

Chapter 12 Offenses and Miscellaneous Provisions

Article II. Parades, Processions, Races and Special Events

§12-201 Permit required.

No person shall occupy public right-of-way or City-owned property for a special event without a current, valid City permit for the event. No procession, parade, race or special event shall march or proceed along any public highway or public place within the corporate limits of the city at any time, unless a permit to do so has first been obtained from the City Clerk as hereinafter provided. No person shall take part in, aid, form or start any such procession, parade, race or special event without such permit first being obtained.

§12-202 Application for permit.

All applicants for a permit to use public highways or public places in the city for a procession, parade, race or special event shall file with the City Clerk, not less than 30 (thirty) days prior to the date of the proposed event, a written application therefor. Such application shall state the public highway and public places proposed to be used, the nature and purpose of the event and the number of participants therein.

§12-203 Review of application.

The City Clerk, upon receiving any such application, shall cause the same to be reviewed by the Police Chief, Fire Chief and City Engineer. Within five (5) days after the filing of such application, shall make a report and recommendation and file the same with the City Clerk. If approved, the City Clerk shall issue a permit authorizing the proposed procession or parade. If the Police Chief recommends denial of the permit the City Clerk shall deny the application for a permit.

§12-204 Grounds for denial of permit.

The Police Chief, Fire Chief and/or City Engineer may, in their discretion, recommend to the City Clerk denial of a permit if they determine that:

- A. The procession or parade for which a license is sought conflicts with another procession or parade for which a license is to be or has been issued and which application was made previous to the instant application;
- B. The procession or parade is to be either for the purpose of advertising any commercial product, goods or event or is designated purely for private profit; or
- C. By granting of the permit there would be interference with traffic circulation or unreasonable danger to public safety.

§12-205 Exceptions.

The provisions of this chapter shall not apply to:

- A. Procession or parade when all personnel taking part therein are policemen, firemen, members of the Armed Forces of the United States or of the State of New York or officials of governmental units.
- B. Procession or parade sponsored by a duly chartered veterans organization organized and functioning in the city.
- C. Students going to and from school classes or participating in school activities, provided that such conduct is under the immediate direction and supervision of the proper school authority.
- D. Funeral procession.
- E. Wedding processions.

§12-206 Information required.

A permit issued pursuant to this chapter shall specify the name of the organization participating, the name of the person chiefly responsible for the organization of the procession, parade and/or race, the public streets and public places through which it may move and the hours during which it may proceed.

§12-207 Interfering with procession.

No person shall drive any motor vehicle between the motor vehicles or persons comprising the procession, parade, race or special event proceeding in accordance with the terms of a permit therefor duly issued by the City Clerk when such motor vehicles or persons are in motion and are conspicuously designated as a procession, parade and/or race, nor shall any person unreasonably hamper, obstruct or interfere with any person, vehicle or animal participating or used in such a procession, parade and/or race.

§12-208 Parking restricted.

The Police Chief shall have the authority to prohibit or restrict the parking of motor vehicles along a public street and/or highway constituting a part of the route of a procession, parade, race or special event and to cause signs to such effect to be posted and it shall be unlawful and a violation of this chapter for any person to park or leave unattended any motor vehicle upon any highway or portion thereof in violation of prohibitions so posted on said highway or portion thereof.

§12-209 Penalties for offenses.

Any person violating the provisions of this chapter or any part thereof shall be liable for and forfeit a penalty not exceeding \$100 for each offense.

§12-210 Fee and Insurance Requirements.

A. No fee required.

B. Insurance Requirements – No person conducting business covered under this Section in the streets, alleys, sidewalks, public park or other public places in the City shall be issued a license hereunder until such person shall have furnished to the City Clerk, a liability policy of insurance, having the following policy limits:

Bodily injury per person	\$ 50,000.00
Bodily injury per occurrence	\$100,000.00
Property Damage	\$ 25,000.00

1. The insurance company issuing the policy shall be licensed and admitted to do business in New York State.
2. The policy shall designate, by manufacturer, year, make, model and vehicle or serial identification number, all commercial vehicles for which coverage is granted.
3. The policy shall insure the person named in the policy and any other person using any equipment and/or vehicle with the express or implied permission of the named insured against any liability arising out of the ownership, maintenance or use of the applicant's activities in New York.
4. The policies shall name the City as an additional insured on a primary and noncontributory basis

§12-211 Limitations on Special Events.

A. Special event permits shall be limited to no more than two (2) consecutive days per event and shall be limited to the hours between 6:00 a.m. and 9:00 p.m. unless otherwise expressly authorized by the City.

- B. Alcohol shall not be permitted on any public right-of-way or City-owned property during any special event unless a special permit is issued by the City prior to the event. A special permit application is available at the office of the City Clerk. An applicant must submit the special permit application at least 30 (thirty) days prior to the scheduled event. At the time that the application is submitted, the applicant must be in compliance with all other provisions of this chapter. The Police Chief shall have final discretion in granting or denying any special permit authorized by this section.

§12-212 Additional Provisions

- A. A certified check or cash in the amount of One Hundred Dollars (\$100.00) shall be required to be posted and filed as and for a security deposit in addition to said insurance policy and not in lieu thereof, to insure the payment of the cost and expense of the clean and/or repair to the street, alleys, sidewalks, public park, or other public place. The said sum of money shall be refunded at the conclusion of the activity for which the license was obtained provided that the public premises upon which the licensed activity was conducted is, at the conclusion of such activity, left in the same condition as it existed at the commencement of such activity.
- B. Any city equipment used for event must be signed for and returned in the manner to which it was received.
- C. Vendors – Pursuant to Chapter 11, Section 11-202 No Vendor shall sell goods, wares or other merchandise or services except milk, newspapers and periodicals within the corporate limits of the City of Johnstown or by telephone within the city without obtaining the appropriate license to do so from the City Clerk. Any person desiring to procure a license shall file with the City Clerk a written application upon a blank form furnished by the City and shall file at the same time satisfactory proof of good character.