

A BILL FOR AN ORDINANCE AMENDING LEBANON) Ordinance Bill No. 37
MUNICIPAL CODE CHAPTER 10.48, PARADES,) for 2002
PROCESSIONS AND PUBLIC GATHERINGS) Bill Number 2324

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 10.48 of the Lebanon Municipal Code, Parades, Processions and Public Gatherings, is amended to read as follows:

10.48.010 Definitions. As used in this chapter

“Parade” means a gathering of at least fifty (50) persons who travel more than one hundred feet on the streets, sidewalks, alleys, thoroughfares or parklands for a common purpose.

“Public Gathering” means a gathering of at least seventy-five (75) persons on the public streets, sidewalks, alleys, thoroughfares or parklands for a common purpose and goods or services are offered or provided to the general public.

“Procession” means ten (10) or more vehicles traveling together in tandem, or single file, in order to reach a common destination to commemorate a common event or circumstance.

10.48.020 Permit--Required.

No person shall organize or participate in a parade or public gathering (which may disrupt or interfere with traffic or the use or access to public property), unless a permit has been obtained prior to commencement of the parade or public gathering.

10.48.030 Permit--Application.

Application for parade permits shall be made in writing to the chief of police or his designate at least ninety-six hours prior to the intended time of the parade. The application shall be accompanied by a fee as established by City Council Resolution, except that the Chief of Police may waive part or all of the fee for parades, processions or public gatherings sponsored by nonprofit organizations recognized by IRC 501c.

10.48.040 Permit--Issuance-- Determination.

If the chief of police or his designate, upon receipt of the application, determines that the parade or public gathering can be conducted without endangering public safety and without seriously inconveniencing the general public, he shall approve the route or location and issue the permit. In determining whether endangerment of the public safety or serious inconvenience of the public safety will occur by conducting the parade or gathering, the chief of police shall consider the following criteria:

A. Whether the parade or public gathering is likely to incite violence or cause excessive traffic congestion;

B. Whether it is likely to interfere substantially with previously approved or planned parades or public gatherings; and

C. Whether it is likely to interfere substantially with the orderly operation of governmental or private commercial business by blocking access to such enterprises for a long period of time.

10.48.050 Permit--Issuance--Date/Route alteration--Refusal.

If the chief of police or his designate determines that the parade or public gathering cannot be conducted without endangering public safety or seriously inconveniencing the general public, he shall:

A. Propose an alternate route or location; or

B. Propose an alternate date; or

C. Refuse to issue a permit.

10.48.060 Permit--Notice of decision.

The chief of police shall notify the applicant of his decision within forty-eight hours of receipt of the application.

10.48.070 Permit--Appeal from decision.

A person may appeal the decision of the chief of police by filing a written request of appeal with the city administrator within five days after receipt of the notification of the decision of the chief of police. The city administrator shall schedule a hearing date before the city council which is not later than the second regular session of the council following the filing of the written appeal and shall notify the applicant in writing of the date and time that he may appear.

10.48.080 Permit--Revocation.

The chief of police or his designate may revoke a parade or public gathering permit if:

A. The circumstances clearly show that the event can no longer be conducted consistent with public safety; or

B. There is significant deviance from the route or location designated in the application or approval, or assembly at points not shown in the application or approval.

10.48.090 Prohibited activities.

It is unlawful for any person during or in connection with a parade or public gathering to throw any material or object from the parade route or location to or for those viewing the parade, or walking or driving near the parade or public gathering.

10.48.100 Funeral processions--Escort--Route.

A funeral composed of a procession of vehicles shall be escorted by at least one person authorized to direct traffic for such purposes and shall follow routes established by the chief of police. Each vehicle in the procession shall be marked by flags or other designation approved by the chief of police.

10.48.110 Procession--Driving rules.

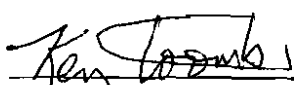
Each driver in a funeral or other procession shall drive as near to the right-hand edge of the street as practical and shall follow the vehicle ahead as closely as is practical and safe.

10.48.120 Procession--Driving through.

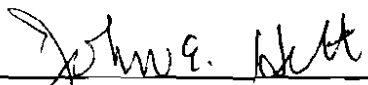
No driver of a vehicle shall drive between the vehicles composing a funeral or other authorized procession while in motion, except where traffic is controlled by traffic control signals or when otherwise directed by a police officer.

Section 2. The provisions of this ordinance shall become effective thirty days after its passage by the City Council.

Passed by the City Council by a vote of 5 yes and 0 no, this 14 day of August, 2002.

	_____
J. Scott Simpson, Mayor	<input type="checkbox"/>
Ken Toombs, Council President	<input checked="" type="checkbox"/>

Attest:



 John E. Hitt, City Recorder