

### **Sec. 18-416. - Required.**

No person shall form, direct, lead or participate in any special event, procession, parade, run, walk, marathon, bicycle race, etc., on any street, highway, sidewalk, parking lot or other municipal property under the jurisdiction of the city unless a permit has been obtained in advance as provided in this division.

*(Code 1999, § 7-9-2(a))*

### **Sec. 18-417. - Exemptions.**

A permit is not required for assembling or movement of a funeral procession or military convoy. Any parade, etc., sponsored by any agency of the school district, county, federal or state government, acting in its governmental capacity within the scope of its authority, shall be required to obtain a permit; however, such shall be exempt from the application deadlines, parade permit fee and insurance requirements contained in this division.

*(Code 1999, § 7-9-2(b))*

### **Sec. 18-418. - Time of making application.**

A written application for a permit for any function described in [section 18-416](#) on the streets and highways under the jurisdiction of the city shall be made by one of the organizers or officers to the clerk-treasurer on a form provided by such clerk-treasurer no less than 30 days prior to the usage. An application made less than 45 days prior to the day of the proposed usage must be made in person.

*(Code 1999, § 7-9-2(c))*

### **Sec. 18-419. - Information required in application.**

The application for the permit required under this division shall set forth the following information regarding the proposed usage:

(1)

The name, address and telephone number of the applicant.

(2)

If the usage is proposed to be conducted for, on behalf of or by an organization, the names, addresses and telephone numbers of the headquarters of the organization and of the authorized and responsible heads of such organization.

(3)

The name, address and telephone number of the person who will be responsible for conducting the usage.

- (4) The date when the usage is to be conducted and its duration.
- (5) The assembly area, the starting point, the route to be traveled and the termination point.
- (6) The number and size of participants or units comprising the usage.
- (7) If the usage is to be conducted by or for any person other than the applicant, the applicant for such permit shall file with the clerk-treasurer a communication in writing from the person proposing to hold the usage authorizing the applicant to apply for the permit on his/her behalf.
- (8) Any additional information which the mayor finds reasonably necessary for a fair determination as to whether a permit should be issued.

*(Code 1999, § 7-9-2(d))*

#### **Sec. 18-420. - Recommendations of governmental agencies.**

The clerk-treasurer shall submit a copy of the application for the permit required under this division to the director of administrative services and all applicable department managers.

*(Code 1999, § 7-9-2(e))*

#### **Sec. 18-421. - Basis for discretionary denial.**

The application for the permit required under this division may be denied if:

- (1) It is for a usage that is to be held on a workday during hours when and at places where, in addition to the proposed usage, the flow of vehicular traffic is usually delayed by its own volume.
- (2) It is for a usage that is to be commenced between the hours of 9:00 p.m. and 9:00 a.m.
- (3) Sufficient supervision would not be provided to reasonably ensure the orderly conduct of the usage.
- (4) The proposed route for conducting the usage involves a street or highway under construction or a detour route.

(Code 1999, § 7-9-2(f))

### **Sec. 18-422. - Mandatory denial.**

The application for the permit required under this division shall be denied for the following:

(1)

If it is made less than three business days in advance of the time the usage is scheduled to commence;

(2)

If it is for a usage that is primarily for private or commercial economic gain. No permit shall be issued authorizing the conduct of a parade or special event which is found to be held for the primary purpose of advertising any product, goods, wares, merchandise or event and is designed to be held purely for private profit;

(3)

If it is for a usage which would involve violation of federal, state or local laws relating to use of highways or of other applicable regulations of the city;

(4)

If the granting of the permit would conflict with another permit already granted or for which an application is already pending;

(5)

If the application does not contain the information required by [section 18-419](#)

(6)

If more than one assembly area or more than one dispersal area is proposed;  
or

(7)

Failure to receive a permit under Wis. Stats. § 84.07(4).

(Code 1999, § 7-9-2(g))

### **Sec. 18-423. - Restrictions on issuance.**

The mayor may issue a permit required under this division to the applicant subject to the foregoing requirements of this division, unless the mayor concludes that:

(1)

The policing of the usage will require so large a number of persons and vehicles, including ambulances, as to prevent adequate service of the needs of the rest of the city;

(2)

The usage will substantially hinder the movement of police and fire and other emergency vehicles to create a substantial risk to persons and property;

(3)

The conduct of the usage will substantially interrupt the safe and orderly movement of other traffic contiguous to its route; or

(4)

The usage is so poorly organized that participants are likely to engage in aggressive or destructive activity.

(Code 1999, § 7-9-2(h))

### **Sec. 18-424. - Grant or denial.**

(a)

*Time when required.* The mayor shall act as promptly as he/she reasonably can on all applications for permits required under this division after consulting with other government agencies directly affected and after consulting with the applicant, if necessary. All applications filed 45 days or more in advance shall be granted or denied not less than ten days before the date of the usage stated in the application. Action on applications filed less than 45 days in advance shall be taken within five days after the application is filed, but in no case later than 48 hours in advance of the time applied for. The clerk-treasurer shall, by the most reasonable means of communication, notify the applicant of such action and, if the application is denied, the reasons for denial of the permit.

(b)

*Modification.* Upon the recommendation of administrative officials and in lieu of denying a permit, the mayor may authorize the changing of assembly areas or dispersal areas or the conducting of the usage at a date or time or over a route different than as applied for in the permit. The applicant or permittee may accept such modification by immediately notifying the clerk-treasurer or mayor in writing of such acceptance.

(c)

*Issuance if consistent with public safety.* The mayor, after consulting appropriate department managers, may issue the permit if such special event or parade will not interfere with the general public safety and comfort and the application requirements have been met. City officials shall be empowered to indicate alternate points of assembly and disbanding, alternate routes or streets and sidewalks over or upon which the parade or special event shall be authorized to travel if changes are necessary to meet the needs of competing interests for the use of the chosen routes, streets or sidewalks or if changes are required for the safety or well-being of the general public or participants. City officials shall be empowered to offer alternate dates, locations or requirements of special events to protect the safety and well-

being of the general public and that of the participants. The mayor shall not issue such permit if the time at which the parade or special event is proposed to be held is at an unreasonable hour to interfere with public safety and public comfort or known hours, dates or routes of heavy traffic or if the application requirements have not been met.

*(Code 1999, § 7-9-2(i))*

#### **Sec. 18-425. - Fee.**

There shall be paid at the time of filing the application for a usage permit required under this division a fee as prescribed in section 1-22. The fee may be waived at the discretion of the common council.

*(Code 1999, § 7-9-2(j))*

#### **Sec. 18-426. - Charge for increased costs.**

Where the mayor determines that the cost of municipal services incident to the staging of the usage pursuant to this division will be increased because of the usage, the mayor may require the permittee to make an additional payment into the general fund of the city in an amount equal to the increased costs.

*(Code 1999, § 7-9-2(k))*

#### **Sec. 18-427. - Emergency revocation.**

The director of administrative services, clerk-treasurer or chief of police may revoke a permit already issued pursuant to this division if the official deems that such action is justified by an actual or potential emergency due to weather, fire, riot, other catastrophe or likelihood of a breach of the peace or by a major change in the conditions forming the basis of the standards of issuance.

*(Code 1999, § 7-9-2(l))*

#### **Sec. 18-428. - Contents.**

Each usage permit issued pursuant to division shall state such information or conditions as the mayor shall find necessary to the enforcement of this article.

*(Code 1999, § 7-9-2(m))*

#### **Sec. 18-429. - Distribution of copies.**

Immediately upon the issuance of a usage permit pursuant to this division, the clerk-treasurer shall send a copy thereof to the following:

(1)

Each public transportation utility whose regular service will be affected by the usage.

(2)

Director of administrative services, street commissioner, chief of police, director of public works and fire chief.

(Code 1999, § 7-9-2(n))

**Sec. 18-430. - Compliance required.** 

(a)

*Permittee.* A permittee under this division shall comply with all permit directions and conditions and with all applicable laws, ordinances and other regulations of the state and city.

(b)

*Participants.* No person who leads or participates in any usage shall disobey or encourage others to disobey this division after a law enforcement officer has directly and presently informed him/her of any of the sections of this division or the terms of the applicable usage permit.

(Code 1999, § 7-9-2(o))

**Sec. 18-431. - Conduct and operators of parade units.** 

(a)

No person shall throw, dispense or give away any candy, toys, souvenirs, etc., from any parade vehicle, float or unit.

(b)

All operators of any motorized parade vehicle, float or unit shall have a valid driver's license, if a licensed motor vehicle. All other motor vehicle operators shall be a minimum of 14 years of age and shall hold an applicable operator safety certificate.

(Code 1999, § 7-9-2(p))

**Sec. 18-432. - Interference with parade or special event.** 

No person shall knowingly join or participate in any parade or special event conducted under a permit in violation of any terms of such permit or knowingly join or participate in any permitted parade or special event without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

(Code 1999, § 7-9-2(q))

**Sec. 18-433. - Insurance required.** 

(a)

A certificate of liability insurance need not be furnished with the application for the permit required under this division, but it shall be filed with the clerk-treasurer prior to the issuance of the permit unless the insurance requirement is waived by the common council. Liability insurance shall be in the following amounts:

Type of Policy	Liability Limits
Comprehensive general liability:	
Bodily injury, personal injury and property damage:	
Each occurrence .....	\$1,000,000.00
Aggregate .....	\$1,000,000.00
Or bodily injury and personal injury:	
Each occurrence .....	\$1,000,000.00
Aggregate .....	\$1,000,000.00
Or property damage:	
Each occurrence .....	\$1,000,000.00
Aggregate .....	\$1,000,000.00
Automobile liability (ownership, maintenance or use of an owned, hired or nonowned motor vehicle). Bodily injury or property damage, combined single limit, each accident .....	\$1,000,000.00

(b)

Upon the recommendation of the mayor, the comprehensive general liability requirements may be increased to \$5,000,000.00, if it is determined that there is probable cause to believe that there are risks associated with the parade or special event that may be greater than the customary risks for parades or special events. An increase in the required insurance coverage may be appealed as indicated in [section 18-434](#)

(c)

The certificate of insurance shall have an endorsement to indemnify and hold the city and its elected and appointed officials and employees and volunteers harmless from any or all damages, judgments, claims and attorney fees which may be asserted against the city by reason of any damages or injuries sustained by any person or to any property by the parade or the participants therein. The certificate of insurance shall also provide that the city be reimbursed for any damage or injury which it sustains by reason of such parade or special event or by the acts of any participants, volunteers or employees in such parade or special event. This insurance requirement may be waived by the common council for city-sponsored parades and special events.

(Code 1999, § 7-9-2(r))

**Sec. 18-434. - Appeal procedure.** 

Upon a denial or a change of an application for a parade or special permit pursuant to this division, the applicant may appeal from the determination within five days thereafter to the common council by filing a written notice of appeal for a hearing by the common council at its next meeting. Upon such appeal, the common council may reverse, affirm or modify in any regard the determination of the mayor, after hearing the information presented by the competing interests.

*(Code 1999, § 7-9-2(s))*