

ARTICLE VII. - PARADES, DEMONSTRATIONS AND BLOCK PARTIES

DIVISION 1. - GENERALLY

Sec. 110-161. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Group demonstration means any assembly together or in concert of action between two or more persons for the purpose of protesting any matter or making known any position or thought of the group or of attracting attention to such demonstration upon the public streets, sidewalks, and parks or other public places.

Parade means any parade, march, ceremony, show, exhibition or procession of any kind in or upon the public streets, sidewalks, and parks or other public places.

Picket line means any group of persons formed together for the purpose of making known any position or promotion of such persons or on behalf of any organization upon the public streets, sidewalks, and parks or other public places.

(Ord. No. 3258, § 1, 11-12-02; [Ord. No. 5302](#), § 1, 7-24-18)

Cross reference— Definitions generally, [§ 1-2](#).

Sec. 110-162. - Exceptions.

This article shall not apply to:

- (1) Funeral processions.
- (2) Students going to and from school classes or participating in educational activities where such activity is under the immediate supervision and direction of proper school authorities.
- (3) A governmental agency acting within the scope of its functions.
- (4) The Rodeo of the Ozarks Parade.

(Ord. No. 3258, § 1, 11-12-02; [Ord. No. 5302](#), § 2, 7-24-18)

Sec. 110-163. - Unlawful interference.

No person shall hamper, obstruct, impede or interfere with any parade or demonstration or any person participating therein, and the police force is authorized to establish lines for separation of the general public from such activity. It shall be unlawful to violate the provisions of this section or to cross such lines.

(Ord. No. 3258, § 1, 11-12-02)

Sec. 110-164. - Participation of minors.

In any parade, picket line or group demonstration, it shall be unlawful:

- (1) For any minor below the age of 18 years to participate or be allowed to participate, unless such participation is authorized by the permit; and any person encouraging, leading or allowing such a minor to so participate, unless a permit therefore has been issued, shall be guilty of a violation of this section.
- (2) For any person to lead, guide, participate in or in any way support or encourage a parade, picket line or group demonstration when a minor below the age of 18 years is participating therein, unless a permit for participation by the minor has been issued.
- (3) For any parent to knowingly permit any minor child of such parent under 18 years of age to participate in a parade, picket line or group demonstration, unless a permit for participation by the minor has been issued.
- (4) To cause, participate in, lead or encourage the deviation of any parade, picket line or group demonstration in any manner from the authority specified in the permit.

(Ord. No. 3258, § 1, 11-12-02)

Sec. 110-165. - Heavily traveled areas.

Any picket line or group demonstration that takes place in any area subject to normally heavy pedestrian or vehicular traffic may be limited in the permit issued to a concentration of not more than six persons participating within any designated area of the street or sidewalk; provided, that the officer issuing the permit may specify a larger number in the designated area when in his judgment conditions permit a higher concentration. A designated area is defined as the entire width of the street or sidewalk within a distance measured along its length of 100 feet.

(Ord. No. 3258, § 1, 11-12-02)

Secs. 110-166—110-175. - Reserved.**DIVISION 2. - PERMIT****Secs. 110-176. - Required.**

No parade, picket line or group demonstration shall be permitted on the sidewalks, streets, and parks or other public places of the city unless a permit therefore has been issued by the city; provided, that nothing in this article shall be construed to prevent the peaceful assembly of any group for orderly expression or communication between those assembled.

(Ord. No. 3258, § 1, 11-12-02; [Ord. No. 5302](#), § 3, 7-24-18)

modified

Sec. 110-177. - Authority to issue; application.

The chief of police, or in his or her absence the next highest ranking officer of the police force on duty, shall have the authority to issue permits as required in this article, and in the issuance thereof shall require a written application to be filed during normal business hours not less than 72 hours in advance of the parade, picket line or group demonstration on a form prescribed by the police department that shall require the application to be signed by the person filing the application. The applicant shall therein state the proposed place, time, purposes and size of the proposed parade, picket line or group demonstration, and whether any minors below the age of 18 years will participate. Any proposed event which involves street closure(s) will require approval by the designated representative from the public works department.

Any proposed event in which city staff are needed to set up/remove cones and barricades will require the applicant to post a \$500.00 deposit/retainer fee with the city clerk's office.

A 24-hour notice is required to city staff if an event is to be cancelled. A visual inspection will be conducted by the city at the listed "end time" on the permit application. The permit applicant's deposit, in whole or in part, may be retained by the city if:

- (1) Cancellation is not given to city staff for an event; or
- (2) City employees are required to remove trash, materials or equipment from the street, park, or public area after the agreed upon "end time" of the event.

In the event that the permit applicant's deposited is retained, the city will provide the applicant with a written explanation of all charges.

(Ord. No. 3258, § 1, 11-12-02; Ord. No. 4742, § 1, 10-8-13; [Ord. No. 5302](#), § 4, 7-24-18; [Ord. No. 5391](#), § 1, 6-11-19)**Sec. 110-178. - Contents.**

- (a) *Participation of minors.* The chief of police, or in his absence the next highest ranking police officer on duty, shall determine and specify in the permit required by this article whether minors below the age of 18 years will be permitted to participate in the parade, picket line or group demonstration. He shall base his determination upon whether the purpose, time or place of the participation will be detrimental to or endanger the health, welfare or safety of such minors.
- (b) *Parade route, time, etc.* The permit may set the starting time and duration of the parade, demonstration or picket line and may set the speed of its travel, the space between persons or vehicles, the portions or areas of the streets, sidewalks, parks or other public place to be used, the length of the parade, group or line, and such other requirements as the police chief or other designated officer may include in the permit for the control of free movement of traffic upon the streets and sidewalks, to minimize potential disruption to the park or other public place, or for the health, safety and property rights of the participants and general public. Failure to comply with the requirements set forth in the permit shall be unlawful.
- (c) *Person in charge.* The applicant for permit shall specify and the permit shall designate the person in charge of the parade, group demonstration or picket line; and such person in charge shall accompany the parade, demonstration or picket line and shall carry such permit with him at that time.

(Ord. No. 3258, § 1, 11-12-02; [Ord. No. 5302](#), § 5, 7-24-18)**Sec. 110-179. - Officials to be notified upon issuance.**

Immediately upon the issuance of a permit under this article, the chief of police should give notice thereof to the following:

- (1) The mayor;
- (2) The city attorney;
- (3) The fire chief;
- (4) The director of public works; and
- (5) The director of parks and recreation.

(Ord. No. 3258, § 1, 11-12-02; Ord. No. 4742, § 2, 10-8-13; [Ord. No. 5302](#), § 6, 7-24-18)

Sec. 110-180. - Refusal to issue.

- (a) The chief of police, or in his absence the next highest ranking police officer on duty, shall refuse to issue a permit under this article when the activity or purpose stated in the application would violate the provisions of this Code, any other ordinance of the city, or any statute of the state, or when the activity or purpose would endanger the public health or safety, or hinder or prevent the orderly movement of pedestrian or vehicular traffic on the sidewalks or streets of the city.
- (b) The chief of police or other designated officer, in considering the issuance of a permit shall, among other considerations provided, consider and find as a requisite for issuance that:
 - (1) The activity will not require excessive diversion of police from other necessary duties.
 - (2) The activity will not interfere with the right of property owners in the area to enjoy peaceful occupancy and use of their property.
 - (3) The activity can be conducted without unreasonable interference with normal vehicular or pedestrian traffic in the area, will not prevent normal police or fire protection to the public, and will not be likely to cause injury to persons or property, provoke disorderly conduct or create a public disturbance.
- (c) No parade, picket line or group demonstration shall be permitted within any public building or structure.

(Ord. No. 3258, § 1, 11-12-02)

Sec. 110-181. - Appeals from refusal to issue.

Any person aggrieved by the denial of a permit under this article shall have a right of appeal to the mayor, but notice of such appeal must be given within five days after denial. The appeal upon such notice shall be heard by the mayor within five days.

(Ord. No. 3258, § 1, 11-12-02)

Sec. 110-182. - Revocation.

Upon violation of the terms of a permit under this article by those participating, the chief of police or such officer of the police force as may then be in charge, is authorized to revoke the permit and direct those participating to disperse.