

ORDINANCE NO. 13-320

**ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF STOCKBRIDGE, GEORGIA RELATING TO PARADES SO AS TO PROVIDE FOR A NEW COMPREHENSIVE REGULATION OF PARADES, MARCHES, AND DEMONSTRATIONS WITHIN THE CITY OF STOCKBRIDGE; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:**

**SECTION 1. Ordinance.** That Title 9, Chapter 9.28, Section 9.28.020 of the current Code of Ordinances, City of Stockbridge regarding "Parades, Marches, and Gatherings – Permit Requirements" be deleted in its entirety, and a new Title 9, Chapter 9.28, Section 9.28.020 be added to the Code of Ordinances, City of Stockbridge, so as to read as follows:

**9.28.020 – Parades and Demonstrations.**

- (a) A *parade* means any organized parade, march, ceremony, demonstration, or procession of any kind with multiple persons participating and which occurs in or upon any street, park, or public place within the City of Stockbridge.
- (b) Except as allowed herein, no person or entity shall engage in, participate in, aid, form, or start any parade unless a parade permit is first obtained from the City Manager.
- (c) A parade permit is not required for funeral processions; governmental agencies acting with the scope of their functions; or students going to and from school classes or participating in educational activities, provided that their conduct is supervised by proper school authorities.
- (d) Any person seeking a parade permit from the City shall file a permit application at least seventy-two (72) hours in advance of the beginning of the parade event. The application shall be in letter form, or on a form created by the City, and shall be presented to the City Clerk or City Manager.
- (e) All parade permit applications shall contain the name of the sponsor(s) of the parade event, the name of the organizer(s) of the event, the exact time and place of the event, the approximate number of persons and vehicles involved in the parade event, the origination point, the route which the event will follow, and its concluding location.
- (f) The City Manager shall determine whether the parade permit should be granted by considering the hours of the parade event, the traffic conditions prevailing in the City at that time, the safety of the parade participants and citizens of the City, the movement of public safety vehicles in the vicinity of the parade, and the potential for littering or other detrimental effects to City property. The City Manager may work constructively with parade sponsors and organizers to identify a time and place for a parade that does not adversely affect the factors listed above.
- (g) The City Manager shall grant or deny the permit at least 24 hours before the parade event, but in no instance more than fourteen (14) days after the filing of the permit application. If the permit is granted, the City Manager will

immediately notify the Mayor, all public safety personnel, and the department head of any City department likely to be affected by the parade.

- (h) Each permit shall state the starting time, minimum and maximum speed, ending time, and the maximum length of the parade. The City Manager may impose any additional restrictions necessary on the parade permit in order to ameliorate any of the potential adverse factors listed in subsection (f).
- (i) Permit holders are required to comply with all permit restrictions and directions, and abide by all laws and ordinances.
- (j) The permit holder and parade leader shall carry the parade permit upon their person during the conduct of the parade.

**SECTION 2. Intention of the Governing Body.** It is the intention of the governing body, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, City of Stockbridge, Georgia, and the sections of the ordinance may be renumbered to accomplish such intention.

**SECTION 3. Approval of Execution.** The Mayor is hereby authorized to sign all documents necessary to effectuate this Ordinance.

**SECTION 4. Attestation.** The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

**SECTION 5. Codification and Severability.**

(a) It is hereby declared to be the intention of the City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were upon their enactment believed by the City Council to be fully valid, enforceable and constitutional.

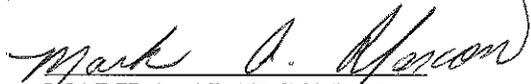
(b) It is hereby declared to be the intention of the City Council that to the greatest extent allowed by law each and every section, paragraph, sentence, clause or phrase of this ordinance is severable from every other section, paragraph, sentence, clause or phrase of this ordinance. It is hereby further declared to be the intention of the City Council that to the greatest extent allowed by law no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

(c) In the event that any section, paragraph, sentence, clause or phrase of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the City Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the ordinance and that to the greatest extent allowed by law all remaining Sections, paragraphs, sentences, clauses, or phrases of the ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

**SECTION 6. Repeal of Conflicting Provision.** Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**SECTION 7. Effective Date.** This ordinance shall become effective immediately upon its adoption by the City Council and final approval as provided in Section 3.23 of the City's Charter.

SO ORDAINED this 8th day of July, 2013.

  
MARK A. ALARCON, Mayor

ATTEST:

  
RHONDA A. BLACKMON, City Clerk (SEAL)

APPROVED AS TO FORM:

  
WILLIAM J. LINKOUS, III, City Attorney  
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