

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~COUNTY~~

~~CITY~~

~~TOWN~~

Village

of Cambridge.....

Local Law No. 1 of the year 19 95.

A local law entitled "Parade Law of the Village of Cambridge"  
(Insert Title)

Be it enacted by the Board of Trustees of the  
(Name of Legislative Body)

~~COUNTY~~

~~CITY~~

~~TOWN~~

Village

of Cambridge..... as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

LOCAL LAW NUMBER 1 OF 1995

TABLE OF CONTENTS

<u>SECTION</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1	Title.....	1
2	Definitions.....	1
3	Permit Required; Exceptions.....	1
4	Application for Permit; Fees.....	2
5	Application Review Procedure.....	3
6	Standards for Issuance.....	3
7	Time Limit for Decision; Denial.....	4
8	Appeals.....	5
9	Change of Permit.....	5
10	Notice to Officials.....	5
11	Contents of Permit.....	5
12	Duties of the Permittee.....	6
13	Interference with Parade; Parking on Route; Etc.....	6
14	Revocation of Parade Permit.....	7
15	Penalties for Offenses.....	7
16	Severability.....	7
17	Repealer.....	7
18	Effective Date.....	7

LOCAL LAW NO. 1 OF 1995

A LOCAL LAW RELATING TO THE REGULATION  
OF PARADES

**SECTION 1. Title.**

This local law shall be known as and may be cited as the "Parade Law of the Village of Cambridge."

**SECTION 2. Definitions.**

As used in this law, the following terms shall have the meanings indicated:

**BOARD OF TRUSTEES** - The Board of Trustees of the Village of Cambridge.

**VILLAGE** - The Village of Cambridge, New York.

**VILLAGE CLERK** - The Village Clerk of the Village of Cambridge.

**PARADE** - Any parade, march, ceremony, show, exhibition, pageant or procession of any kind or any similar display in or upon any public right-of-way, public street, public park or other public place in the Village of Cambridge involving more than fifteen (15) participants and/or more than three (3) vehicles or carriages of any type, whether motor-, animal- or muscle-powered or any combination thereof.

**PERSON** - Any person, firm, partnership, association, corporation, company or organization of any kind.

**SECTION 3. Permit Required; Exceptions.**

A. No person shall engage in, participate in, aid, form or start any parade unless a parade permit shall have been obtained from the Village Clerk.

B. Exceptions. This law shall not apply to:

1. funeral processions;
2. wedding processions;
3. students going to and from school or classes or participating in educational activities, provided that such conduct is under the immediate supervision and direction of the proper school authorities. This exception does not apply to parades organized by a school or any body thereof more than twenty-four (24) hours prior to its occurrence;

4. a governmental agency acting within the scope of its functions; or
5. a victory parade organized to celebrate the victory of an athletic team of the Cambridge Central School, provided that verbal approval for said parade is obtained from the officer on charge of the Cambridge Village Police Department not less than fifteen (15) minutes prior to the start of the parade.

#### SECTION 4. Application for Permit; Fees.

A person seeking issuance of a parade permit shall file an application with the Village Clerk on forms provided by such office.

A. Filing Period. An application for a parade permit shall be filed with the Village Clerk not less than forty-five (45) days nor more than ninety (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:

1. The name, address and telephone number of the person seeking to conduct such a parade.
2. 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.
3. The name, address and telephone number of the person who will be the parade chairperson 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 a description of the 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 street(s), of any assembly areas for such parade.
10. The time at which the units of the parade will begin to assemble at any such assembly area or areas.
11. 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 Village Clerk a communication, in writing, from the person proposing to hold the parade, authorizing the applicant to apply for such permit on his behalf.
12. A letter stating that the person is responsible for the cleanup of the right-of-way, street, or public park and that the person will pay all cost for said cleanup and reimburse the Village if it is found to be necessary.
13. Any additional information which the Village Clerk shall find reasonably necessary to a fair determination as to whether a permit should be issued.

C. Late Applications. The Village Clerk, where good cause is shown therefore, shall have the authority to accept any application hereunder which is filed less than forty-five (45) days before the date such parade is proposed to be conducted.

D. Permit Fees.

1. The schedule of permit fees is as follows:

(a) all fraternal, civic, religious, veterans and school organizations, or other organizations or entities which the Board of Trustees determines to be in the public interest: no fee.

(b) all other persons: No Fee.

**SECTION 5. Application Review Procedure.**

Upon receiving an application for a parade permit, the Village Clerk shall submit copies to the Board of Trustees, the Superintendent of Public Works and the Village Police Chief for their review. The application shall then be considered by the Board of Trustees at its next meeting.

**SECTION 6. Standards for Issuance.**

The Board of Trustees 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 (including, without limitation, the reports or recommendations of the Superintendent of Public Works and the Police Chief), it 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 rest of the Village.

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 Village other than that occupied by the proposed line of march and areas contiguous thereto.

D. The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of or ambulance services to contiguous areas to such assembly areas.

E. The conduct of such parade will not interfere with the movement of fire-fighting equipment en route to a fire alarm.

F. The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or to create a disturbance.

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

H. The parade is not designed to be held purely for private profit.

I. The route such parade will take will not cause unnecessary inconvenience to the majority of the citizens of the Village.

J. A bond or insurance as required by the Village Attorney, or such other person as may be retained by the Village for such purpose, is provided.

#### **SECTION 7. Time Limit for Decision; Denial.**

The Village Board shall act upon the application for a parade permit within twenty-five (25) business days after filing thereof. Upon receiving the application, the offices of the

Superintendent of Public Works and the Village Police Department shall have ten (10) business days to advise the Village Board of their approval or disapproval of such application. If the Board of Trustees disapproves an application, the Village Clerk will notify the applicant, by mail, of the disapproval, with the reason or reasons set forth, within ten (10) business days.

#### **SECTION 8. Appeals.**

A. Court Review. Any person aggrieved by a decision of the Board of Trustees or any officer, department, board or bureau of the Village may apply to the Supreme Court for review by a proceeding under Article 78 of the Civil Practice Law and Rules. Such proceeding shall be instituted within thirty (30) days after the filing of a decision by such board in the office of the Village Clerk. The court may take evidence or appoint a referee to take such evidence as it may direct, and report the same, with findings of fact and conclusions of law, if it shall appear that testimony is necessary for the proper disposition of the matter. The Court shall itself dispose of the matter on the merits, determining all questions which may be presented for determination.

B. Costs. Costs shall not be allowed against the authorized board unless it shall appear to the court that it acted with gross negligence, in bad faith, or with malice in making the decision appealed from.

#### **SECTION 9. Change of Permit.**

The Village shall be empowered to change the date, time or parade route should such a change be in the best interests of the Village. The applicant will have five (5) business days to accept the change or cancel the parade.

#### **SECTION 10. Notice to Officials.**

Immediately upon the issuance of a parade permit, the Village Clerk shall send a copy of the parade permit to the following:

- A. the Mayor;
- B. the Village Attorney;
- C. the Chief of Police;
- D. the Fire Chief; and
- E. the Superintendent of Public Works.

#### **SECTION 11. Contents of Permit.**

Each parade permit shall state the following information:

- A. the starting time;
- B. the portions of the streets to be traversed that may be occupied by the parade;
- C. the maximum length of the parade in miles or fractions thereof;
- D. the name of the bond or insurance carrier of the applicant; and
- E. such other information as the Village Clerk shall find necessary to the enforcement of this local law.

**SECTION 12. Duties of the Permittee.**

A. Compliance with Conditions, Laws, etc. A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

B. Possession of Permit. The parade chairperson or other person heading or leading such activity shall carry the parade permit upon his person during the conduct of such parade.

**SECTION 13. Interference with Parade; Parking on Route; Etc.**

A. Interference. No person shall 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.

B. Driving Through Parades. No driver of a vehicle shall drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade. Drivers of vehicles may cross the parade route at the discretion of a police officer on duty at such intersection, but the driver will not interfere with the parade movement.

C. Parking on the Parade Route. The Superintendent of Public Works and the Village Police Department shall have the power and authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a highway or part thereof constituting a part of a route of a parade. The Superintendent of Public Works and the Village Police Department shall have posted signs to this effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this chapter.

D. Sounding of Horns by Emergency Vehicles. No driver or occupant of a fire truck, ambulance, rescue squad, or other emergency vehicle shall sound the horn of said vehicle while participating in a parade unless the purpose for doing so is to

signal a warning to other motorists or pedestrians in accordance with the provisions of the Vehicle and Traffic Law of the State of New York.

**SECTION 14. Revocation of Parade Permit.**

The Board of Trustees shall have the authority to revoke a parade permit issued hereunder upon application of the standards for issuance as herein set forth.

**SECTION 15. Penalties for Offenses.**

A. Any person, firm or corporation violating any of the provisions of this local law, with the exception of Section 13, shall be deemed guilty of an offense and, upon conviction thereof, shall be fined in an amount not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00) or imprisoned for a period not to exceed fifteen (15) days, or bot so fined and imprisoned. Each day a violation shall continue shall constitute a separate offense and shall be punishable as such hereunder.

B. Any driver or owner of a vehicle in violation of Section 13, Interference with Parade; Parking on Route, Etc. shall, upon conviction, be guilty of an offense and subject to a fine of not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) or fifteen (15) days imprisonment, or both such fine and imprisonment. Any tow costs, including storage, shall be the responsibility of the vehicle owner if the street was posted for no parking twenty-four (24) hours prior to the start of the parade.

**SECTION 16. Severability**

Each separate provision of this local law shall be deemed independent of all other provisions herein, and if any provisions shall be deemed or declared invalid, all other provisions hereof shall remain valid and enforceable.

**SECTION 17. Repealer**

This local law shall supersede all prior local laws, ordinances, rules and regulations relative to parades within the Village and they shall be, upon the effectiveness of this local law, null and void.

**SECTION 18. Effective Date**

This local law shall take effect immediately upon adoption and filing with the Secretary of State, as provided in Section 27(3) of the Municipal Home Rule Law of the State of New York.

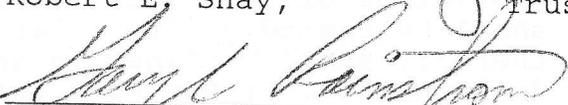
BE IT ENACTED, this 6th day of February, 1995 by the

Board of Trustees of the Village of Cambridge, of Washington  
County, New York.

  
Robert L. Durrin, Mayor

  
Richard C. Feus, Trustee

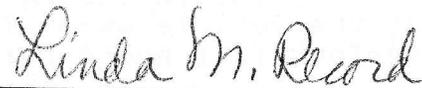
  
Robert E. Shay, Trustee

  
Gary L. Rainstrom, Trustee

  
Ronald Crepeau, Trustee

SEAL

ATTEST:

  
Linda M. Record, Village Clerk