

Chapter 67
PARADES AND MOTORCADES

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[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg at time of adoption of Code 4-4-1977 by Ord. No. 2-77 (see Ch. 1, General Provisions, Art I). Amendments noted where applicable.]

GENERAL REFERENCES

Peddlers and street vendors — See Ch. 70.
Streets and sidewalks — See Ch. 95.

Vehicles and traffic — See Ch. 104.

§ 67-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MOTORCADE — An organized procession containing 25 or more vehicles, except funeral processions, upon any public street, sidewalk or alley.

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.

§ 67-2. Permit required. [Amended 4-1-1991 by Ord. No. 4-91]

It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street, sidewalk or alley in the borough or knowingly participate in any such parade or motorcade unless and until a permit to conduct some parade or motorcade has been obtained from the Borough Secretary or, as hereinafter provided, from the Borough Council; said permits for parades and/or motorcades shall be issued to borough residents only, following compliance with all other sections of this chapter, by the Borough Secretary, only for routes to be traveled on and along through streets in the Borough of Pennsburg, and no other streets, sidewalks or alleys may be used for the purpose of a parade or motorcade in said borough unless the Borough Council finds unusual circumstances and, in the exercise of its sound discretion, waives the foregoing requirement; the foregoing does not preclude the use of side streets along through streets in the Borough of Pennsburg for assembly and disbanding areas so

long as those side streets are enumerated in the application and ultimately approved in the permit subsequently issued.

§ 67-3. Parades or motorcades for commercial purposes prohibited.

No permit shall be issued authorizing the conduct of a parade or motorcade which the Borough Secretary 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.

§ 67-4. Interference with parade or motorcade.

No person shall knowingly join or participate in any parade or motorcade conducted under permit from the Borough Secretary 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.

§ 67-5. Application for permit. [Amended 4-1-1991 by Ord. No. 4-91]

Any person who wants to conduct a parade or motorcade shall apply to the Borough Secretary for a permit at least 30 days in advance of the date of the proposed parade or motorcade. The Borough Secretary may, in his discretion, consider any application for a permit to conduct a parade or motorcade which is filed less than 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 Borough Secretary. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information and fee, which can be waived at the discretion of the Borough Council:

- A. The name of the applicant, the sponsoring organization, the parade or motorcade chairman and the address and telephone number 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, the 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 and bands.
- D. Such other information as the Borough Secretary may deem reasonably necessary.
- E. A filing fee of \$100.
- F. A security deposit of \$500 in a form acceptable to the Borough Solicitor. Said deposit will be held by the Borough Secretary and will be used as security for damages to borough property and any costs incurred by the borough as a result of the parade. The borough will refund to the applicant any unused portion of the security deposit.

§ 67-6. Issuance or denial of permit.

- A. Standards for issuance. The Borough Secretary shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the terms of such permit unless the Borough Secretary 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 borough 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 borough in general.
 - (3) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.
- B. Standards for denial. The Borough Secretary shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:
- (1) The Borough Secretary 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 and any and all other sections of this chapter.

§ 67-7. Contents of permit.

- A. In each permit the Borough Secretary shall specify:
- (1) The assembly area and time therefor.
 - (2) The starting time.
 - (3) The minimum and maximum speeds.
 - (4) The route of the parade or motorcade.
 - (5) What portions of streets to be traversed may be occupied by such parade or motorcade.
 - (6) The maximum number of platoons or units and the maximum and minimum intervals of space to be maintained between units of such parade or motorcade.
 - (7) The maximum length of such parade or motorcade in miles or fractions thereof.
 - (8) The disbanding area and disbanding time.
 - (9) The number of persons required to monitor the parade or motorcade.
 - (10) The number and type of vehicles, if any.

- (11) The material and maximum size of any sign, banner, placard or carrying device therefor.
 - (12) The materials used in the construction of floats used in any parade shall be of fire-retardant materials and shall be subject to such requirements concerning firesafety as may be determined by the Fire Chief.
 - (13) That permittee advise all participants in the parade or motorcade, either orally or by written notice, of the terms and conditions of the permit, prior to the commencement of such parade or motorcade.
 - (14) That the parade or motorcade continue to move at a fixed rate of speed and that any willful delay or willful stopping of said parade or motorcade, except when reasonably required for the safe and orderly conduct of the parade or motorcade, shall constitute a violation of the permit.
 - (15) Such other requirements as are found by the Borough Secretary to be reasonably necessary for the protection of persons or property.
- B. All conditions of the permit shall be complied with.

§ 67-8. Appeal procedure.

- A. Upon denial by the Borough Secretary of an application made pursuant to § 67-5 of this chapter, the applicant may appeal from the determination of the Borough Secretary within five days thereafter to the Borough Council by filing a written notice of appeal for hearing by the Borough Council at its next meeting. Upon such appeal, the Borough Council may reverse, affirm or modify in any regard the determination of the Borough Secretary.
- B. In the event an application is not filed within the required time as specified in § 67-5, the applicant may request a waiver of such requirement by the Borough Council at its next regular meeting or at a special meeting which may be called prior thereto by said Borough Council to consider such matter, and the Borough Council, if it finds unusual circumstances and in the exercise of its sound discretion, may waive such requirement.

§ 67-9. Officials to be notified.

Immediately upon the granting of a permit for a parade or motorcade, the Borough Secretary shall send a copy thereof to the following:

- A. The Mayor.
- B. The Chief of Police.
- C. The Fire Chief.

§ 67-10. Revocation of permit.

Any permit for a parade or motorcade issued pursuant to this chapter may be summarily revoked by the Borough Secretary at any time when, by reason of disaster, public calamity, riot

or other emergency, the Borough Secretary 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 at the address given in regard to § 67-5A of this chapter.