

Local Law # 3 of 2018

Parades, Processions and Special Events

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§ -1. Declaration of intent.

It is hereby found and declared that the public health, safety and welfare requires that no parade, procession or special event be held in the Village of Chestnut Ridge, except as regulated by this chapter.

§ -2. Definitions.

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

PARADE or PROCESSION

A recognizable group of 10 or more vehicles, or 20 or more persons not riding in vehicles, proposing to march or proceed along any public street or roadway.

SPECIAL EVENT

Social festivals, celebrations or parties; street fairs, carnivals; circuses; fund-raising events; and road races (pedestrian or vehicular), which events take place on public property, or on private property open to the public, and which cause the Village to expend municipal resources to monitor same in order to protect the public health, safety or welfare.

§ -3. Permit required.

No parade or procession shall occupy, march or proceed along any public street or roadway at any time, nor shall any special event take place on public property, or on private property open to the public, unless a permit to do so at that time has been obtained from the Village Clerk, or by the Village Board if required under Section 6 below. No person shall take part in or start any such parade, procession or special event unless a permit for said procession, parade or special event has been issued by the Village Clerk, and no person shall take part in any parade, procession or special event which is proceeding in a manner not in accordance with the terms of such permit.

§ -4. Exceptions.

The provisions of this chapter shall not apply to:

A.

Funeral processions.

B.

Parades, processions or special events declared by resolution of the Board of Trustees to be sponsored by the Village of Chestnut Ridge or as a part of official Village ceremonies.

§ -5. Application for permit.

Application for a permit shall be made to the Village Clerk not less than **20 business days**, not counting holidays or Sundays, prior to the proposed date of the parade, procession or special event. Special events, parades or processions that are held annually may apply for approval as of January 1 of the calendar year; however, in all cases, applications shall be considered on a first-come, first-served basis. Such application shall contain a written verification as to its contents and shall contain the following information:

A.

The names of the organizations participating.

B.

The purpose for which the parade, procession or special event is to be held.

C.

The name of the person (or persons, in the case of a committee without a chairman) chiefly responsible for the marshaling and organization of the parade, procession or special event.

D.

The date and hours during which the parade, procession or special event is proposed to be held. **All parades, processions and Special events shall be subject to the provisions of the Village Noise ordinance, and shall not take place between the hours of 11:00 pm and 6:00 am.**

E.

The number of persons expected to participate in the parade, procession or special event.

F.

A description of the type of parade, procession or special event proposed to be held, including information concerning any of the following:

(1)

Bands participating.

(2)

Floats and other vehicles.

(3)

Organization of participants.

G.

The proposed route or location which the parade, procession or special event will occupy or pass.

H.

Measures to be taken to ensure proper organization and movement of the parade, procession or special event and adequate crowd control.

I.

Any other information which may be required by the Board of Trustees.

J.

A minimum of five (5) days written notice of a parade, procession or special event shall be provided to residents along the route any parade or procession, and to residents in any affected area by such parade or procession.

§ -6. Approval procedure.

The Village Clerk shall promptly advise the Mayor and the Chief of the Ramapo Police of any and all applications for permits under this chapter. If advised by any of these officials that the procession, parade or special event for which the permit is sought would endanger public health or safety or be detrimental to the public welfare, the Village Clerk shall promptly notify the members of the Board of Trustees of such determination, and the Board of Trustees shall, in issuing the permit, include reasonable content-neutral conditions designed to protect the public health, safety and welfare.

§ -7. Issuance of permit.

Upon application duly made, as provided in § -5, and approved by the Board of Trustees, a permit for the procession, parade or special event shall be issued by the Village Clerk upon payment of the required fees as follows:

A.

For parades and processions, payment of the required fee of \$100 within five days, not counting holidays or Sundays, after the application is made.

B.

For special events, payment of the required fee of \$100 within five days, not counting holidays or Sundays, after the application is made.

C.

A \$500.00 deposit to secure payment for clean up after a parade, procession, or special events shall be made at the time the permit is issued.

§ -8. Denial of permit.

Any application for a permit for a parade, procession, or special event may be summarily denied by the Village Clerk, or by the Board of Trustees, if:

A.

The parade, procession or special event for which a permit is sought would conflict with another parade, procession or special event for which a permit is to be or has been issued and for which application was made previous to the application to be rejected.

B.

The parade, procession or special event would conflict with a parade, procession or special event to which this chapter does not apply.

C.

The parade, procession or special event is to be held for the purpose of advertising any commercial product, goods or event or is designated purely for private profit.

D.

The application does not comply with § -5 herein.

§ -9. Contents of permit.

Each permit issued under this chapter shall specify:

A.

The names of the organizations participating.

B.

The name of the person (or persons, in the case of a committee without a chairman) chiefly responsible for the marshaling and organization of the parade, procession or special event.

C.

The public street, roadway or location through which the parade, procession or special event may move and how much of these public streets, roadways or locations, in width, it may occupy.

D.

The date and the hours during which the parade, procession or special event may proceed.

E.

Reasonable, content-neutral conditions, if same are required as set forth in § -6.

§ -10. Public conduct.

A.

No person shall drive any vehicle between the vehicles or persons comprising a parade, procession or special event proceeding in accordance with the terms of a permit therefor duly issued by the Village Clerk when such vehicles or persons are in motion and are conspicuously designated as a parade, procession or special event.

B.

No person shall unreasonably hamper, obstruct, impede or interfere with any person, vehicle or animal participating in or being used in such a parade, procession or special event.

C.

No vendor licensed to merchandise goods or wares at any parade, procession or special event shall engage with or position a cart utilized to carry goods or wares in such a manner that in any way interferes with participants in such parade, procession or special event.

D.

No person shall engage in a course of conduct which violates the provisions of § 240.20 or 240.26 of the Penal Law.

§ -10.1. Penalties for offenses.

Any person who shall violate any of the provisions of this chapter shall be subject to a penalty as follows:

A.

For a first offense, a fine of not less than \$500 and not more than \$1,500;

B.

For a second offense within 24 months, as measured from occurrence to occurrence, a fine of not less than \$1,500 and not more than \$3,500;

C.

For a third or more offense within 24 months, as measured from occurrence to occurrence, a fine of not less than \$3,500 and not more than \$10,000, or by imprisonment not to exceed 30 days, or both.

§ -11. Parking along route.

The Village of Chestnut Ridge and/or the Town of Ramapo Police Department shall have the authority to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of the route of a parade, procession 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 vehicle upon any such posted highway or portion thereof.

§ -12. Payment of costs.

The applicant shall pay the following costs incurred by the Village of Chestnut Ridge as a result of a parade, procession or special event:

A.

Administrative costs in application processing: no charge.

B.

Department of Public Works: actual costs as invoiced to permittee.

C.

Parking enforcement: no charge.

§ -13. Severability.

If any part or provision of this chapter or the application thereof to any person or circumstance is adjudged to be invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this chapter or the application thereof to any other person or circumstances.

Effective Date.

This Local Law shall become effective immediately upon being filed with the Secretary of State.