

CHAPTER 366. Block Parties, and Community Festivals

Chapter Section of City Charter	Summary
<p>1 Sec. 366.01. Permits, exceptions and special options.</p> <p>(a) <i>Permit required.</i> No person or organization shall use any public street, sidewalk or alley for a block party or community festivals in the city without a permit.</p> <p>(b) <i>Exception to fee, insurance and indemnity requirements.</i> Because the policy of the city is to encourage the holding of small block parties that do not adversely impact traffic, parking and public safety, the provisions of sections 366.03, 366.04(a), 366.04(c) and 366.04(d) shall not apply to block parties or community festivals that meet the following characteristics:</p> <p>(1) No food or beverages are sold to the public;</p> <p>(2) The street, sidewalk or alley involved is totally residential in nature and does not cover an area greater than one (1) city block in length (two (2) block faces constitute one (1) block in length) and does not encompass an intersection;</p> <p>(3) The event is held between the hours of 8:00 a.m. and sunset; and</p> <p>(4) Application for a permit is made at least thirty (30) calendar days prior to the event; provided, however, that the time limit may be waived by the chief of police in his or her discretion upon a determination of hardship to the applicant and no adverse effect on public health, safety or welfare.</p> <p>(c) <i>Special option for city parks.</i> A person or organization authorized by the department of parks and recreation to use city park property need not apply for a permit, as described herein, so long as the block party or community festivals will occur wholly on park property (excluding parkways adjacent to public streets), and the number of people expected to attend is five thousand (5,000) or less. Nothing herein is intended to prohibit such a person or organization for applying for a permit under this chapter even though eligible for the foregoing special option.</p> <p>(d) <i>Not exclusive permit.</i> Permits issued hereunder do not supersede or stand in lieu of permits issued under Chapter 366A of this Legislative Code relating to parades, races and public assemblies, which shall be obtained for all activities, functions and events required by that chapter. Applicants for Chapter 366A permits shall be required to meet only the terms and conditions of that chapter for 366A permits without regard to their entitlement or lack of entitlement to a permit hereunder.</p> <p>(Code 1956, § 396.02; Ord. No. 17729, § 1, 4-26-90; C.F. No. 92-796, § 2, 7-7-92; C.F. No. 05-221, § 1, 7-6-05; C.F. No. 09-81, § 13, 2-11-09)</p>	
<p>2 Sec. 366.02. Definitions.</p> <p>(a) The term "block party" shall mean a neighborhood gathering of persons residing in one (1) city block or two (2) adjacent city blocks where the street or alley sought to be closed and used for the gathering is completely residential in nature and where the area to be used for the gathering does not cover an area greater than one (1) city block in length (two (2) block faces adjoining one (1) street constitutes one (1) city block).</p> <p>(b) The term "community festival" shall mean a public gathering of persons for social, recreational artistic purposes whose location can be predetermined and fixed.</p> <p>(Code 1956, § 396.01; Ord. No. 17729, § 2, 4-26-90; C.F. No. 92-796, § 3, 7-7-92; C.F. No. 05-221, § 1, 7-6-05)</p>	
<p>3 Sec. 366.03. Permit fees; determination of number of blocks; traffic-control fee.</p>	

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(a) The fee for a permit shall be fifty dollars (\$50.00) for events not more than one (1) city block in length and twenty five dollars (\$25.00) for each additional block included within the area of the block party or community festival up to a maximum fee of two hundred dollars (\$200.00).	

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<p>(b) The determination of the number of blocks shall be based on the estimate of the committee set out in section 366.04(e) of this chapter after consultation with the organizers of the event. Fees collected shall not be refundable.</p> <p>(c) In addition to the fee for processing the permit, applicants for a permit hereunder shall be required to submit, before the permit is issued, a traffic-control fee in an amount established by the chief of police or his or her designee. The traffic-control fee shall cover the cost to the city of providing sufficient officers to regulate traffic and maintain public order. The costs of the police officers services will be determined at the established formula rates. The established formula rate for regular on-duty officers is regular salary, plus regular fringe benefits, plus regular worker compensation. The established formula rate for overtime officers is overtime salary, plus overtime fringe benefits, plus overtime worker compensation. All formula salary and fringe benefit rates are established at the ten year rate for each officer's rank, as found in the current city police federation agreement plus the current worker compensation rates for the police department. The number of sufficient officers under any permit, shall be determined by the police chief or his or her designees, based on consideration of the following information, which the applicant is required to submit, and which shall serve as standards to guide his or her discretion:</p> <p>(1) The proposed route or location for the block party or community festival;</p> <p>(2) The time of day that the event is to take place;</p> <p>(3) The date and day of the week proposed;</p> <p>(4) The general traffic conditions in the area requested, both vehicular and pedestrian, with special attention being given to the rerouting of vehicles or pedestrians normally using the requested area;</p> <p>(5) The number of marked and unmarked intersections along the route requested, together with the traffic-control devices present;</p> <p>(6) If traffic must be completely rerouted from the area, then the number of marked and unmarked intersections and the traffic-control devices are taken into consideration;</p> <p>(7) The estimated number of participants and vehicles;</p> <p>(8) The estimated number of viewers;</p> <p>(9) The nature, composition, format and configuration of the block party or community festival</p> <p>(10) The anticipated weather conditions;</p> <p>(11) The estimated time or duration of the block party or community festival</p> <p>(12) The plan of the applicant for emergency medical services for participants in the event; and</p> <p>(13) Provisions arranged for and made by the applicant for handicapped parking.</p> <p>(Code 1956, § 396.02; Ord. No. 17729, § 3, 4-26-90; C.F. No. 92-796, § 4, 7-7-92; C.F. No. 05-221, § 1, 7-6-05)</p>	

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<p>4 Sec. 366.04. Requirements for a permit.</p> <p>(a) <i>Application; time limit.</i> Application for a permit shall be submitted to the police department at least sixty (60) calendar days prior to the event. The time limit may be waived by the police chief or his or her designee upon submission of proof of extreme hardship on the part of the applicant.</p> <p>(b) <i>Consent.</i> All applications shall be accompanied by the written consent of sixty (60) percent of property owners or tenants (if the property is not owner-occupied) of property adjacent to the portion of the public street, sidewalk or alley sought to be used for the block party or community festival. If it is not practicable to obtain the written consent of sixty (60) percent of property owners or tenants for block parties or community festivals larger than three (3) city blocks in length, the council may waive the consent requirement upon a written petition submitted to the police chief, which petition sets forth why the written consent of sixty (60) percent of property owners or tenants is not practicable. The police chief shall then forward the petition to the city council for its consideration. No permit shall be granted without such consent being filed with the police department unless waived by the council as provided above.</p> <p>(c) <i>Insurance.</i> All applications shall be accompanied by evidence in the form of a properly executed certificate of insurance that the city is protected as an additional insured under a comprehensive public liability insurance policy against all liability or claims which might arise out of the holding of the block party or community festival, the insurance coverage to be in the amounts not less than three hundred thousand dollars (\$300,000.00) for injury or damage to any person or property and not less than one million dollars (\$1,000,000.00) in the aggregate amount for any number of claims arising out of a single occurrence.</p> <p>(d) <i>Indemnity agreement.</i> Applications shall be accompanied by either:</p> <p>(1) A written agreement by the person or persons seeking the permit that he, she or they will defend, hold harmless and indemnify the city, its employees, agents and officers against all claims, demands, actions or causes of action of whatsoever nature or character arising out of or by the block party or community festival, which by agreement shall also provide for the repair of or payment for damages to public property; or</p> <p>(2) Evidence in the form of a properly executed certificate of casualty and property damage insurance which will insure all public or city property within the area of the block party or community festival, against loss. This certificate shall be accompanied by a written agreement that the person(s) will indemnify the city up to the amount of any deductible applicable to such casualty and property damage insurance; or</p> <p>(3) Upon a showing of financial hardship, a block party or community festival, which is no longer than three (3) days in duration may submit a petition to the police chief or his or her designee for a waiver of the requirements of subsections (1) and (2) above.</p> <p>(e) <i>Review and recommendation.</i> Each application for a permit shall be referred to a committee consisting of representatives from the departments of fire, police, parks and recreation, safety and inspections and public works for its review and recommendation as to whether the requested use will unnecessarily interfere with public travel on the street or alley proposed to be used and if there are other health and safety issues which need to be addressed. Such committee may also recommend terms and conditions necessary in its judgment to protect the public peace, health and safety, including limiting the portion of the street or alley that may be used for the event, the hours thereof, and the type and number of blockades or warning devices that are to be provided for the safety of motorists and the protection of those persons participating in the block party or community festival.</p>	<p>* Police Chief may waive time limit for submission of permit at least 60 calendar days prior to event date provide there is proof of extreme hardship.</p> <p>* 60% consent requirement must be met by property owners and tenants and if it is not practicable to obtain written 60% consent where event is larger than 3 city blocks, Council may waive the consent requirement upon a written petition submitted to the police chief, which petition sets forth why the written consent of sixty (60) percent of property owners or tenants is not practicable. The police chief shall then forward the petition to the city council for its consideration. (NO MENTION HERE OF NOTIFICATION to residents/district council/tenants.)</p> <p>* Review and Recommendation by Committee (made up of fire, police, parks and recreation, safety and inspections and public works) can also require terms and conditions necessary in its judgment to protect the public peace, health and safety, including limiting the portion of the street or alley that may be used for the event, the hours thereof, and the type and number of blockades or warning devices that are to be provided for the safety of motorists and the protection of those participating parties.</p> <p>* Notification Requirement: (OPTIONAL and NOT a requirement.)</p>

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<p>(f) <i>Notification.</i> The committee shall have discretion to require the permittee to give notice to any property owner or organization which may be affected by such block party or community festival and/or to any neighborhood or community-based organization through or in whose organizational area the block party or community festival may take place.</p> <p>(Code 1956, §§ 396.02, 396.03, 396.05, 396.06; Ord. No. 17729, § 4, 4-26-90; C.F. No. 92-796, § 5, 7-7-92; C.F. 00-73, § 1, 2-23-00; C.F. No. 05-221, § 1, 7-6-05; C.F. No. 09-81, § 13, 2-11-09)</p>	
<p>5 Sec. 366.05.1. Issuance of permit; conditions.</p> <p>The committee shall have the power to recommend and the council, upon notice and hearing, shall have the power to impose reasonable conditions upon any permit issued under this chapter in response to multiple resident complaints about the orderliness, safe operation and impact on the surrounding neighborhood of any block party or community festival, and such conditions shall not be construed as adverse actions as defined in section 310.01. Such conditions may include, but are not limited to, time, manner and place restrictions on the sale of alcoholic beverages, the furnishing by the applicant(s) of security services for the event and restrictions on the location and use of loudspeakers. In deciding whether or not to impose conditions, the council may consider the hardship to the block party or community festival organizers in meeting the conditions before the event. Nothing herein shall be construed to allow noncompliance with the noise ordinance.</p> <p>(Ord. No. 17729, § 5, 4-26-90; C.F. No. 92-796, § 6, 7-7-92; C.F. No. 05-221, § 1, 7-6-05)</p>	<ul style="list-style-type: none"> * Committee's power is to recommend approval of permit. * Council has authority to impose conditions pertinent to life issues. * Who has final approval of permit, authorizing the event?
<p>6 Sec. 366.05.2. Appeal procedure.</p> <p>(a) Any applicant shall have the right to appeal the denial of a block party or community festival permit to the city council. The denied applicant shall make the appeal within five (5) days after receipt of the denial by filing a written notice with the chief of police and a copy of the notice with the city clerk. The city council shall act upon the appeal at the next scheduled meeting following receipt of the notice of appeal.</p> <p>(b) In the event that the city council rejects an applicant's appeal, the applicant may file an immediate request for review with a court of competent jurisdiction.</p> <p>(C.F. No. 05-221, § 1, 7-6-05)</p>	<p>Requires Council action in cases of denial.</p>

Cross reference— Human rights, Ch. 183; drinking on streets and in parks, Ch. 246; advertising by sound on the streets, Ch. 284; distribution of handbills, Ch. 285; disorderly conduct, Ch. 286; public conveyance, Ch. 291; offenses directed to religious beliefs, racial origins and gender, Ch. 292; noise regulations, Ch. 293.

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impacting or impeding the safe operation of vehicles

CHAPTER 366A. Parades, Races and Public Assemblies

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<p>1 Sec. 366A.01. Permit required.</p> <p>(a) No person shall engage in or conduct any parade, race or public assembly without a permit issued by the chief of police.</p> <p>(b) This section does not apply to National Night Out neighborhood gatherings.</p> <p>(c) This section does not apply to permits to use the skyway for a parade, race or public assembly under Section 140.06.1 of the Saint Paul Legislative Code.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	* NNO is exempted.
<p>2 Sec. 366A.02. Definitions.</p> <p>(a) <i>Chief of police</i> means the chief of police of the city or his/her designee.</p> <p>(b) <i>City</i> means the City of Saint Paul.</p> <p>(c) <i>Parade</i> means any march, demonstration, procession, or motorcade, consisting of persons, animals or vehicles or a combination thereof upon the streets, sidewalks or other public grounds within the city that interferes with the normal flow or regulation of traffic upon the streets, sidewalks or other public grounds.</p> <p>(d) <i>Parade, race or public assembly permit</i> means a permit as required by this chapter.</p> <p>(e) <i>Person</i> means any person, firm, partnership, association, corporation, company or organization of any kind.</p> <p>(f) <i>Public assembly</i> means any meeting, demonstration, picket line, rally or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning in or upon any street, sidewalk or other public grounds in a place open to the general public.</p> <p>(g) <i>Race</i> means any scheduled public event or gathering of persons for athletic events that move from one location to another such as bicycle or running races.</p> <p>(h) <i>Sidewalk</i> is any area or way set aside or open to the general public for purposes of pedestrian traffic, whether or not it is paved.</p> <p>(i) <i>Street</i> is any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way or median strip thereof.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	
<p>3 Sec. 366A.03. Exceptions.</p> <p>The permit requirement described in section 366A.01 shall not apply to the following:</p> <p>(a) Funeral processions;</p> <p>(b) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;</p> <p>(c) A governmental agency acting within the scope of its functions; and</p> <p>(d) Parades, races or public assemblies in parks, which are governed by Legislative Code Chapter 170</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	

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<p>4 Sec. 366A.04. Application.</p> <p>(a) A person seeking a parade, race or public assembly permit shall file an application with the chief of police on forms provided by such officer and the application shall be signed by the applicant under oath. In order to ensure the timely appeal in the event of a permit denial, it is recommended that applications be filed at least sixty (60) days prior to the event. Nevertheless, any application filed within the minimum filing periods prescribed in subsection (b) below, shall be processed during business hours.</p> <p>(b) For single, nonrecurring parades, races or public assemblies, an application for a permit shall be filed with the chief of police as follows:</p> <p>(1) At least seven (7) business days in advance of the proposed event for parades or races of less than two hundred (200) participants and less than thirty (30) vehicles and animals;</p> <p>(2) At least ten (10) business days in advance of the proposed event for parades or races of two hundred (200) or more participants, or thirty (30) or more vehicles and animals;</p> <p>(3) At least five (5) calendar days in advance of the proposed event for public assemblies of less than one hundred (100) participants which will not interfere with the normal flow or regulation of vehicular traffic;</p> <p>(4) At least seven (7) business days in advance of the proposed event for public assemblies of one hundred (100) or more participants or which will, regardless of size, interfere with the normal flow or regulation of vehicular traffic;</p> <p>(5) No application shall be filed more than one hundred eighty (180) days before the parade, race or public assembly is proposed to commence.</p> <p>(6) The chief of police may waive the minimum filing periods set forth above and accept an application filed within a shorter period if, after due consideration of the date, time, place and nature of the parade, race or public assembly, the anticipated number of participants, and the city services required in connection with the event, the chief of police determines that the waiver will not present a hazard to public safety. When determining whether to waive the minimum filing period, the chief of police may not consider the speech content of the event.</p> <p>(c) For parades, races or public assemblies held on a regular or recurring basis at the same location, an application for a permit covering all such parades, races or public assemblies during that calendar year may be filed with the chief of police at least sixty (60) and not more than one hundred eighty (180) days before the date and time at which the first such parade, race or public assembly is proposed to commence. The chief of police may waive the minimum sixty (60) days period after due consideration of the factors specified in subsection (b)(6) above.</p> <p>(d) The application for a parade, race or public assembly permit shall set forth the following information:</p> <p>(1) The name, address and telephone number of the person seeking to conduct such parade, race or public assembly; this person should be the person in charge or chairperson of the parade, race or public assembly;</p> <p>(2) The names, addresses and telephone numbers of the headquarters of the organization for which the parade, race or public assembly is to be conducted, if any, and the authorized and responsible heads of the organization;</p> <p>(3) The requested date of the parade, race or public assembly;</p> <p>(4) The location of the parade, race or public assembly and the route to be traveled, including the starting point and the termination point;</p>	<p>* Application process starts with the Police Department via the Chief.</p> <p>* No application shall be filed more than one hundred eighty (180) days before the parade, race or public assembly is proposed to commence. It may be waived.</p>

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<p>(5) The hours when such parade, race or public assembly will start and terminate;</p> <p>(6) The statement as to whether the parade, race or public assembly will occupy all or only a portion of the width of the streets proposed to be traversed;</p> <p>(7) The location by street of any assembly areas for such parade, race or public assembly;</p> <p>(8) The time at which units of the parade, race or public assembly will begin to assemble at any such area;</p> <p>(9) The intervals of space to be maintained between units of such parade or public assembly;</p> <p>(10) If the parade, race or public assembly is designed to be held by, or on behalf of, any person other than the applicant, the applicant for such permit shall file a letter from that person with the chief of police authorizing the applicant to apply for the permit on his behalf;</p> <p>(11) The type of parade, race or public assembly, including a description of activities planned during the event;</p> <p>(12) A description of any sound amplification equipment to be used in connection with the parade, race or public assembly;</p> <p>(13) The approximate number of participants (spectators are by definition not participants), including the type and number of animals and vehicles;</p> <p>(14) The approximate number of spectators reasonably anticipated;</p> <p>(15) A designation of any public facilities or equipment to be utilized; and</p> <p>(16) Where the event is in an area covering two blocks or less of sidewalks, streets or other public property, the addresses of any properties that abut the location of the parade, race or public assembly;</p> <p>(17) Where the event is in an area covering two (2) blocks or less of sidewalks, streets or other public property, a signed statement by the permit applicant stating that all the addresses of any properties that abut the location of the parade, race or public assembly, have received notification of the event.</p> <p>(18) Any additional information that the chief of police finds reasonably necessary to a fair determination as to whether a permit should issue.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; Ord. No. 07-926, § 1, 10-24-07)</p>	
<p>5 Sec. 366A.05. Fees.</p> <p>(a) A nonrefundable fee of ten dollars (\$10.00) to cover administrative costs of processing the permit shall be paid to the city by the applicant when the application is filed.</p> <p>(b) <i>If the application is for the use of any city property or if any city services shall be required for the parade, race or public assembly, the applicant shall pay, prior to the issuance of a permit, the charges for those services in accordance with a schedule of service costs approved by the city council by resolution.</i></p> <p>(c) The chief of police shall determine whether, and to what extent, additional police protection is reasonably necessary for a parade, race or public assembly for traffic control and public safety. The chief of police shall base this decision on the following factors:</p> <p>(1) <i>Staging.</i></p> <p>a. The number of streets or sidewalks to be controlled and/or closed;</p>	<p>* If the application is for the use of any city property or if any city services shall be required for the parade, race or public assembly, the applicant shall pay, prior to the issuance of a permit, the charges for those services in accordance with a schedule of service costs approved by the city council by resolution.</p> <p>* The chief of police may assess additional fees based on various factors relating to police protection. If additional police protection for</p>

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<p>b. The type of street or sidewalk to be controlled and/or closed, which shall take into consideration the vehicular and pedestrian traffic flow on the street or sidewalk;</p> <p>c. The time of day and day of week of the event;</p> <p>d. The amount of vehicular and pedestrian traffic required to be rerouted as a result of the event;</p> <p>e. The number of electric traffic control devices that are required to be operated manually by police officers as a result of the event;</p> <p>f. The number of traffic/pedestrian control cones and parade barricades that are required to be used as a result of the event;</p> <p>g. The characteristics of the event and the area of the event, to include the type and volume of the event traffic and the speed limits of the area. The type of traffic could include, but is not limited to, types of vehicles, pedestrian, and animals in the event; and</p> <p>h. The number of supervisors with the requirement that there be at least one (1) supervisor if there are five (5) or more officers assigned to the event.</p> <p>(2) <i>Event control point.</i></p> <p>a. The number and size of intersections to be controlled or closed; and</p> <p>b. The number of supervisors required as set forth above.</p> <p>(3) <i>Event.</i></p> <p>a. Whether or not the sponsors are requesting a ceremonial parade escort;</p> <p>b. The size of the event in terms of the number of participants, spectators, vehicles and animals;</p> <p>c. The time of day and day of week of the event;</p> <p>d. The number of residences and businesses that are affected by the event; and</p> <p>e. The type of intersections that are affected by the event.</p> <p>(4) <i>Disbanding.</i></p> <p>a. Size and characteristics of the event.</p> <p>(d) The speech content of the event shall not be a factor in determining the amount of police protection necessary for the purposes of assessing a fee.</p> <p>(e) If possible, without disruption of ordinary police services or compromise of public safety, regularly scheduled on-duty personnel will police the event. If additional police protection for the event is deemed necessary by the chief of police upon consideration of the factors set forth in subsection (c), he shall so inform the applicant for the permit. The applicant must then pay for the additional police services at the established formula rates. The established formula rate for regular on-duty officers is regular salary, plus regular fringe benefits, plus regular worker compensation. The established formula rate for overtime officers is overtime salary, plus overtime fringe benefits, plus overtime worker compensation. All formula salary and fringe benefit rates are established at the ten-year rate for each officer's rank, as found in the current city police federation agreement plus the current worker compensation rates for the police department.</p>	<p>the event is deemed necessary, he shall so inform the applicant. The applicant must then pay for the additional police services at the established formula rates. The established formula rate for regular on-duty officers is regular salary, plus regular fringe benefits, plus regular worker compensation. The established formula rate for overtime officers is overtime salary, plus overtime fringe benefits, plus overtime worker compensation. All formula salary and fringe benefit rates are established at the ten-year rate for each officer's rank, as found in the current city police federation agreement plus the current worker compensation rates for the police department.</p>

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<p>6 Sec. 366A.06. Standards for issuance.</p> <p>(a) The chief of police shall issue a permit as provided for herein when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:</p> <p>(1) The conduct of the parade, race or public assembly will not substantially interrupt the safe and orderly movement of other pedestrian or vehicular traffic contiguous to its route or location;</p> <p>(2) The conduct of the parade, race or public assembly will not require the diversion of so great a number of city police officers to properly police the line of movement and the areas contiguous thereto that the deployment of police services for the proposed parade, race or public assembly would have an immediate and adverse effect upon the welfare and safety of persons and property;</p> <p>(3) The concentration of vehicles, persons and animals at public assembly points of the parade, race or public assembly will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such parade, race or public assembly;</p> <p>(4) The conduct of the parade, race or public assembly is not reasonably likely to cause injury to persons or property and will not, on its face, violate any federal, state or city law, regulation, or ordinance;</p> <p>(5) The parade, race or public assembly is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;</p> <p>(6) Adequate sanitation and other required health facilities are or will be made available in or adjacent to any parade, race or public assembly areas;</p> <p>(7) There are sufficient parking places near the beginning and end sites of the parade, race or public assembly to accommodate the number of vehicles reasonably expected;</p> <p>(8) The applicant has paid all fees required under section 366A.05</p> <p>(9) No parade, race or public assembly permit application for the same time and location is already granted, or has</p> <p>(10) The conduct of the parade, race or public assembly will not interfere with previously scheduled construction or maintenance projects upon or along streets or sidewalks;</p> <p>(11) No parade, race or public assembly permit application for the same time but different location is already granted or has been received and will be granted, and the police resources required for that prior parade, race or public assembly are so great that, in combination with the subsequent proposed permit, the resulting deployment of police services would have an immediate and adverse effect upon the welfare and safety of persons and property; and</p> <p>(12) No event is scheduled elsewhere in the city where the police resources required for that event are so great that the deployment of police services for the proposed parade, race or public assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.</p> <p>(b) No permit shall be granted that allows for the erection or placement of any structure, whether permanent or temporary, on a city street, sidewalk or right-of-way unless advance approval for the erection or replacement of the structure is obtained from the city council.</p> <p>(c) No permit shall be granted that allows a parade, race or public assembly to occur between the hours of 11:00 p.m. and 7:00 a.m.</p> <p>(d) In determining whether to grant or deny a permit, the chief of police shall not consider:</p> <p>(1) The content of the speech, message, views or expression of the parade, race or public assembly or its participants;</p>	

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(2) The potential conduct of spectators and other nonparticipants in response or reaction to the content of the speech, message, views or expression of the parade, race or public assembly or its participants. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)	
7 Sec. 366A.07. Nondiscrimination. The chief of police shall uniformly consider each application upon its merits and shall not discriminate in granting or denying permits under this chapter based upon speech content or upon political, religious, ethnic, race, disability, sexual orientation or gender related grounds. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)	
8 Sec. 366A.08. Notice of grant or denial of application. (a) The chief of police shall act promptly upon a timely filed application for a parade, race or public assembly permit but in no event shall grant or deny a permit less than forty-eight (48) hours prior to the event. Applications filed more than thirty (30) days in advance of the proposed event shall be processed within seven (7) days. Applications filed more than sixty (60) days in advance of the event shall be processed within twenty-one (21) days. (b) If the chief of police waives the minimum filing period and accepts for processing an untimely application, he shall act upon the application as expeditiously as possible, but must grant or deny the permit prior to the commencement of the proposed event. (c) If the chief of police disapproves the application, he shall promptly notify the applicant of his action in writing, either by personal delivery or certified mail, and state the reasons for denial. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)	
9 Sec. 366A.09. Alternative permit. (a) The chief of police, in denying an application for a parade, race or public assembly permit, may authorize the conduct of the parade, race or public assembly at a date, time, location, or route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within five (5) days after notice of the action of the chief of police, file a written notice of acceptance with the chief of police. (b) An alternate parade, race or public assembly permit shall conform to the requirements of, and shall have the effect of, a parade, race or public assembly permit issued under this chapter. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)	
10 Sec. 366A.10. Appeal procedure. (a) Any applicant shall have the right to appeal the denial of a parade, race or public assembly permit to the city council. The denied applicant shall make the appeal within five (5) days after receipt of the denial by filing a written notice with the chief of police and a copy of the notice with the city clerk. The city council shall act upon the appeal at the next scheduled meeting following receipt of the notice of appeal. (b) In the event that the city council rejects an applicant's appeal, the applicant may file an immediate request for review with a court of competent jurisdiction. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)	* If application is denied, appeal can be made to the City Council within 5 days of denial notice of the police chief (a copy sent to the City Clerk). The City Council reviews appeal at a scheduled meeting upon receipt of the notice to appeal. If Council denies appeal, applicant may file with the court.

Chapter Section of City Charter	Summary
<p>11 Sec. 366A.11. Notice to city and other officials. Immediately upon the issuance of a parade, race or public assembly permit, the chief of police shall send a copy thereof to the following: (a) The mayor; (b) The fire chief; (c) The director of the department of public works; (d) The manager or responsible head of the metropolitan transit commission; and (e) The city council. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	<p>* Upon approval of an application, notices are sent to the Mayor, Fire Chief, Public Works Director, Metropolitan transit commission manager and City Council. * No mention of notices sent to affected neighborhoods or district councils.</p>
<p>12 Sec. 366A.12. Contents of permit. Each parade, race or public assembly permit shall state the following information: (a) Starting and approximate ending time; (b) Minimum speed of parade units; (c) Maximum speed of parade units; (d) Maximum interval of space to be maintained between parade units; (e) The portions of the streets that may be occupied by the parade, race or public assembly; (f) The maximum length of the parade or race in miles or fractions thereof; and (g) Such other information as the chief of police shall find necessary to the enforcement of this chapter. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	
<p>13 Sec. 366A.13. Duties of permitted. (a) A permitted hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances; and (b) The parade, race or public assembly chairperson or other person in charge of such activity shall carry the parade, race or public assembly permit upon their person during the conduct of the parade, race or public assembly. (C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	
<p>14 Sec. 366A.14. Prohibitions. The following prohibitions shall apply to all parades, races and public assemblies: (a) It shall be unlawful for any person to stage, present or conduct any parade, race or public assembly without first having obtained a permit as herein provided; (b) It shall be unlawful for any person to participate in a parade, race or public assembly for which the person knows a permit has not been granted; (c) It shall be unlawful for the chairperson or any person in charge of, or responsible for the conduct of, a duly licensed parade, race or public assembly to knowingly fail to comply with any condition of the permit; (d) It shall be unlawful for any person to engage in any parade, race or public assembly activity that would constitute a substantial hazard to the public safety or that would materially interfere with or endanger the public peace or rights of residents to the quiet and peaceful enjoyment of their property;</p>	

Chapter Section of City Charter	Summary
<p>(e) It shall be unlawful for any person participating in any parade, race or public assembly to carry or possess any length of metal, lumber, wood, or similar material for purposes of displaying a sign, poster, plaque or notice, unless such object is one-fourth (1/4) inch or less in thickness and two (2) inches or less in width, or if not generally rectangular in shape, such object shall not exceed three-fourths (3/4) inch in its thickest dimension;</p> <p>(f) It shall be unlawful for any person participating in a parade, race or public assembly to utilize sound amplification equipment at decibel levels that exceed those limits imposed by federal, state or city law, regulation, or ordinance; and</p> <p>(g) It shall be unlawful for any person to ride, drive, or cause to be ridden or driven, any animal or any animal-drawn vehicle upon any public street, unless specifically authorized by the permit.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	
<p>15 Sec. 366A.15. Public conduct during parades, races or public assemblies.</p> <p>(a) No person shall unreasonably hamper, obstruct or impede, or interfere with any parade, race or public assembly or with any person, vehicle or animal participating or used in a parade, race or public assembly;</p> <p>(b) No driver of a vehicle shall drive between the vehicles or persons comprising a parade, race or public assembly when such vehicles or persons are in motion and are conspicuously designated as a parade, race or public assembly; and</p> <p>(c) The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a parade, race or public assembly. The chief of police shall post signs to that 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 chapter.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	
<p>16 Sec. 366A.16. Revocation of permit.</p> <p>The chief of police shall have the authority to revoke a parade, race or public assembly permit instantly upon violation of the conditions or standards for issuance as set forth in this chapter or when a public emergency arises where the police resources required for that emergency are so great that deployment of police services for the parade, race or public assembly would have an immediate and adverse effect upon the welfare and safety of persons or property.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	
<p>17 Sec. 366A.17. Penalties.</p> <p>Any person violating the provisions of any section of this chapter shall be guilty of a misdemeanor.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	
<p>18 Sec. 366A.18. Severability.</p> <p>If any section, subsection, sentence, clause or phrase of this chapter is for any reason held invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.</p> <p>(C.F. No. 05-220, § 1, 7-6-05; C.F. No. 07-926, § 1, 10-24-07)</p>	

Cross reference— Human rights, Ch. 183; drinking on streets and in parks, Ch. 246; advertising by sound on the streets, Ch. 284; distribution of handbills, Ch. 285; disr of public conveyance, Ch. 291; offenses directed to religious beliefs, racial origins and gender, Ch. 292; noise regulations, Ch. 293.

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rupting or impeding the safe operation of vehicles