

AN ORDINANCE **36221**

REGULATING PARADES AND OTHER SIMILAR USES OF PUBLIC PLACES, AUTHORIZING THE CHIEF OF POLICE TO RECEIVE APPLICATIONS AND ISSUE PERMITS; PROVIDING STANDARDS FOR ISSUANCE HEREOF; REQUIRING COMPLIANCE WITH PERMIT CONDITIONS; AND PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. SHORT TITLE. This ordinance shall be known and may be cited as the "Parade Ordinance of the City of San Antonio."

SECTION 2. DEFINITIONS. In the construction hereof, the following definitions shall apply, unless the context clearly indicates otherwise:

(1) "Chief of Police" is the Chief of Police of the City of San Antonio.

(2) "Parade" is any parade, march, demonstration, public assemblage, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park, alley or plaza or other public thoroughfare in the City.

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

Pertinent definitions contained in Sec. 1-2 of the City Code are incorporated herein.

SECTION 3. 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.

(1) EXCEPTIONS. This Ordinance shall not apply to:

(a) funeral processions;

(b) students going to and from school classes or participating in educational activities, providing such conduct is under the immediate direction and supervision of the proper school authorities; and will not interfere with the normal movement of traffic;

(c) a governmental agency acting within the scope of its functions.

SECTION 4. APPLICATION. A person seeking issuance of a parade permit shall file an application with the Chief of Police on forms provided by such officer.

(1) FILING PERIOD. An application for a parade permit shall be filed with the Chief of Police not less than 15 days nor more than 30 days before the proposed parade date.



(2) CONTENTS. The application for a parade permit shall set forth the following information:

(a) The name, address and telephone number of the person seeking to conduct such parade;

(b) If the parade is to be held for 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;

(c) If the parade is to be held by or for any person other than the applicant, the applicant shall file a writing from that other person showing authority to make the application;

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

(e) The date when the parade is to be conducted;

(f) The proposed route, the initial starting point and the disbanding area;

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

(h) The time when such parade will start and terminate;

(i) A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be used;

(j) The location by streets of any assembly areas for such parade;

(k) The time at which units of the parade will arrive at the assembly area;

(l) The interval of space to be maintained between units of such parade, and the estimated time past a given point;

(m) Any other information which the Chief of Police shall find necessary under the Standards for Issuance, hereinafter set forth in Section 5;

(n) The purpose of the parade;

(3) LATE APPLICATIONS. The Chief of Police, where good cause is shown may consider any application filed after the deadline prescribed in Sec. 4(1) above.

SECTION 5. STANDARDS FOR ISSUANCE. The Chief of Police is instructed to uniformly treat each application in a just, fair, and non-discriminatory manner bearing in mind that the time, place, duration and manner of use of the public streets, parks and other public ways and places for parades shall be subordinated to the public safety, comfort and convenience, the maintenance of order and avoidance of congestion. The Chief of Police shall issue a permit when, from a consideration of the application, he finds that:

(1) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic near its route;

(2) 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 near there as to prevent normal police protection to the City;

(3) 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 near there;

(4) 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 near such assembly areas;

(5) The conduct of such parade will not interfere with the movement of fire-fighting equipment enroute to a fire;

(6) The conduct of the parade is not likely to cause injury to persons or property, to result in or to provoke disorderly conduct or create a disturbance;

(7) The parade is scheduled to move from its point of origin to its point of termination without unreasonable delays enroute;

SECTION 6. NOTICE OF REJECTION. The Chief of Police shall act upon the application for a parade permit within 10 days after filing thereof. If the Chief does approve the application, he shall mail to applicant, within 5 days after the date upon which the application was filed, a notice of his action stating the reasons for his denial of permit. Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The Council shall hear same as soon as practicable.

SECTION 7. 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 5 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 8. CONTENTS OF PERMIT. Each parade permit shall state the following information:

- (1) Starting time;
- (2) Minimum speed;
- (3) Maximum speed;
- (4) Maximum interval of space to be maintained between the units of the parade;
- (5) The portions of the streets to be traversed that may be occupied by the parade;
- (6) The maximum length of the parade in miles or fractions thereof;
- (7) Such other information as the Chief of Police shall find necessary to the enforcement of this Ordinance.

SECTION 9. DUTIES OF PERMITTEE. A permittee shall comply with all permit directions and conditions and with all applicable laws and ordinances.

SECTION 10. PUBLIC CONDUCT DURING PARADES.

(1) INTERFERENCE. No person shall 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.

(2) DRIVING THROUGH PARADES. No driver of a vehicle 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.

(3) 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 street or 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.

SECTION 11. 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 set forth in Section 5 above.


SECTION 12. PENALTIES. Any person found guilty of violating any provision of this ordinance shall be punished by a fine not to exceed \$200.00.


SECTION 13. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

SECTION 14. ORDINANCES REPEALED. Section 38-64 of this Code and all other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PASSED AND APPROVED this 15<sup>th</sup> day of February, 1968.

ATTEST:

  
City Clerk.

  
MAYOR.

APPROVED AS TO FORM: Howard C. Walker  
City Attorney.