

Sponsor: ELIOTT / Crabtree

ORDINANCE NO. 51-23

AN ORDINANCE REPEALING AND AMENDING THE CITY OF JACKSON'S CODIFIED ORDINANCE SECTION 311.02 REGARDING STREET USE, PARADES, AND ASSEMBLAGES.

WHEREAS, the legislative authority of the City of Jackson has published certain general and permanent ordinances in a volume of Codified Ordinances including Section 311.02 regarding street use, parades and assemblages; and

WHEREAS, the legislative authority of the City of Jackson has determined it necessary to revise Section 311.02 of the City's Codified Ordinances; and

NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE POLITICAL SUBDIVISION OF THE CITY OF JACKSON, OHIO, THAT SECTION 311.02 OF THE CODIFIED ORDINANCES OF THE CITY OF JACKSON BE AMENDED AS SET FORTH IN EXHIBIT "A", ATTACHED HERETO, WITH THOSE UNDERLINED AND CAPITALIZED PORTIONS SHOWING THE AMENDMENTS TO THE ORIGINAL LANGUAGE AND THAT IT BE PLACED WITHIN THE JACKSON CITY CODE, IN REGULAR TEXT.

It is hereby found and determined that all formal actions of this Council concerning and relating to adoption of this ordinance were adopted in an open meeting of this Council and the deliberations of this Council and any of its committees that resulted in such formal action were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 28th day of August, 2023.

David Allen
President of Council

ATTEST:
Cindy Kuhn
Clerk of the Legislative Authority

Approved this 28th day of August, 2023.

Ramon
Mayor

EXHIBIT "A"

311.02 STREET USE, PARADES, AND ASSEMBLAGES.

(a) No person, group of persons or organization shall conduct or participate in any parade, assemblage or procession other than a funeral procession upon any street or highway, or block off any PORTION OF A street or highway area, without first obtaining a permit from the Police Chief AND/OR DIRECTOR OF PUBLIC SERVICE.

Applications for such permits shall be made on such forms as may be prescribed and shall contain such information as is reasonably necessary to a fair determination of whether a permit should be issued. Applications shall be filed not less than five days before the time intended for such parade, procession, assemblage OR PUBLIC STREET USE.

The permit may be refused or cancelled if:

(1) The time, place, size or conduct of the parade including the assembly areas and route of march would unreasonably interfere with the public convenience and safe use of the streets and highways.

(2) The parade would require the diversion of so great a number of police officers to properly police the line of movement, assembly area and areas contiguous thereto so as to deny normal police protection to the Municipality.

(3) The parade route of march or assembly areas would unreasonably interfere with the movement of police vehicles, fire-fighting equipment or ambulance service to other areas of the Municipality.

(4) The parade would unreasonably interfere with another parade for which a permit has been issued.

(5) The information contained in the application is found to be false, misleading or incomplete in any material detail.

(6) An emergency such as a fire or storm would prevent the proper conduct of the parade.

The permit or any order accompanying it may limit or prescribe reasonable conditions, including the hours, the place of assembly and of dispersal, the route of march or travel and the streets, highways or portions thereof which may be used or occupied.

(b) Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.