

ORDINANCE NO. 998

00141

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, PROHIBITING THE ORGANIZING OR CAUSING TO BE ORGANIZED OR PARTICIPATING IN A PARADE WITHOUT A PERMIT; ESTABLISHING PROCEDURES FOR APPLICATION AND ISSUANCE OF A PARADE PERMIT; PROVIDING FOR APPEAL TO THE CITY COUNCIL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00); AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. Permit Required - That it shall be unlawful for any person to organize, cause to be organized or participate in a parade without a permit from the City of Mesquite for such parade.

Such permit shall prescribe the time and route of such parade and such limitations and regulations as may be necessary to protect the health, safety and welfare of the participants and the public and violation of same shall be unlawful.

SECTION 2. Application - Any person, firm, group or organization desiring to hold a parade shall make application to the Police Department in writing upon forms prescribed by the City. The Applicant shall sign such application and in case of application by an entity other than an individual, shall indicate his position and authority to make such application. Unless waived by the City Manager, application must be made at least twenty (20) days prior to the day of the parade.

SECTION 3. Approval - Upon receipt of application, the Chief of Police shall review same taking into consideration the route, date, time of day, traffic flow and such other facts as may affect the health, safety and welfare of the participants and the public. He shall note his recommendations as to approval, disapproval, or such changes as he may deem advisable and forward to the City Manager. Upon approval of the application by the City Manager, the permit shall be issued by the Police Department, with such restrictions as may be applicable.

SECTION 4. Appeal - Any applicant not willing to accept the decision of the City Manager may appeal such decision to the City Council upon written notice to the City Secretary three (3) full days prior to a regular meeting.

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Parade


SECTION 5. Expense Arrangements - The City of Mesquite may, as a condition of granting a permit, require that prior arrangements, satisfactory to the City, be made for any expense connected with the holding of a parade such as cleanup, barricades, special officers, damage to streets or other expense to the end that the City shall be protected from expenditure of funds.

SECTION 6. Severability - That should any paragraph, sentence subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional.

SECTION 7. Penalty - That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to a penalty not to exceed Two Hundred Dollars (\$200.00) for each offense.


SECTION 8. Emergency - The fact that there is no ordinance establishing the procedures for issuance of parade permits creates an urgency and an emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 20th day of December, A.D., 1971.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughey
City Secretary

Elland Archer
City Attorney