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**CHAPTER 147. PARADES, PROCESSIONS AND MOTORCADES\***

10.31. Finding of Fact. The City Council finds and declares that it is in the public interest and public welfare to control parades in the public streets of the City of Frankenmuth in order to promote the safety and welfare of the citizens, residents and visitors of the City of Frankenmuth.

(Ordinance No. 1991-4, Sec. 1, 04-09-1991)

10.32. Definitions.

(a) Parade. Any march or procession consisting of people, animals or vehicles, or combination thereof, except funeral processions, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls.

(b) Motorcade. An organized procession containing twenty-five (25) or more vehicles, except funeral processions, upon any public street, sidewalk or alley.

(c) Bavarian Festival Parades. Those parades held during the period of time designed as "Bavarian Festival Week" by the City Council.

(Ordinance No. 1991-4, Sec. 2, 04-09-1991)

10.33. Permits. It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk or alley in the City of Frankenmuth or knowingly participate in any such parade or motorcade unless and until a permit to conduct such parade or motorcade has been obtained from the Chief of Police, or, as hereinafter provided, from the City Council.

(Ordinance No. 1991-4, Sec. 3, 04-09-1991)

10.34. Parade or Motorcade for Commercial Purpose Prohibited. No permit shall be issued authorizing the conduct of a parade or motorcade which the Chief of Police finds is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise, or event, and is designed to be held purely for private profit.

(Ordinance No. 1991-4, Sec. 4, 04-09-1991)

10.35. Content of Bavarian Festival Parades. The Bavarian Festival's purpose is to promote tourism within the City of Frankenmuth and to celebrate the community's Bavarian heritage. Permittee for any parades held during the Bavarian Festival shall limit units in the parade to those which will serve the purposes of the festival.

(Ordinance No. 1991-4, Sec. 5, 04-09-1991)

10.36. Responsibility for Content Parade. Permittee is responsible for the content of any parade and shall have exclusive authority as to the units or individuals to be included in any parade for which the permit has been granted.

(Ordinance No. 1991-4, Sec. 6, 04-09-1991)

10.37. Interference with Parade or Motorcade. No person shall knowingly join or participate in any parade or motorcade conducted under permit from the Chief of Police in violation of any of the terms of said permit, nor

knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

(Ordinance No. 1991-4, Sec. 7, 04-09-1991)

10.38. Application For Permit. Any person who wants to conduct a parade or motorcade shall apply to the Chief of Police for a permit at least thirty (30) days in advance of the date of the proposed parade or motorcade. The Chief of Police may in his discretion consider any application for a permit to conduct a parade or motorcade which is filed less than thirty (30) days prior to the date such parade or motorcade is to be conducted. The application for such permit shall be made in writing on a form approved by the Chief of Police. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information:

- (a) The name of the applicant, the sponsoring organization, the parade chairman and the addresses and telephone numbers of each.
- (b) The purpose of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.
- (c) A description of the individual floats, marching units, vehicles, bands, including a description of any sound amplification equipment to be used.
- (d) Such other information as the Chief of Police may deem reasonably necessary.

(Ordinance No. 1991-4, Sec. 8, 04-09-1991)

10.39. Issuance or Denial of Permit.

- (a) Standards for Issuance: The Chief of Police shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Chief of Police finds that:
  - (1) The time, route and size of the parade or motorcade will disrupt to an unreasonable extent the movement of other traffic.
  - (2) The parade or motorcade is of a size or nature that requires 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 that allowing the parade or motorcade would deny reasonable police protection to the City.
  - (3) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.
- (b) Standards for Denial: The Chief of Police shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:
  - (1) The Chief of Police makes any finding contrary to the findings required to be made for the issuance of a permit.
  - (2) The information contained in the application is found to be false or nonexistent in any material detail.

(3) The applicant refuses to agree to abide by or comply with all conditions of the permit.

(Ordinance No. 1991-4, Sec. 9, 04-09-1991)

10.40. Contents of Application and Permit. The application and permit for each parade or motorcade shall contain such information as the Chief of Police or City Manager so specify. It shall include the following:

- (a) The assembly area and time therefor;
- (b) The starting time;
- (c) The minimum and maximum speeds;
- (d) The route of the parade or motorcade;
- (e) What portions of streets to be traversed may be occupied by such parade or motorcade;
- (f) The maximum number of platoon or units and the maximum and minimum intervals of space to be maintained between the units of such parade or motorcade;
- (g) The maximum length of such parade or motorcade in miles or fractions thereof;
- (h) The disbanding area and disbanding time;
- (i) The number of persons required to monitor the parade or motorcade;
- (j) The estimated number and type of vehicles.

All conditions of the permit shall be complied with so far as reasonably practicable.

(Ordinance No. 1991-4, Sec. 10, 04-09-1991)

10.41. Appeal Procedure. Upon a denial by the Chief of Police of an application made pursuant to section 10.38 hereof, the applicant may appeal from the determination of the Chief of Police within five (5) days thereafter to the City Council by filing a written notice of appeal for hearing by the City Council at its next meeting. Upon such appeal, the City Council may reverse, affirm or modify in any regard the determination of the Chief of Police.

In the event an application is not filed within the required time, as specified in section 10.38 hereof, the applicant may request a waiver of such requirement by the City Council at its next regular meeting, or at a special meeting which may be called prior thereto by City Council to consider such matter, and the City Council, if it finds unusual circumstances and in the exercise of its sound discretion, may waive such requirement.

(Ordinance No. 1991-4, Sec. 11, 04-09-1991)

10.42. Officials to be Notified. Immediately upon the granting of a permit for a parade or motorcade, the Chief of Police shall send a copy thereof to the following:

- (a) Mayor
- (b) City Manager

- (c) Fire Chief
- (d) Director of General Services
- (e) Public Works Director

(Ordinance No. 1991-4, Sec. 12, 04-09-1991)

10.43. Revocation of Permit. Any permit for a parade or motorcade issued pursuant hereto may be summarily revoked by the Chief of Police at any time when by reason of disaster, public calamity, riot or other emergency, the Chief of Police determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered in writing to the permittee by personal service or by certified mail.

(Ordinance No. 1991-4, Sec. 13, 04-09-1991)

10.44. Violation; Municipal Civil Infraction. A person who violates any provision of this Chapter is responsible for a municipal civil infraction, subject to payment of a civil fine of not less than \$100.00 nor more than \$500.00, plus costs and other sanctions, for each violation. Repeat offenses shall be subject to increased fines as provided by Section 1.12(3)(b) of this Code. The City Manager is hereby designated as the authorized City official to issue municipal civil infraction citations (directing alleged violators to appear in court) or municipal civil infraction violation notices (directing alleged violators to appear at the City of Frankenmuth Municipal Ordinance Violations Bureau) for violations under this Chapter as provided by this Code.

(Ordinance No. 2002-05, 08-07-2002)

\*Editor's note-Ordinance No. 1991-4, Sections 1-13, adopted April 9, 1991, amended the Code by adding a new Chapter 147 to Title X. Designation as Sections 10.31-10.43, was at the discretion of the editor.