

ORDINANCE 18-16

AN ORDINANCE AMENDING TITLE 16 OF THE SPRINGFIELD MUNICIPAL CODE ENTITLED "STREETS, SIDEWALKS, ETC." BY RESCINDING CHAPTER 6 ENTITLED "PARADES" AND SUBSTITUTING A NEW CHAPTER 6 ENTITLED "PARADES & SPECIAL EVENTS" WITH SECTIONS 16-601 THROUGH 16-611 TO READ AS SET FORTH IN 'EXHIBIT A' ATTACHED.

WHEREAS, the City of Springfield intends to promote an atmosphere where citizens and organizations may lawfully assemble to celebrate an event or particular purpose;

WHEREAS, to accomplish this purpose, the City of Springfield must adopt and maintain fair and adequate guidelines and regulations for Parades and Special Events; and,

WHEREAS, to be expedient and efficient in processing requests for these events, certain changes must be made to the existing provisions.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Springfield, Tennessee as follows:

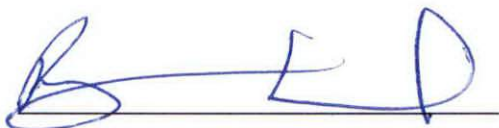
Section 1. Title 16 of the Springfield Municipal Code entitled "Streets, Sidewalks, etc." is hereby amended by rescinding Chapter 6 entitled "Parades" and substituting a new Chapter 6 entitled "Parades & Special Events" with Sections 16-601 through 16-611 to read as set forth in 'Exhibit A' attached.

Section 2. All ordinances, resolutions, and policies in conflict herewith shall be rescinded to the extent of the conflict only.

Passed 1st reading June 19, 2018

Passed 2nd reading July 17, 2018

Passed 3rd reading August 21, 2018



Bruce Head, Vice Mayor

Attest:



Lisa Crockett, City Recorder

"EXHIBIT A"

CHAPTER 6

PARADES & SPECIAL EVENTS

SECTION

- 16-601. Short title.
- 16-602. Definitions.
- 16-603. Purposes.
- 16-604. Permit.
- 16-605. Application.
- 16-606. Standards for issuance.
- 16-607. Contents of permit.
- 16-608. Duties of permittee.
- 16-609. Revocation of permit.
- 16-610. Notice to city officials.
- 16-611. Violation and penalty.

16-601. Short title. This ordinance shall be known and may be cited as the "Parade and Special Event Ordinance of the City of Springfield".

16-602. Definitions. The following words, for the purpose of this ordinance, shall have the following meanings:

(1) "Parade and Special Event" is any meeting, parade, demonstration, exhibition, festival, homecoming, assembly, or other such events to be held in, upon, or along any street, or on any other city owned outdoor public place in Springfield.

"Parade and Special Event" shall not include the solicitation or collection of donations by religious, charitable, or non-profit organizations.

(2) "City" is the City of Springfield.

(3) "City Manager" is the City Manager of Springfield.

(4) "City Recorder" is the City Recorder of Springfield.

(5) "Chief of Police" is the Chief of Police of Springfield.

(6) "Parade/Special Event Permit" is a permit as required by this ordinance.

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

16-603. Purposes. (1) The City of Springfield recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs.

(2) The City passes this ordinance to regulate the time, place, and manner of parades.

(3) The City passes this ordinance in the interest of all its citizens, public safety, health, welfare, comfort, and convenience.

(4) The City has limited resources and passes this ordinance so that it may properly allocate these resources among its citizens.

(5) The purpose of this ordinance is to promote order, safety, and tranquility in the streets of the city.

(6) This ordinance is passed to help minimize traffic and business interruption on or along city streets and public places.

16-604. Permit. (1) No person shall conduct a parade or special event unless a Parade/Special Event permit has been approved by the City Manager. Any parade/special event held without the proper permit shall be unlawful.

(2) This ordinance shall not apply to funeral processions and park lands excluding the street, avenues or right of ways therein.

16-605. Application. (1) Any person seeking issuance of a Parade/Special Event permit shall file an application with the City Recorder on forms provided by the City Recorder.

(2) The application for a Parade/Special Event permit shall be filed in writing with the City Recorder not less than thirty (30) days prior to the contemplated parade/special event. No permit shall be granted more than one hundred eighty (180) days prior to the contemplated parade/special event. A copy of the application shall be given to the Chief of Police and Public Works Director who shall investigate and make a report to the City Manager and Board of Mayor and Aldermen.

(3) The application for a parade/special event permit shall set forth the following information:

(a) The name, address, and telephone number of the person seeking to conduct a parade/special event or of the organization and its responsible heads;

(b) The name, address, and telephone number of the person who will be the parade/special event chairman and who will be responsible for its conduct;

(c) The date when the parade/special event is to be conducted;

(d) The route to be traveled, the starting point, and the termination point, if applicable;

(e) The approximate number of persons who, and animals which, will constitute such parade/special event; the type of animals and description of the vehicles;

(f) The hours when the parade/special event will begin and end;

(g) A statement as to whether the parade/special event will occupy all or only a portion of the width of the streets proposed to be traversed;

(h) The location by streets of any assembly area(s);

(i) The time at which units of the parade/special event will begin to assemble at any assembly area(s);

(j) The interval of space to be maintained between units of the parade;

(k) If the parade/special event is to be held on behalf of any person other than the applicant, the authorization of that person; and

(1) Whether the applicant has been convicted for the violation of the city parade/special event ordinance of the City of Springfield.

(4) The applicant must obtain a special event insurance policy from a licensed insurance broker naming the City as 'additional insured'. Additionally, a liquor liability policy is required when liquor is to be served or consumed at the parade/special event. A certificate of any required policy must be submitted to the City Recorder with the application. The City Recorder will inform the applicant of the current minimum liability limits of required policies.

(5) The City Manager shall decide whether to grant the application for a permit. The City Manager may consult with the Chief of Police and other city department heads in making the decision.

(6) The City Manager shall have the authority to designate the starting point, route, terminal point, or other time, place, and manner restrictions as deemed proper in consideration of minimum traffic interruption, public safety, health, welfare, convenience, peace or order.

16-606. Standards for issuance. (1) The City Manager shall issue a parade/special event permit upon consideration of the application and other information obtained when they find that:

(a) The conduct of the parade/special event will not unduly interrupt the safe and orderly movement of other traffic contiguous to its route;

(b) The conduct of the parade/special event will not require the diversion or interruption of essential or emergency municipal services;

(c) The parade/special event is scheduled to move from its origin to its termination expeditiously and without reasonable delay;

(d) The applicant has satisfied the bond requirement; and

(e) No other permit has been granted for the same day.

(2) A permit shall be granted to the first person properly applying under the requirements of this ordinance.

(3) No permit shall be granted for a parade/special event except those restricted to the following time:

(a) No earlier than 8:00 a.m.

(b) No later than 12:00 midnight.

(c) This subsection shall not be applicable to activities directly related to or activities sponsored by accredited public schools.

(4) No permit shall be granted to any person until the applicant has posted in advance a two hundred fifty-dollar (\$250.00) bond to cover the reasonable expenses incurred in the cleanup efforts after the parade.

(5) The City Recorder shall notify the applicant within five (5) days whether the permit has been granted or denied. If the permit has been denied, the City Recorder shall set forth the reasons why the City Manager denied the permit.

(6) In computing any period of time set out in this ordinance, no Saturdays, Sundays, or holidays are to be computed in the time period.

16-607. Contents of permit. Each parade/special event permit shall state the following:

- (1) Assembly and disassembly time and place;
- (2) Starting time;
- (3) The route and the portions of the streets to be traversed that may be occupied by the parade/special event;
- (4) Minimum speed;
- (5) Maximum speed;
- (6) Interval of space between parade units;
- (7) The maximum length of the parade in miles or fractions thereof;
- (8) Other information as the City Manager shall find necessary to the enforcement of this ordinance.

16-608. Duties of permittee. (1) A permittee shall comply with all permit application information, permit directions and conditions, and with all applicable laws and ordinances.

(2) The permittee shall advise parade/special event participants of such permit requirements.

(3) The parade/special event chairman or other person heading or leading such activity shall carry the parade/special event permit upon his person during the event.

16-609. Revocation of permit. (1) The City Manager or designee shall have the authority to revoke a parade/special event permit issued hereunder prior to the parade/special event upon the application of the standards for issuance as herein set forth if it is found that:

(a) Applicant materially misrepresented facts or information in the application; and/or

(b) Applicant failed to meet the standards for issuance set forth herein.

(2) The City Manager or designee shall have the authority to revoke the permit during the parade/special event and disassemble the parade/special event if:

(a) A public emergency arises requiring such revocation to protect the safety of persons or property; or

(b) Disorderly conduct, riots, lawless activity, violence, or other breach of the peace, incited by parade participants, occurs.

16-610. Notice to city officials. Immediately upon the issuance of a parade/special event permit, the city recorder shall send a copy of the permit to the following:

- (1) The Mayor and Aldermen;
- (2) The City Manager;
- (3) The City Attorney;
- (4) The Fire Chief;
- (5) The Public Works Director;
- (6) The ambulance authority; and
- (7) The Chief of Police.

16-611. Violation and penalty. (1) It shall be unlawful for any person to parade/special event without first having obtained a permit as required by this ordinance.

(2) It shall be unlawful for any person to participate in a parade/special event in Springfield for which a permit has not been granted.

(3) It shall be unlawful for any person to fail to comply with all directions and conditions of the parade/special event permit.

(4) Any person violating the provisions of any section of this ordinance shall, upon conviction, be fined not more than fifty dollars (\$50.00) for each violation.