect in the Municipality of Monroeville.

Section 2. It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk, or alley in the Municipality or to knowingly participate in any such parade or motorcade unless and until a permit to conduct such parade or motorcade has been obtained from the Municipality of Monroeville. In the administration of this Ordinance, the Municipality shall not refuse to issue a permit for any reason relating solely to the identity of the applicant or the identity of the persons or organizations who are to participate in the parade. The Municipality shall have no discretion to limit or restrict a permit other than under the conditions and restrictions set forth in this Ordinance.

Section 3. No permit shall be issued authorizing the conduct of a parade or motorcade which the Municipality finds is proposed to be held for the sole purpose of advertising and or promoting any product, goods, wares, merchandising or event.

Section 4. No person shall knowingly join or participate in any parade or motorcade conducted under permit from the Municipality in violation of any of the terms of said permit, nor knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

Section 5. All parades upon any public street, sidewalk, or alley in the Municipality are prohibited between the hours of 12:00 P.M. (Noon) E.S.T. and 8:00 A.M. E.S.T., except for rain dates for the 4th of July Parade where the prohibited hours are between 4:00 P.M. E.S.T. and 8:00 A.M. E.S.T.

Section 6. Any person who wants to conduct a parade or motorcade shall apply to the Municipality for a permit at least ten (10) days in advance of the proposed parade or motorcade. The application for such permit shall be made in writing and shall contain or include the following:

(a) The name of the applicant, the sponsoring organization, the parade or motorcade chairman, and the address and telephone number of each.

(b) The purpose of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, the route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.

(c) A general description of the individual floats, marching units, vehicles and bands.

(d) A parade fee shall be set by the Municipal Manager and shall be equal to the actual costs incurred by the Municipality. Municipal sponsored community activities, i.e. Memorial Day and Independence Day for example, are exempt from the parade fee. (Examples of Actual Costs are: police personnel; public works personnel; barricade rental; paint, wood, rope, etc. used in the actual staging of the event).

Section 7. The Chief of Police shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the terms of such permit, unless the Municipality finds that:

(a) The time, route and size of the parade or motorcade will unreasonably disrupt the movement of other traffic.

(b) The parade or motorcade is of a size or nature that requires the diversion of so great a number of police officers of the Municipality to properly police the line of movement and the areas contiguous thereto that allowing the parade or motorcade would deny reasonable protection to the Municipality in general and residents and others in the Municipality in particular.

(c) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.

Section 8. The Chief of Police shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:

(a) The Municipality makes any finding contrary to the findings required to be made for the issue of a permit.

(b) The information contained in the application is found to be false or non-existent in any material detail.

(c) The applicant refuses to agree to abide by or comply with all conditions of the permit and any and all sections of this Ordinance.

Section 9. In each permit the Municipality shall specify:

1. The assembly area and time therefor.
2. The starting time.
3. The minimum and maximum speeds.
4. The route of the parade or motorcade.
5. What portions of streets to be traversed may be occupied by **such** parade or motorcade.
6. The maximum number of divisions or units.
7. The maximum length of such parade or motorcade in miles or fractions thereof.
8. The disbanding area and disbanding time.
9. The number of persons required to monitor the parade or motorcade.
10. The number and type of vehicles, if any.
11. The material and maximum size of any sign, banner, placard or carrying device therefor.
12. That the permittee advise all participants in the parade or motorcade, either orally, or by written notice, of the terms and conditions of the permit prior to the commencement of such parade or motorcade.
13. That the parade or motorcade continue to move at a fixed rate of speed and that any willful delay or willful stopping of said parade or motorcade, except when reasonably required for the safe and orderly conduct of the parade or motorcade, shall constitute a violation of the permit.
14. Such other requirements as are found by the Municipality to be reasonably necessary for the protection of persons or property.
15. All conditions of the permit shall be complied with.

Section 10. Upon a denial by the Chief of Police of an application made pursuant to Section 6 of this Ordinance, the applicant may appeal from the determination of the Chief of Police within five (5) days thereafter to the Municipal Manager and then, if unresolved, by filing a written notice of appeal for hearing by the Municipal Council at its next meeting. Upon such appeal, the Municipal Council may reverse, affirm or modify in any regard the determination of the Municipality of Monroeville.

In the event an application is not filed within the required time as specified in Section 6, the applicant may request a waiver of such requirement by the Municipal Council at its next regular meeting or a special meeting which may be called prior thereto by said Municipal Council to consider such matter, and the Municipal Council, if it finds just cause and in the exercise of its sound discretion may waive such requirement.

Section 11. Immediately upon the granting of a permit for a parade or motorcade, the Chief of Police shall send a copy thereof to the Director, Emergency Preparedness and the Volunteer Fire Chief.

Section 12. Any permit for a parade or motorcade issued pursuant to this ordinance may be summarily revoked by the Chief of Police at any time when by reason of disaster, public calamity, riot or other emergency, or just cause, the Municipality determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified mail at the address given as required by Section 6 (a) of this Ordinance. The permit fee shall be refundable when a permit is revoked.

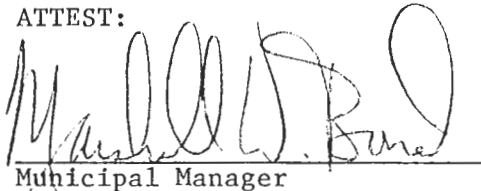
Section 13. Any person who shall be convicted of a violation of this Ordinance before any District Magistrate shall be punishable by a fine of not more than Three Hundred (\$300.00) Dollars, together with costs of prosecution and in default of payment of such fine and costs.

Section 14. Any Ordinance or part of an Ordinance in conflict with any of the provisions of this Ordinance is hereby repealed to the extent of any such conflict.

ORDAINED AND ENACTED this 1st day of November, 1982.

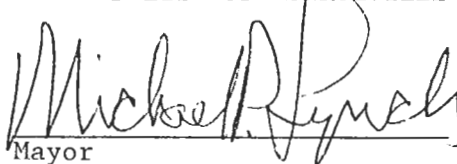
(SEAL)

ATTEST:



Municipal Manager

MUNICIPALITY OF MONROEVILLE



Mayor