

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.36 (PARADES AND PUBLIC ASSEMBLIES), OF THE CITY CODE, TO AMEND THE DEFINITION OF PARADE AND TO REPEAL THE PROVISION LIMITING THE LENGTH OF PARADES CONSISTING SOLELY OF MOVING VEHICLES; THE PENALTY BEING AS PROVIDED IN SECTIONS 1.08.010 – 1.08.030 OF THE CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That the definition of the word “parade” as contained in Section 13.36.010 (Definitions) of the El Paso City Code be amended to read as follows, with no other amendments or changes to any other term defined in that section:

Section. 13.36.010. Definitions

“Parade” means an athletic event, march, pageant, procession or other similar activity consisting of persons, animals, vehicles or things, or any combination thereof, that disrupts the normal flow of traffic upon any public roadways or utilizes the appropriate areas within a city-controlled park. The length and route of a parade shall be as approved in accordance with the requirements of this chapter. A funeral procession is not a parade.

Section 2. That Section 13.36.040 A (Permitting Criteria and Process) of the El Paso City Code shall be amended to read as follows:

Section 13.36.040 A Permitting Criteria and Process.

- A. An application may be denied for any of the following reasons:
1. the application is not fully completed and executed;
 2. the applicant has not tendered the required application fee or has not tendered other required user fees or costs within times prescribed;
 3. the application contains a material falsehood or misrepresentation;
 4. the applicant is legally incompetent to contract or to sue and be sued;
 5. the applicant has on prior occasions made material misrepresentations regarding the nature or scope of an event;
 6. the applicant has previously permitted a violation or has violated the terms of a parade or public assembly permit issued to or on behalf of the applicant;
 7. the applicant has on prior occasions damaged city property and has not paid in full for such damage;
 8. a fully executed prior application for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple simultaneous events;

9. the applicant requests a use not permitted under this chapter;
10. the proposed event would conflict with previously planned programs organized, conducted, or sponsored by the city and previously scheduled at or near the same time and place;
11. the proposed event would present an unreasonable danger to the public health or safety;
12. the proposed event would substantially or unnecessarily interfere with traffic;
13. the event would likely interfere with the movement of emergency equipment and police protection in areas contiguous or in the vicinity of the event;
14. there would not, at the time of the event, be sufficient law enforcement and traffic control officers to adequately protect participants and non-participants from traffic related hazards in light of the other demands for police protection at the time of the proposed event;
15. the proposed event would take place on an arterial roadway during peak traffic hours;
16. the proposed event would take place at a location that cannot reasonably accommodate all of the expected participants;
17. the proposed event would take place on a state or federal highway or road and the appropriate governmental agency has not authorized the proposed use of the highway or road in writing.

Section 3. Except as herein amended, Title 13 of the El Paso City Code shall remain in full force and effect.

ADOPTED this 31st day of October 2006.

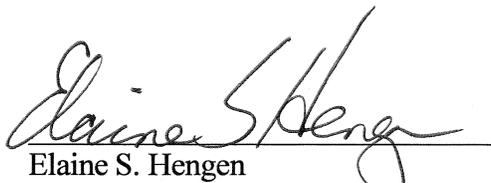
CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen
Senior Assistant City Attorney