

STATE OF WISCONSIN VILLAGE OF OCONOMOWOC LAKE WAUKESHA COUNTY

ORDINANCE NO. 253

AN ORDINANCE TO REGULATE PARADES, PUBLIC ROADS AND OTHER PUBLIC LAND
IN THE VILLAGE OF OCONOMOWOC LAKE AND
TO REPEAL ORDINANCE NO. 58
ENTITLED "PARADE PERMIT ORDINANCE"

The Board of Trustees of the Village of Oconomowoc Lake do ordain as follows:

SECTION 1: PARADE, PUBLIC ROADS AND OTHER PUBLIC LAND REGULATIONS.

- (1) Definitions:
 - (a) "Parade" is any march, ceremony, show, exhibition, pageant, or procession of any kind, or any similar display, in or upon any street, park or other public place in the Village.
 - (b) "Person" is an individual, firm, partnership, association, corporation, company or organization of any kind.
 - (c) "Special Road Use Event" is an organized gathering in the road right-of-way for something more than a vehicular or pedestrian traveling purpose, including, but not limited to, a parade, a bicycle event, a road rally, a car club event, a poker run, a group motorcycle ride, or a walk or run event.
- (2) Permit Required. No person shall engage in, participate in, aid, form, or start any parade, unless a parade permit shall have been obtained from the Village Administrator.
 - (a) Exception. This ordinance shall not apply to:
 - (i) Funeral processions.
 - (ii) Students going to and from school classes or participating in educational activities, providing such conduct is under the immediate direction and supervision of the proper school authorities.
 - (iii) A governmental agency acting within the scope of its functions.
- (3) Application: A person seeking issuance of a parade permit shall file an application with the Village Administrator on forms provided by such officer.
 - (a) Filing Period. An application for a parade permit shall be filed with the

Village Administrator not less than 60 days nor more than 90 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:
- (i) The name, address and telephone number of the person seeking to conduct such parade;
 - (ii) If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.
 - (iii) The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct.
 - (iv) The date when the parade is to be conducted.
 - (v) The route to be traveled, the starting point and the termination point.
 - (vi) The approximate number of persons who, and animals and vehicles which, will constitute such parade; the type of animals and description of the vehicles.
 - (vii) The hours when such parade will start and terminate.
 - (viii) A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed.
 - (ix) The location by streets of any assembly areas for such parades.
 - (x) The time at which units of the parade will begin to assemble at any such assembly area or areas.
 - (xi) The interval of space to be maintained between units of such parade.
 - (xii) Any additional information which the Village Administrator shall find reasonably necessary to a fair determination as to whether a permit should issue.

- (c) Late Applications. The Village Administrator, where good cause is shown therefore, shall have the authority to consider any application hereunder which is filed less than 60 days before the date such parade is proposed to be conducted.
 - (d) Fee. There shall be paid at the time of filing the application for a parade permit a fee of \$250.00.
- (4) Standards for Issuance. The Village Administrator shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be 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 Village to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the Village.
 - (c) The conduct of such parade will not interfere with the movement of firefighting equipment enroute to a fire.
 - (d) The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;
 - (e) The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays enroute.
- (5) Notice of Rejection. The Village Administrator shall act upon the application for a parade permit within 10 days after the filing thereof. If the Village Administrator disapproves the application, he shall mail to the applicant within 10 days after the date upon which the application was filed, a note of his action, stating the reasons for his denial of the permit.
- (6) Appeal Procedure. Any person aggrieved shall have the right to appeal the denial of a parade permit to the Board of Trustees of the Village. The appeal shall be taken within 5 days after notice. The Board of Trustees shall act upon the appeal within 30 days after its receipt.
- (7) Alternative Permit. The Village Administrator, 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 5 days after notice of the action of the Village Administrator, file a written notice of acceptance

with the Village Administrator. An alternate parade permit shall conform to the requirement of, and shall have the effect of a parade permit.

- (8) Contents of Permit. 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 portion of the streets to be traversed that may be occupied.
 - (f) The maximum length of the parade in miles or fractions thereof.
 - (g) Such information as the Village Administrator shall find necessary to the enforcement of this Ordinance.
- (9) Duties of Permittee. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- (10) Revocation of Permit. The Village Administrator shall have the authority to revoke a parade permit forthwith, issued hereunder upon violation of the standards for issuance as herein set forth.
- (11) No person participating in the parade may sell, distribute or give away in any manner any pamphlet, article, good, ware, merchandise or thing along the parade route while the parade is being conducted.
- (12) The person applying for and receiving a parade permit shall, at such time, submit a bond in the sum of \$5,000.00, which bond shall cover and protect the Village and its residents for any and all damage which shall have occurred as a result or in consequence of the said parade or to reimburse the Village for any costs incurred including costs for police and/or fire protection provided for the parade.
- (13) The Chief of Police shall have the authority granted by Wisconsin Statutes Section 349.09, and is hereby directed to order the removal of a sign, signal, marking or device placed, maintained or displayed in violation of this Ordinance or Section 346.41, Wisconsin Statutes. Any charge imposed on a premises for removal of an illegal sign, signal or device shall be reported to the Village Board at its next regular meeting for review and certification.
- (14) No person other than authorized representatives of the Village of

Oconomowoc Lake shall cause, permit or allow any person to paint, or cause painting to be done to any curbs, bridges, equipment, fixtures, trees, culverts, fences, walls, posts, lamps, poles, asphalt pavement or any buildings or materials of any type in the Village of Oconomowoc Lake, owned or leased by the Village of Oconomowoc Lake.

- (15) All special road use events shall respect the residential nature of the Village. No such event may in any way cause a disturbance, nuisance, or in any way unreasonably interfere with the use of the public roads in a manner in which affects the general and regular vehicular and pedestrian travel on the same. The Chief of Police will have the authority to order the cessation of such special road use events if in his sole opinion the same is in violation of this Section.
- (16) Any violations of this Ordinance, upon conviction, shall carry a forfeiture in the sum of a minimum of \$500.00 and a maximum of \$2,000.00 for each offense and each day of violation shall be considered a separate offense.

SECTION 2: SEVERABILITY. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

SECTION 4: REPEAL. Immediately upon this Ordinance taking effect, the Village of Oconomowoc Lake Ordinance No. 58 entitled "Parade Permit Ordinance" is hereby repealed.

Dated this 15th day of November, 2010.

Village of Oconomowoc Lake


Richard J. Kneiser, Village President

ATTEST: 
Cindy J. Schlieve, Village Clerk/Treasurer

Published and/or posted this 30th day of November, 2010.

