

ORDINANCE NO. 2020.007

REGULATION OF PARADES AND ASSEMBLAGES

Section 1, PURPOSE:

The Village of Blanchester recognizes that parades and assemblages provide recreational opportunities for its residents, provide economic stimulus to its businesses, and encourage a sense of community spirit among its residents. The Village of Blanchester also recognizes that parades and assemblages require municipal services beyond those provided on a day-to-day basis, and further, that the cost of these additional services should not be borne entirely by Village taxpayers who may or may not benefit from the parade or assemblage. Therefore, the Village of Blanchester hereby adopts this Ordinance to require the organizer of any such event to bear the cost of providing municipal services required for the successful and safe operation of the event.

Section 2, DEFINITIONS:

“Parade” means any formation, march, procession of any kind, or parade consisting of persons, animals, or vehicles or combination thereof traveling in unison for a common purpose upon the streets, excluding sidewalks, within the Village with an intent of attracting public attention that interferes with the normal flow or regulation of vehicular or pedestrian traffic upon the streets and sidewalks within the Village.

“Assemblage” means any meeting, demonstration, picket line, rally or gathering of more than two hundred fifty (250) people for a common purpose as a result of prior planning and which:

- a) will substantially impair, restrict, or alter the normal and customary use of a public place or public right of way, or;
- b) will require the diversion of so great a number of police officers as to interrupt normal police protection of the Village.

“Assemblage” does not mean a meeting, demonstration, picket line, rally or gathering which:

- a) is hosted by the owner of the property upon which the meeting, demonstration, picket line, rally or gather is held, and;
- b) is held at a permanently established place of assembly which regularly holds meetings, entertainment, sports, or similar activities, providing that the assembly in such place is a normal and customary use of the place and the number of people present does not exceed the maximum approved occupancy for the venue, and;
- c) will not require the diversion of so great a number of police officers as to interrupt normal police protection of the Village.

Section 3, PERMIT:

Any group, association or organization wishing to hold a parade or assemblage as defined in this Ordinance shall obtain a permit to do so from the Mayor of the Village of Blanchester.

Section 4, APPLICATION:

The permit shall be obtained by making application, on the prescribed forms, to the Mayor and must be submitted to the Mayor not later than 30 days prior to the date of the intended event.

Any application made under this Ordinance shall include proof of insurance in an amount determined to be sufficient to indemnify the Village of Blanchester from any loss as a result of the acts or omissions of the permit holder or any person participating in the event.

Section 5, REVIEW:

Upon receiving an application for a permit under this Ordinance, the Mayor shall transmit the application to each respective department head for their review. Each department head shall estimate, based upon the information contained within the application, the municipal services required for the safe and successful operation of the event and their cost and shall transmit this information to the Mayor on the prescribed forms.

Upon receiving the cost estimates from each department head, the Mayor shall review the application and determine whether or not the permit should be issued. He shall then issue the permit or deny the application and shall notify the applicant of his decision.

Section 6, DEPOSIT:

Any group, association or organization that obtains a permit under this Ordinance shall pay 50% of the actual estimated cost of all municipal services required for the safe and successful operation of the event at the time the permit is issued. This cost shall be determined by each respective department head by estimating the cost of services determined by the department head to be necessary for the safe and successful operation of the event.

Section 7, COST:

Any group, association or organization that obtains a permit under this Ordinance shall reimburse the Village of Blanchester or its designee, for the actual cost of all municipal services required for the safe and successful operation of the event. This cost shall be determined by each respective department head by calculating the actual cost of services provided and shall be transmitted to the Mayor within 10 days of the end of the event. The deposit paid pursuant to Section 6 shall be applied as a credit to the actual costs to be reimbursed by the permit holder to the Village of Blanchester following the conclusion of the event.

Section 8, REVOCATION:

The Mayor may revoke any permit issued under this Ordinance if it is determined that the application contained false or misleading information or if the permitted event poses an immediate threat to the safety of the public.

Section 9, COST EXEMPTIONS:

The Village finds events of the Village government, as well as other certain parades and assemblages, have a longstanding tradition and history and provide attendant social, civic and financial benefits to the Village, as well as being a source of local pride for its citizenry. Therefore, the Village exempts from Sections 6 (Deposits) & 7 (Costs), any parade or event of the Village government or a department or board of Village government as well as the American Legion Memorial Day Parade, Blanchester Local School District Homecoming Parade and the Blanchester Chamber of Commerce July 4th parade and assemblage. All other Sections of this Ordinance shall remain applicable to these events.

Section 10, PENALTY:

Any person or organization holding a parade or assemblage without obtaining a permit under this Ordinance shall be guilty of a misdemeanor of the first degree. Each day of violation of this Ordinance constitutes a separate offense.

Section 11, SUPERSEDES.

This Ordinance shall supersede all other Ordinances inconsistent herewith.

Section 11, EMERGENCY.

That this Ordinance is declared to be an emergency measure, effective upon passage, and immediately necessary for the preservation of the health, peace, safety and welfare of the residents of the Village. Accordingly, this Ordinance shall be in full force and effect from and after the earliest date permitted by law after its passage.

Passed this _____ day of _____, 2020.

John Carman, Mayor

Attest: Jewelie Casteel, Fiscal Officer

Fiscal Officer's Certificate:

The State of Ohio, County of Clinton, ss:
I, Jewelie Casteel, Fiscal Officer of the Village of Blanchester, Clinton County, and in whose custody the Files, Journals, and Records are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing Ordinance is taken and copied from the original Ordinance now on file with said Village, that the foregoing Ordinance has been compared by me with the said original and that the same is a true and correct copy thereof, and has been posted as required by law. This Ordinance has been duly published by posting in the following places: Blanchester Municipal Building, 318 E. Main St.; First National Bank, 121 E. Main St.; Blanchester Post Office, 115 S. Wright St.; Tom's Express Mart, 7529 Fairground Rd.; and at the Blanchester Public Library, 110 N. Broadway St., each for a period of fifteen (15) days commencing on the ____ day of _____, 2020.

Witness my signature this _____ day of _____, 2020.

Fiscal Officer of the Village of Blanchester, Clinton County, Ohio