AN ORDINANCE BY PRINCETON CONCERNING PARADES AND AMENDING THE "CODE OF THE BOROUGH OF PRINCETON, NEW JERSEY, 1974".

WHEREAS, the Borough of Princeton and Township of Princeton pursuant to the provisions of the New Jersey Municipal Consolidation Act, *N.J.S.A.* 40:43-66.35 consolidated as Princeton on January 1, 2013; and

WHEREAS, pursuant to *N.J.S.A.* 40:43-66.64, the Princeton Council on January 1, 2013 adopted a Resolution continuing in effect Ordinances of the former Borough of Princeton and the former Township of Princeton as a new Code for Princeton is prepared; and

WHEREAS, the Princeton Council's Code Subcommittee has reviewed and updated Chapter 24 of the "Code of the Borough of Princeton, New Jersey, 1974" pertaining to Parades; and

WHEREAS, the Princeton Council wishes to adopt said Code revisions which will become a part of the new Princeton Code at a future date.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

Section 1. Chapter 24 of the "Code of the Borough of Princeton, New Jersey, 1974" entitled "Parades" is hereby repealed.

Section 2. A NEW Chapter 24 of the "Code of the Borough of Princeton, New Jersey, 1974" as set forth on Exhibit A attached hereto and made a part hereof is hereby adopted to set forth the provisions governing "Parades" and to replace the aforementioned Chapter 24 the "Code of the Borough of Princeton, New Jersey, 1974".

Section 3. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is

for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

Section 5. The provisions of the attached Chapter 24 shall be applicable within Princeton upon final adoption and shall become a part of the new Princeton Code once completed and adopted.

The foregoing ordinance was introduced at a meeting of the Mayor and Council of Princeton held on May 5, 2014 and will be further considered for final passage after a public hearing thereon at a meeting of said Mayor and Council to be held at the Princeton Municipal Complex, 400 Witherspoon Street on May 27, 2014 which begins at 7:00 p.m.

Kathleen K Brzezynski

Kathleen K. Brzezynski
Deputy Clerk

EXHIBIT A

CHAPTER 24 PARADES.

Article I. In General.

Sec. 24-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Parade. Any parade, march, ceremony, show, exhibition, pageant or procession of any kind, or any similar display, in or upon any street or sidewalk in this municipality.

Sec. 24-2. Interference with parades.

No person shall:

(a) Unreasonably hamper, obstruct or impede or interfere with any parade or parade assembly, or with any person, vehicle or animal participating or used in a parade, nor shall any person join or participate in any parade, unless he is authorized to do so by the organization conducting the parade.

(b) Drive any vehicle between the vehicles or persons comprising a parade, when such vehicles or persons are in motion and are conspicuously designated as a parade.

(c) Park or leave unattended any vehicle on any street on the route of a parade, where parking has been prohibited by the chief of police and where signs to such effect have been posted.

Article II. Permits.

Sec. 24-3. Required; exceptions.

No person shall engage in, participate in, aid, form or start any parade, unless a parade permit shall have been obtained from the municipal clerk; except that no permit shall be required for funeral processions, school activities on school property under the immediate direction and supervision of proper school authorities or activities of any governmental agency acting within the scope of its functions.

Sec. 24-4. Application.

A person seeking issuance of a parade permit shall file an application with the municipal clerk on forms provided by such officer.

(a) Filling period. An application for a parade permit shall be filed with the municipal

clerk no less than ten days nor more than thirty days before the date on which it is proposed to conduct the parade.

(b) Contents. The application for a parade permit shall set forth the following information:

(1) The name, address and telephone number of the person seeking to conduct such parade.

(2) If the parade 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 head of such organization.

(3) The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct.

(4) The date when the parade is to be conducted.

(5) The route to be traveled, the starting point and the termination point.

(6) The approximate number of persons who, and animals and vehicles which, will constitute such parade; the type of animals and description of vehicles.

(7) The hours when such parade will start and terminate.

(8) A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed.

(9) The location by streets of any assembly areas for such parade.

(10) The time at which units of the parade will begin to assemble at any such assembly area.

(11) The interval of space to be maintained between units of such parade.

(12) If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the municipal clerk a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his behalf.

(c) Late applications. The municipal clerk, where good cause is shown therefor, shall have the authority to consider any application under this section which is filed less than ten days before the date such parade is proposed to be conducted.

Sec. 24-5. Issuance standards.

The municipal clerk shall issue a permit as provided for in this article when, from a consideration of the application and from such other information as may be otherwise obtained, he finds that:

(a) The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.

(b) The conduct of the parade will not require the diversion of so great a number of police officers of the municipality to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the municipality.

(c) The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the municipality other than that to be occupied by the proposed line of march and areas contiguous thereto.

(d) The concentration of persons, animals and vehicles at the assembly point of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly area.

(e) The conduct of such parade will not interfere with the movement of fire fighting equipment en route to a fire.

(f) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route.

(g) The parade is not to be held for the sole purpose of advertising any product and is not designed to be held purely for private profit.

(h) There is not outstanding an approved permit for another parade for a time and place that is so proximate to that applied for as to constitute a conflict therewith.

Sec. 24-6. Denial generally; notice.

The municipal clerk shall act upon the application for a parade permit within three business days after the filing thereof and shall, within such time, notify the applicant of his action and, in the event of a denial of the permit, the reasons therefor. A permit may be denied in writing based upon the issuance standards set forth in subsection 24-5. In case more than one application shall be received for parades on the same date, the application first received shall be granted if it complies with all the requirements of this article.

Sec. 24-7. Appeal from denial.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the council. The appeal shall be taken, within three days after notice of denial. The council shall act upon the appeal as soon as practicable after receiving notice of the appeal.

Sec. 24-8. Alternate permit.

The municipal clerk, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time or over a route different from that named by the applicant. An applicant desiring to accept an alternate permit shall, within three days after notice of the action of the municipal clerk, file a written notice of acceptance with the municipal clerk. An alternate parade permit shall conform to the requirements of and shall have the effect of a parade permit under this article.

Sec. 24-9. Contents.

Each parade permit shall state the following information:

(a) Starting time.

(b) Minimum speed.

(c) Maximum speed.

(d) Maximum interval of space to be maintained between the units of the parade.

(e) The route of the parade and the portions of the streets to be traversed that may be occupied by the parade.

(f) The maximum length of the parade, in miles or fractions thereof.

Sec. 24-10. Duties of permittee.

A permittee under this article shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade chairman or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of the parade.

Sec. 24-11. Revocation.

The municipal clerk shall have the authority to revoke a parade permit issued under this article, if applicant fails to comply with the standards for issuance of a permit as herein set forth in section 24-5.