

**TITLE VII: TRAFFIC CODE**

Chapter

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**71. PARKING  
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**72. TRAFFIC REGULATIONS**

**Morristown - Traffic Code**

Section

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***MOTORIZED GOLF CARTS***

**§ 70.01 DEFINITION.**

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

***PHYSICALLY DISABLED PERSON.*** A person who fits the definition of physically disabled under M.S. § 169.345, Subd. 2, as it may be amended from time to time.  
(Ord. 156, passed 9-2-1997)

**§ 70.02 OPERATION OF GOLF CARTS.**

(A) *Operation of motorized golf carts.* Persons 18 years of age or older may operate motorized golf carts on designated public streets upon obtaining a permit.

(B) *Permit required.* No person shall operate a motorized golf cart without obtaining a permit as provided herein.

(C) *Application.* Every application for a permit shall be made on the form supplied by the city and shall contain the following information:

- (1) The name and address of the applicant;
- (2) The nature of the applicant's physical disability; and
- (3) Proof of insurance complying with M.S. § 65B.48, as it may be amended from time to time.

(D) *Time of operation.* Motorized golf carts may only be operated from sunrise to sunset. They shall not be operated in inclement weather or when visibility is impaired by weather, smoke, fog, or other conditions, or at any time when there is insufficient light to clearly see persons or vehicles on the roadway at a distance of 500 feet.

(E) *Slow moving vehicle emblem.* Motorized golf carts shall display the slow moving vehicle emblem provided for in M.S. § 169.522, as it may be amended from time to time, when operated on designated roadways.

(F) *Intersections.* The operator of a motorized golf cart may cross any street or highway intersecting with a designated roadway.

(G) *Application of traffic laws.* Every person operating a motorized golf cart under permit on designated roadways has all the rights and duties applicable to the driver of any other vehicle under the provisions of M.S. Ch. 169, as it may be amended from time to time, except when these provisions cannot reasonably be applied to motorized golf carts and except as otherwise specifically provided in division (H) below.

(H) *Applicable state laws.* The provisions in M.S. Ch. 171, as it may be amended from time to time, are not applicable to persons operating motorized golf carts under permit on designated roadways pursuant to this section. Except for the requirements of M.S. § 169.70, as it may be amended from time to time, the provisions of M.S. Ch. 169, as it may be amended from time to time, relating to equipment on vehicles is not applicable to motorized golf carts.

(I) *Annual renewal; permit fee.* Permits granted pursuant to this section shall be for a period of 1 year and may be renewed annually. The fee for a permit shall be set by the City Council as part of the annual fee resolution.

(J) *Revocation of permit.* A permit may be revoked at any time by the Police Chief if there is evidence that the permittee cannot safely operate the motorized golf cart on designated roadways. A revocation by the Police Chief may be reviewed by appeal to the City Council.

(K) *Operation.* Motorized golf carts shall be operated, at all times, as close to the right-hand curb as possible, except when the driver is making a left-hand turn.

(L) *Highways; sidewalks; trails.* No person shall operated a motorized golf cart on a public sidewalk or trail, nor on a state or county highway.  
(Ord. 156, passed 9-2-1997; Am. Ord. 2010-3, passed 4-5-2010; Am. Ord. 2012-2, passed 4-2-2012)  
Penalty, see § 10.99

**§ 70.03 VIOLATIONS.**

A violation of this subchapter is a misdemeanor.  
(Ord. 156, passed 9-2-1997) Penalty, see § 10.99

**§ 70.04 EFFECTIVE DATE.**

This subchapter shall be effective following publication.  
(Ord. 156, passed 9-2-1997)

***SNOWMOBILES***

**§ 70.15 INTENT.**

It is the intent of this chapter to supplement M.S. §§ 84.81 to 84.91, and M.S. Ch. 169, as these statutes may be amended from time to time and Minn. Rules parts 6100.5000 through 6100.6000, as these rules may be amended from time to time, with respect to the operation of snowmobiles. These statutes and rules are incorporated herein by reference. This section is not intended to allow what the state statutes and rules prohibit, nor to prohibit what the state statutes and rules allow.

**§ 70.16 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**DEADMAN THROTTLE** or **SAFETY THROTTLE.** A device which, when pressure is removed from the engine accelerator or throttle, causes the motor to be disengaged from the driving mechanism.

**OPERATE.** To ride in or on and control the operation of a snowmobile.

**OPERATOR.** Every person who operates or is in actual physical control of a snowmobile.

**OWNER.** A person, other than a lien holder having the property in or title to a snowmobile, or entitled to the use or possession thereof.

**PERSON.** Includes an individual, partnership, corporation, the state and its agencies and subdivision, and any body of persons, whether incorporated or not.

**RIGHT-OF-WAY.** The entire strip of land traversed by a highway or street in which the public owns the fee or an easement for roadway purposes.

**ROADWAY.** That portion of a highway or street improved, designed or ordinarily used for vehicular travel.

**SNOWMOBILE.** A self-propelled vehicle designed for travel on snow or ice, steered by skis or runners.

**STREET.** A public thoroughfare, roadway, alley or trail used for motor vehicular traffic which is not an interstate, trunk, county-state aid, or county highway.

#### **§ 70.17 APPLICATION OF TRAFFIC ORDINANCES.**

The provisions of Ch. 70 of this code shall apply to the operation of snowmobiles upon streets and highways, except for those relating to required equipment, and except those which by their nature have no application.

Penalty, see § 10.99

#### **§ 70.18 RESTRICTIONS.**

(A) It is unlawful for any person to enter, operate or stop a snowmobile within the limits of the city:

(1) On the roadway of any street, except the most right hand lane then available for traffic or as close as practicable to right hand curb or edge of the roadway, except when overtaking and passing another vehicle stopped in the lane or proceeding in the same direction, or in making a left turn. Snowmobiles may also be operated upon the outside slope of trunk, county-state aid and county highways where the highways are so configured within the corporate limits.

(2) On a public sidewalk provided for pedestrian travel.

(3) On boulevards within any public right-of-way.

(4) On private property of another without specific permission of the owner or person in control of the property.

(5) Upon any school grounds, except as permission is expressly obtained from responsible school authorities.

(6) On public property, playgrounds and recreation areas, except areas previously listed or authorized for the use by resolution of the City Council, in which case the use shall be lawful, and snowmobiles may be driven in and out of those areas by the shortest route.

(7) On streets as permitted by this chapter at a speed exceeding 10 miles per hour.

(8) No person shall operate a snowmobile within the city limits between the hours of 11:00 p.m. and sunrise, unless they are coming into, passing through or leaving town via the marked trail. If the operator is leaving or coming home, they shall take the most direct route out of or into town using the marked trail or designated streets.

(B) It is unlawful for any person to operate a snowmobile within the limits of the city:

(1) So as to tow any person or thing in a public street or highway except through use of a rigid tow bar attached to the rear of the snowmobile; provided, that a disabled snowmobile may be towed to a private residence or a place of business where snowmobiles are repaired without the use of a rigid tow bar.

(2) Within 100 feet of any fisherman, pedestrian, skating rink or sliding area where the operation would conflict with use or endanger other persons or operation.

(3) To intentionally drive, chase, run over or kill any animal.

Penalty, see § 10.99

### § 70.19 STOPPING AND YIELDING.

No snowmobile shall enter any uncontrolled intersection without making a complete stop. The operator shall then yield the right-of-way to any vehicles or pedestrians at the intersection, or so close to the intersection as to constitute an immediate hazard.

Penalty, see § 10.99

### § 70.20 PERSONS UNDER 18.

(A) No person under 14 years of age shall operate on streets or make a direct crossing of a city street as the operator of a snowmobile. A person 14 years of age or older, but less than 18 years of age,

may operate a snowmobile on streets as permitted under this chapter and make a direct crossing of those streets only if he or she has in his or her immediate possession a valid snowmobile safety certificate issued pursuant to M.S. § 84.872, as it may be amended from time to time.

(B) It is unlawful for the owner of a snowmobile to permit the snowmobile to be operated contrary to the provision of this section.

Penalty, see § 10.99

### § 70.21 EQUIPMENT.

It is unlawful for any person to operate a snowmobile any place within the limits of the city unless it is equipped with the following:

(A) Standard mufflers which are properly attached and which reduce the noise of operation of the motor to the minimum necessary for operation. No person shall use a muffler cutout, by-pass straight pipe or similar device on a snowmobile motor.

(B) Brakes adequate to control the movement of and to stop and hold the snowmobile under any condition of operation.

(C) A safety or so called deadman throttle in operating condition.

(D) When operated between the hours of one-half hour after sunset to one-half hour before sunrise, or at times of reduced visibility, at least 1 clear lamp attached to the front, with sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead during the hours of darkness under normal atmospheric conditions. The head lamp shall be so aimed that glaring rays are not projected into the eyes of an oncoming snowmobile operator. It shall also be equipped with at least 1 red light plainly visible from a distance of 500 feet to the rear during hours of darkness under normal atmospheric conditions.

(E) Reflective material at least 16 square inches on each side, forward of the handlebars and at the highest practical point on any towed object, so as to reflect lights at a 90 degree angle.

Penalty, see § 10.99

### § 70.22 UNATTENDED SNOWMOBILES.

Every person leaving a snowmobile on a public place shall lock the ignition, remove the key and take the same with him or her.

Penalty, see § 10.99



**§ 70.23 EMERGENCY OPERATION PERMITTED.**

Notwithstanding any prohibitions in this chapter, a snowmobile may be operated on a public thoroughfare in an emergency during the period of time and at locations where snow upon the roadway renders travel by automobile impractical.

**Morristown - Traffic Code**

Section

- CHAPTER 71: PARKING REGULATIONS**
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  - 71.03 Other parking restrictions
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  - 71.05 Parking certain semi-trailers or tractors on public streets prohibited
  - 71.06 Overnight parking
  - 71.07 Repairing of vehicles
  - 71.08 Prohibiting parking areas in front yards in residential zones
  - 71.09 Impoundment
  - 71.10 Prima facie violation

**§ 71.01 NO PARKING WHERE POSTED.**

No person shall stop, stand or park a vehicle upon the public streets of the city at any place where official signs or where appropriate devices, marks, or painting, either upon the surface of the street or the curb immediately adjacent thereto, prohibit these acts.

Penalty, see § 10.99

**§ 71.02 LIMITED PARKING.**

No person shall stop, stand or park a vehicle upon the public streets of the city where official signs are erected limiting the parking time thereon, for a period of time in excess of the time as designated by the official signs.

Penalty, see § 10.99

**§ 71.03 OTHER PARKING RESTRICTIONS.**

(A) The City Council may by resolution order the placing of signs, devices or marks, or the painting of streets or curbs prohibiting or restricting the stopping, standing or parking of vehicles on any street where, in its opinion, as evidenced by a finding in its official minutes, the stopping, standing or parking is dangerous to those using the highway, or where the stopping, standing or parking of vehicles would unduly interfere with the free movement of traffic. The signs, devices, marks or painting shall be

official signs, devices, marks or painting, and no person shall stop, stand or park any vehicle in violation of the restrictions thereon or as indicated thereby.

(B) "No parking" signs may be placed by city employees on any street of the city to permit construction, repair, snow removal, street cleaning or similar temporary activities. While the signs are in place, it shall be unlawful to park any vehicle on the streets or portion thereof so posted.

(C) It shall be unlawful for a person to park in an area designated by Council resolution and posted as a fire lane.

(D) It shall be unlawful for a person to park a vehicle or permit it to stand, whether attended or unattended, on an alley within the city, provided that this does not prohibit the parking of vehicles for less than 1 hour on an alley for the purpose of access to abutting property for loading or unloading merchandise or other material when parking on the property itself is not available.

(E) It shall be unlawful for a person to park a motor vehicle in an area designated by posted signs pursuant to Council resolution for certain types of vehicles, unless the motor vehicle is 1 of the types of vehicles specifically permitted.

(F) Every vehicle parked upon any street with a curb shall be parked parallel to the curb, unless angle parking is designated by appropriate signs or markings. On streets with a curb, the right-hand wheels of any vehicle parked shall be within 1 foot of the curb. On streets without a curb, the vehicle shall be parked to the right of the main traveled portion of the street and parallel to it and in such a manner as not to interfere with the free flow of traffic, unless angle parking is designated by appropriate signs or markings.

Penalty, see § 10.99

#### **§ 71.04 DECLARATION OF SNOW EMERGENCY; PARKING PROHIBITED.**

(A) The Mayor, Police Chief or other designated official may declare a snow emergency in the city. The emergency shall continue in effect for a period of 24 hours or until the snow has been removed from the city's streets or until the snow emergency has been rescinded by action of the Mayor, Police Chief or other designated officer.

(B) Notice of the declaration of a snow emergency shall be given by notifying the local news media; however, the notification shall be a service aid only and not a duty on the part of the officials.

(C) During a declared snow emergency, no motor vehicle shall be left parked on any street or public way in the city.

(D) During a declared snow emergency, any police officer who finds a motor vehicle in violation of this section shall attempt to contact the owner of the motor vehicle and require the owner to immediately move the motor vehicle so as not to be in violation of this section. If the owner does not

immediately remove the motor vehicle or the owner cannot be located, the police officer is authorized to have the motor vehicle removed at the owner's expense.

Penalty, see § 10.99

**§ 71.05 PARKING CERTAIN SEMI-TRAILERS OR TRACTORS ON PUBLIC STREETS PROHIBITED.**

No person shall park a semi-tractor or trailer, or any truck rated with a gross vehicle weight in excess of 10,000 pounds, in any area of the city zoned for residential use or other area designated by City Council resolution except when the vehicle is parked in a completely enclosed garage.

Penalty, see § 10.99

**§ 71.06 OVERNIGHT PARKING.**

The following vehicles shall not be allowed to park on city streets overnight: repair, delivery, rented vehicles with commercial plates and refuse and recycling haulers or any other vehicle not registered as a passenger vehicle.

Penalty, see § 10.99

**§ 71.07 REPAIRING OF VEHICLES.**

Minor repairs and tune-ups, such as replacement of spark plugs, spark plug wires, thermostat, radiator or heater hoses, oil changes and brake jobs shall be permitted on city streets; provided, that they can be accomplished within the same day and completed by 10:00 p.m. All other repairs shall be considered major repairs and shall not be permitted on any city street, unless the repairs are made within an enclosed structure allowed within the zoning district. Damage to city streets because of repairs or lack of repairs shall be charged to the person responsible for the damage to the city streets.

**§ 71.08 PROHIBITING PARKING AREAS IN FRONT YARDS IN RESIDENTIAL ZONES.**

(A) Use of that portion of a vacant lot within 30 feet of the sidewalk lines for parking in an area zoned for residential use is prohibited.

(B) Driveways in any area zoned for residential use shall not exceed 25% of the width at the front or side lot line. Where more than 1 driveway is desired or required, they shall be at least 70 feet apart.

(C) No person, being the owner or having control of any building, shall violate or fail to conform to any provision of this section, or fail to obey any lawful order of an officer charged with its enforcement. Each and every day on which any person continues to violate the provisions of this section, after having been notified of the violation, shall constitute a separate offense. This conviction shall not relieve any person from thereafter complying with the provisions of this section, and shall be

sufficient cause to refuse further building or land use permits to the offender until a time as the orders have been complied with.

Penalty, see § 10.99

#### **§ 71.09 IMPOUNDMENT.**

Any police officer may order the removal of a vehicle from a street to a garage or other place of safety when the vehicle is left unattended and constitutes an obstruction to traffic or hinders snow removal, street improvements or maintenance operations. The vehicle shall not be released until the fees for towing and storage are paid in addition to any fine imposed for violation of this chapter.

#### **§ 71.10 PRIMA FACIE VIOLATIONS.**

The presence of any motor vehicle on any street when standing or parked in violation of this chapter is prima facie evidence that the registered owner of the vehicle committed or authorized the commission of the violation.

Section

**CHAPTER 72. ~~General Provisions~~ TRAFFIC REGULATIONS**

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- 72.02 Trucks prohibited on certain streets
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***Parades***

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**GENERAL PROVISIONS****§ 72.01 STATE HIGHWAY TRAFFIC REGULATIONS ADOPTED BY REFERENCE.**

(A) The Highway Traffic Regulations Act is hereby adopted by reference. The regulatory provisions of M.S. Chapter 169, as it may be amended from time to time, are hereby adopted as a traffic ordinance regulating the use of highways, streets and alleys within the city and are hereby incorporated in and made a part of this section as completely as if set out in full herein.

(B) The penalty for violation of the provisions of state statutes adopted by reference in this section shall be identical with the penalty provided for in the statutes for the same offense.

**§ 72.02 TRUCKS PROHIBITED ON CERTAIN STREETS.**

(A) The City Council by resolution may designate streets on which travel by commercial vehicles in excess of 10,000 pounds axle weight is prohibited. The Chief of Police shall cause appropriate signs to be erected on those streets. No person shall operate a commercial vehicle on posted streets in violation of the restrictions posted.

(B) The weight restrictions established in division (A) shall not apply to city or emergency vehicles, public school buses or to garbage and refuse trucks making regular collections and are under contract with the city, nor shall the weight restrictions in division (A) apply if a commercial vehicle must use the particular street in question for the purpose of local pick-up or delivery.  
Penalty, see § 10.99

**§ 72.03 STOP INTERSECTIONS.**

The city may designate intersections as a stop intersection and require all vehicles to stop at 1 or more entrances to those intersections. The city shall post signs at those designated intersections, giving notice of the designation as a stop intersection. It shall be unlawful for any person to fail to obey the markings or signs posted under this section.  
Penalty, see § 10.99

**§ 72.04 THROUGH STREETS AND ONE-WAY STREETS.**

The City Council by resolution may designate any street or portion of a street as a through street or one-way street where necessary to preserve the free flow of traffic or to prevent accidents. No trunk highway shall be so designated unless the consent of the Commissioner of Transportation to the designation is first secured. The city shall cause appropriate signs to be posted at the entrance to



designated streets. It shall be unlawful for any person to fail to obey the markings or signs posted under this section.

Penalty, see § 10.99

**§ 72.05 TURNING RESTRICTIONS.**

(A) (1) The City Council by resolution may, whenever necessary to preserve a free flow of traffic or to prevent accidents, designate any intersection as one where turning of vehicles to the left or to the right, or both, is to be restricted at all times or during specified hours. No intersection on a trunk highway shall be so designated until the consent of the Commissioner of Transportation to the designation is first obtained.

(2) The city shall mark by appropriate signs any intersection so designated.

(3) No person shall turn a vehicle at any intersection contrary to the direction on those signs.

(B) Except at intersections, and then only if not posted otherwise, it shall be unlawful for any person operating a motor vehicle on any street to cross the center of the street for the purpose of parking on the side of the street opposite the original direction of travel.

(C) It shall be unlawful for any person operating a motor vehicle on any street to back up or drive from a parked position and commence travel in the opposite direction from which the motor vehicle faced when parked.

Penalty, see § 10.99

**§ 72.06 U-TURNS RESTRICTED.**

No person shall turn a vehicle so as to reverse its direction on any street in the business district or at any intersection where traffic is regulated by a traffic control signal.

Penalty, see § 10.99

**§ 72.07 EXCESSIVE NOISE.**

(A) As used in this section, **LIGHT-MOTOR VEHICLES** means any automobile, van, motorcycle, motor-driven cycle, motor scooter, go-cart, minibike, trail bike, or truck with a gross vehicular weight of less than 10,000 pounds.

(B) It shall be unlawful for any person to operate, or cause to operate, or use a light-motor vehicle in a manner as to cause, or allow to be caused, excessive noise levels as a result of unreasonable rapid accelerations, deceleration, revving of engine, squealing of tires, honking of horns, or as a result of the operation of audio devices including but not limited to radios, phonograph, tape players, compact disc players or any other sound-amplifying device on or from the light-motor vehicle.

(C) No person shall operate, or cause to operate, or use a light-motor vehicle in violation of the noise standards contained in Minn. Rules parts 7030.1050 and 7030.1060, as it may be amended from time to time.

(D) No person shall operate, or cause to operate, or use a light-motor vehicle that discharges its exhaust other than through a muffler or other device that effectively prevents loud or explosive noises. No person shall operate, or cause to operate, or use a light-motor vehicle whose exhaust system has been modified, altered, or repaired in any way, including the use of a muffler cut-out or by-pass, that amplifies or otherwise increases noise above that emitted by the light-motor vehicle as originally equipped.

(E) The following are exempted from the provisions of this section:

(1) Sound emitted from sirens of authorized emergency vehicles;

(2) Burglar alarms on light-motor vehicles of the electronic signaling type which also transmit an audible signal to a receiver which can be carried by the owner or operator of the vehicle; and

(3) Celebrations on Halloween and other legal holidays and celebrations in connection with duly authorized parades.

Penalty, see § 10.99

#### § 72.08 EXHIBITION DRIVING PROHIBITED.

No person shall turn, accelerate, decelerate or otherwise operate a motor vehicle within the city in a manner which causes unnecessary engine noise or backfire, squealing tires, skidding, sliding, swaying, throwing of sand or gravel, or in a manner simulating a race. Unreasonable squealing or screeching sounds emitted by tires or the unreasonable throwing of sand or gravel by the tires is prima facie evidence of a violation of this section.

Penalty, see § 10.99

#### § 72.09 CRUISING PROHIBITED.

(A) As used in this section, **CRUISING** means the operation of a motor vehicle as defined in M.S. § 169.01, Subd. 3, as it may be amended from time to time, past a traffic control point as determined by a peace officer on a street in an area designated "No Cruising Zone" by City Council resolution 4 or more times between the hours of 9:00 p.m. and 3:30 a.m.

(B) The passing of a traffic control point under the conditions previously stated, shall constitute unnecessary repetitive driving and is a violation of this section.

(C) The following use of vehicles shall constitute valid exceptions to this prohibition: taxicabs for hire, buses, authorized emergency vehicle, vehicles use used by or under contract with any governmental jurisdiction, any vehicle being used to conduct legitimate business activities.

(D) This section may be enforced only in an area that has been posted as a "No Cruising Zone." Signs shall be posted at the beginning and the end of any public street, alley or highway, or portion thereof which is a no cruising zone.

## § 72.10 MOTOR VEHICLE NOISE.

(A) *Definitions.* For the purposes of this section, the following phrases are defined as follows:

### ***ABNORMAL OR EXCESSIVE NOISE.***

(a) Distinct and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort and repose of any person or precludes their enjoyment of property or affects their property's value;

(b) Noise in excess of that permitted by M.S. § 169.69, as it may be amended from time to time, which requires every motor vehicle to be equipped with a muffler in good working order; or

(c) Noise in excess of that permitted by M.S. § 169.693 and Minn. Rules parts 7030.1000 through 7030.1050, as this statute and these rules may be amended from time to time, which establish motor vehicle noise standards.

***ENGINE-RETARDING BRAKE.*** A dynamic brake, jake brake, Jacobs brake, C-brake, Paccar brake, transmission brake or other similar engine-retarding brake system which alters the normal compression of the engine and subsequently releases that compression.

(B) It shall be unlawful for any person to discharge the exhaust or permit the discharge of the exhaust from any motor vehicle except through a muffler that effectively prevents abnormal or excessive noise and complies with all applicable state laws and regulations.

(C) It shall be unlawful for the operator of any truck to intentionally use an engine-retarding brake on any public highway, street, parking lot or alley within the city which causes abnormal or excessive noise from the engine because of an illegally modified or defective exhaust system, except in an emergency.

(D) Minnesota Statutes §§ 169.69 and 169.693 (motor vehicle noise limits) and Minn. Rules parts 7030.1000 through 7030.1050, as these statutes and rules may be amended from time to time, are hereby adopted by reference.

(E) Signs stating "VEHICLE NOISE LAWS ENFORCED" may be installed at locations deemed appropriate by the City Council to advise motorists of the prohibitions contained in this section, except

that no sign stating "VEHICLE NOISE LAWS ENFORCED" shall be installed on a state highway without a permit from the Minnesota Department of Transportation. The provisions of this section are in full force and effect even if no signs are installed.

## ***PARADES***

### **§ 72.20 DEFINITIONS.**

For the purpose of this subchapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***PARADE.*** Any parade, march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display in or on any street, sidewalk, park, or other public place in the city.

***PARADE PERMIT.*** A permit required by this subchapter.

***PARKING LOT.*** Any paved or unpaved area used by a place of business or shopping center for the parking of vehicles of their customers, but shall not include those operated for hire.

### **§ 72.21 PERMIT REQUIRED.**

(A) No person or persons shall engage or participate in, aid, form or start any parade unless a parade permit has been obtained from the City Clerk/Treasurer or other authorized city official.

(B) This subchapter shall not apply to:

(1) Funeral processions;

(2) Students going to and from school classes or participating in educational activities; provided, that the conduct is under the immediate direction and supervision of the proper school authorities;

(3) A governmental agency acting within the scope of its functions.

Penalty, see § 10.99

### **§ 72.22 APPLICATION FOR PERMIT.**

(A) *Generally.* A person seeking issuance of a parade permit shall file an application with the City Clerk/Treasurer.

(B) *Filing period.* The application for a parade permit shall be filed not less than 72 hours but not more than 60 days before the date on which it is proposed to conduct the parade. Failure to file an application 72 hours in advance will not result in automatic denial of the permit; provided, that the applicant shows reasonable grounds why the application could not be filed 72 hours in advance.

(C) *Required information.* The application for a parade permit shall set forth the following information:

- (1) The name, address, and telephone number of the person seeking to conduct the parade;
- (2) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization and of the authorized and responsible heads of the organization;
- (3) The name, address, and telephone number of the person who will be the parade chairperson and who will be responsible for its conduct;
- (4) The date when the parade is to be conducted;
- (5) The route to be traveled, the starting point, and the termination point;
- (6) The approximate number of persons, animals, and vehicles which will constitute the parade, the type of animals, if any, and the description of the vehicles;
- (7) The hours when the parade will start and terminate;
- (8) A statement as to whether the parade will occupy all or only a portion of the width of the streets, sidewalk, park or other public place proposed to be traversed;
- (9) The location by street of any assembly area for the parade;
- (10) The time at which units of the parade will begin to assemble at any assembly area or areas;
- (11) The interval of space to be maintained between units of the parade;
- (12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file a communication in writing from the person authorizing the applicant to apply for the permit on his or her behalf;
- (13) Any additional information reasonably necessary to a fair determination as to whether a permit should be issued.

(D) There shall be paid at the time of filing an application for a parade permit a fee in an amount as established in the Ordinance Establishing Fees and Charges pursuant to § 32.20 of this code, as it may be amended from time to time.

Penalty, see § 10.99

#### **§ 72.23 STANDARDS FOR ISSUANCE OF PERMIT.**

The City Clerk/Treasurer shall issue a permit when, from a consideration of the application and from other information obtained, he or she finds that:

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

(B) 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 contiguous thereto as to prevent normal police protection to the city;

(C) 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 contiguous to the assembly areas;

(D) The conduct of the parade will not interfere with the movement of firefighting equipment en route to a fire;

(E) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;

Penalty, see § 10.99

#### **§ 72.24 NOTICE OF REJECTION OF PERMIT APPLICATION.**

If the City Clerk/Treasurer disapproves the application, he or she shall mail to the applicant within the 3 regular business days after the date on which the application was filed a notice of his or her action stating the reasons for his or her denial of the permit.

#### **§ 72.25 APPEAL PROCEDURE WHEN PERMIT DENIED.**

Any person aggrieved shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within 30 days after notice of denial. The City Council shall act on the appeal within 30 days after its receipt.

**§ 72.26 ALTERNATIVE PERMIT.**

The City Clerk/Treasurer or other authorized city official, 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 than that named by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of his or her acceptance. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this subchapter.

**§ 72.27 NOTICE TO CITY AND OTHER OFFICIALS WHEN PERMIT ISSUED.**

Immediately on the issuance of a parade permit, a copy thereof shall be sent to the Police Chief and the Fire Chief.

**§ 72.28 CONTENTS OF PERMIT.**

Each parade permit shall state the following information:

- (A) Starting time;
  - (B) Minimum speed;
  - (C) Maximum speed;
  - (D) Maximum interval of space to be maintained between the units of the parade;
  - (E) The portions of the street, sidewalk, park or other public place to be traversed that may be occupied by the parade;
  - (F) The maximum length of the parade in miles or fractions thereof;
  - (G) Other information as is reasonably necessary to the enforcement of this subchapter.
- Penalty, see § 10.99

**§ 72.29 DUTIES OF PERMITTEE.**

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairperson or other person heading or leading the activity shall carry the parade permit on his or her person during the conduct of the parade.  
Penalty, see § 10.99

**§ 72.30 PUBLIC CONDUCT DURING PARADES.**

(A) *Interference.* No person shall unreasonably hamper, obstruct, impede or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.

(B) *Driving through parades.* No driver of a vehicle except a police car or other emergency vehicle shall drive between the vehicles or persons comprising a parade when the vehicles or persons are in motion and are conspicuously designated as a parade.

(C) *Parking on parade route.* The Police Chief or other authorized city official shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or other public thoroughfare or part thereof constituting a part of the route of a parade. Signs shall be posted to the 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 or other public thoroughfare unless signs have been posted in accordance with this section.

Penalty, see § 10.99

**§ 72.31 REVOCATION OF PERMIT.**

The city shall have the authority to revoke a parade permit issued hereunder on application of the standards for issuance as herein set forth.