



Ordinance 2024-01

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN CODE ARTICLE II, CHAPTER 20 - PARADES

THE COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ORDAINS AS FOLLOWS:

That Article II, In General, of Chapter 20, Parades, is hereby amended as followed:

Sec. 20-50 through 20-75. Parades

1. Chapter 20. Parades and Public Assemblies

Article II. Parades

Division 1 Generally

§ 20-50 Title.

[Code 1962, § 18A-1]

This article shall be known and may be cited as the "Parade Ordinance of the City of Franklin."

§ 20-51 Defined.

[Code 1962, § 18A-2]

For the purposes of this article, the word "parade" means and includes any parade, march, ceremony, show, exhibition, pageant, or demonstration, constituting or being a procession of any kind, or any similar display, in or upon any street or municipally operated parking lot in the City.

§ 20-52 Violations of article.

[Code 1962, § 18A-14]

Any person violating any of the provisions of this article shall be guilty of a Class 2 misdemeanor.

§ 20-53 Interference.

[Code 1962, § 18A-13]

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.

§ 20-54 through § 20-64. (Reserved)

Division 2

Permit

§ 20-65 Required: exceptions.

[Code 1962, § 18A-3; amended by Ord. of 4-8-2002(2)]

No person shall engage in, participate in, aid, form or start any parade unless a parade permit has been obtained from the Chief of Police or their designee. This section shall not apply to:

- (1) Funeral processions.
- (2) Students accompanied by and under the direction and supervision of adult school authorities going to and from school classes or participating in educational activities approved by school authorities; however, this exception shall not apply to a school band marching in formation.
- (3) A governmental agency acting within the scope of its functions.

§ 20-66 Application generally.

[Code 1962, § 18A-4; amended by Ord. of 4-8-2002(2)]

A person seeking issuance of a parade permit shall file an application with the Chief of Police or their designee on forms provided by the Chief of Police. The application shall be filed not less than fifteen nor more than sixty days before the date on which it is proposed to conduct the parade. The application shall set forth the following information:

- (1) The name, address, telephone number, and email address 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 such organization.
- (3) The name, address, telephone number, and email address of the person who will be the parade marshal 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 location, by streets, of any assembly areas for the parade.
- (7) The hours when the parade will start and terminate.
- (8) The time at which units of the parade will begin to assemble at any assembly area or areas.
- (9) The approximate number of persons who, and animals and vehicles which, will constitute the parade; the type of animals and a description of the vehicles.
- (10) The interval of space to be maintained between units of the parade.

- (11) State whether the applicant intends the parade to occupy the entire width of the streets, between the sidewalks, proposed to be traversed.
- a) If yes, provide an explanation as to why the entire area between the sidewalks is required for the parade.
 - b) If no, provide a detailed description of what portion of the streets will be occupied by the parade.
- (12) State whether the applicant intends the parade to occupy any portion of the sidewalks adjacent to the streets proposed to be traversed. If yes, provide a description of the portion of the sidewalk proposed to be used and an explanation as to why the use of the sidewalks is required for the parade.
- (13) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant shall file with the Chief of Police or their designee a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his behalf.
- (14) Any additional information which the Chief of Police or their designee shall find reasonably necessary to a fair determination as to whether a permit should be issued.

§ 20-67 Chief of Police or their designee to act on application within five days.

[Code 1962, § 18A-6; amended by Ord. of 4-8-2002(2)]

The Chief of Police or their designee shall act upon the application for a parade permit within five days after the filing thereof.

§ 20-68 Standards for issuance.

[Code 1962, § 18A-5; amended by Ord. of 4-8-2002(2)]

Nothing in this article shall permit the Chief of Police, or their designee, to deny a permit based upon political, social or religious grounds or reasons or based upon the content of the views expressed. Denial of a permit on such grounds is prohibited. The Chief of Police or their designee shall issue a parade permit when, from a consideration of the application and from such other information as may otherwise be obtained, he finds that:

- (1) The conduct of the parade will not substantially interrupt the safe and orderly movement of other pedestrian and vehicular traffic contiguous to its route.
- (2) The conduct of the parade will not require the diversion of so great a number or 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.
- (3) The conduct of the 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 contiguous thereto.

(4) The concentration of persons, animals and vehicles at assembly and termination points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such points.

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

(6) The conduct of the parade is not reasonably likely to cause physical injury to persons at the assembly areas and termination point or on the route to be traveled.

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

(8) The parade is not designed to be held purely for the private profit of the person holding the same or for the sole purpose of advertising any product or goods of such person.

§ 20-69 Contents.

[Code 1962, § 18A-9; amended by Ord. of 4-8-2002(2)]

Each parade permit shall state the following information:

(1) Assembly time.

(2) Starting time.

(3) Minimum speed.

(4) Maximum speed.

(5) Maximum interval of space to be maintained between the units of the parade.

(6) The portions of the streets to be traversed that may be occupied by the parade.

(7) The maximum length of the parade, in miles or fractions thereof.

(8) The assembly area.

(9) The termination area.

(10) Such other information as the Chief of Police or their designee shall find necessary to the enforcement of this article.

§ 20-70 Copy to be sent to City officials.

[Code 1962, § 18A-8; amended by Ord. of 4-8-2002(2)]

Immediately upon the issuance of a parade permit, the Chief of Police or their designee shall send a copy thereof to the following:

(1) The Mayor.

(2) The City Manager.

(3) The Fire Chief.

§ 20-71 Duties of permittee; permit to be carried on person.

[Code 1962, § 18A-12]

A permittee under this division shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade marshal or other person heading or leading the parade shall carry the parade permit upon his person during the conduct of the parade.

§ 20-72 Notice of denial.

[Code 1962, § 18A-6; amended by Ord. of 4-8-2002(2)]

If the Chief of Police or their designee denies the application for a parade permit, the Chief of Police shall mail such notice of denial to the applicant. The notice of denial must be mailed on the same date as the Chief of Police denies such application and include the reasons for such denial.

§ 20-73 Appeal from denial.

[Code 1962, § 18A-11; amended by Ord. of 4-8-2002(2)]

If the application for a parade permit is denied under this division, the applicant shall have the right, within 10 days after the notice of denial is mailed to such person pursuant to § 20-72, to appeal the decision to the City Council, to be considered by it at its next regular meeting to be held after the applicant gives written notice of appeal. Any applicant desiring to appeal from the decision rendered by the City Council shall have the right to appeal the same to the Southampton County Circuit Court provided written notice of appeal is given to the City Manager within 10 days after the written decision of the City Council is mailed to the applicant.

§ 20-74 Alternate permit.

[Code 1962, § 18A-7; amended by Ord. of 4-8-2002(2)]

The Chief of Police or their designee, 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 five days after notice of such action, file a written notice of acceptance with the Chief of Police or his or her designee. But in any event, the applicant must file written notice of acceptance no less than five days before the date of the parade as authorized by the alternate permit. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit issued under this division.

§ 20-75 Revocation.

[Code 1962, § 18A-10; amended by Ord. of 4-8-2002(2)]


The Chief of Police or their designee shall have the authority to revoke a parade permit issued under this division for violation of the standards of issuance as set forth in § 20-68.

§ 20-76 through § 20-86. (Reserved)

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF FRANKLIN, VIRGINIA ON
FEBRUARY 26, 2024.

ATTEST:


Mayor


Clerk