

CHAPTER 447. PARADES/RACES*

*Editor's note: 95-Or-038, § 1, adopted March 10, 1995, renamed Ch. 447 to read as herein set out. The remainder of said ordinance renumbered and amended the sections previously contained in Ch. 447 to read as herein set out. See the Code Comparative Table.

447.10. Definitions. As used in this chapter:

Chief of police is the chief of the Minneapolis Police Department, or his or her designee.

Director of public works is the director of the Minneapolis Department of Public Works and Engineering, or his or her designee.

Downtown area is that area bounded by and including Cedar Avenue on the east, Washington Avenue on the northeast, Hennepin Avenue on the northwest, Lyndale Avenue on the west and Fifteenth Street on the south, in the city.

Parade is any parade, march, or procession in or upon any street except the sidewalks thereof, or in or upon any alley in the city.

Person is any person, firm, partnership, association, corporation, company or organization of any kind.

Race is any organized competition of speed and endurance. It shall include, but not be limited to, bicycle races, foot races, race walking, wheelchair racing, rollerblading, marathons and jogging events. (95-Or-038, § 3, 3-10-95; 2001-Or-128, § 1, 11-9-01)

447.20. Exceptions. This chapter shall not apply to:

(a) Funeral processions.

(b) A governmental agency acting within the scope of its functions. (95-Or-038, § 4, 3-10-95)

447.30. Permit required. No person shall engage in, participate in, aid, form or start any parade or race, unless a parade/race permit therefor shall have been obtained from the director of public works. (95-Or-038, § 5, 3-10-95; 2001-Or-128, § 2, 11-9-01)

447.40. Application for permit. (a) Time for application. A person seeking issuance of a parade/race permit shall file an application with the director of public works on forms provided by such office.

(1) Parade permit applications. To ensure an orderly approval process, parade permit applications should be filed as soon as possible in advance of the parade or event. In any case, parade permit applications must be filed not less than five (5) business days before the date on which the parade is proposed to take place. Failure to timely file may be grounds for denial of the permit.

(2) Race permit applications. Race permit applications should be filed as soon as possible in advance of the race. In any case, race permit applications must be filed not less than sixty (60) calendar days before the date on which the race is proposed to take place. Failure to timely file may be grounds for denial of the permit.

(b) Content of application. The application for a parade/race permit shall set forth the following information:

(1) If the parade/race 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.

- (2) The name, address and telephone numbers, daytime and nighttime, of the person who will be the parade/race coordinator and who will be responsible for its conduct.
- (3) The date when the parade/race is to be conducted.
- (4) The details of proposed route requested, the starting point and the termination point.
- (5) The approximate number of persons who, and animals and vehicles which will constitute such parade/race; the type of animals, and description of the vehicles.
- (6) The hours when such desired parade/race will assemble, start and terminate.
- (7) A statement as to whether the parade/race would occupy all or only a portion of the width of the streets proposed to be traversed.
- (8) The desired location by streets of any assembly areas for such parade/race.
- (9) The time at which units of the parade/race will begin to assemble at any such assembly area or areas.
- (10) The maximum interval of space to be maintained between units of such parade/race.
- (11) If the parade/race 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 office of director of public works a communication in writing from the person proposing to hold the parade/race, authorizing the applicant to apply for the permit on behalf of the person proposing to hold the parade/race.
- (12) Whether any alcoholic or beer beverages will be consumed in conjunction with the parade/race at the staging area prior to the parade/race or at the terminus of the parade/race; and if any alcoholic or beer beverages will be served, that all necessary permits have been obtained from the appropriate authorities.
- (13) The estimated number of participants in the most previous year.
- (14) Notice of who will provide traffic control and police supervision.
- (15) Such other information as the director of public works shall find necessary to the enforcement of this chapter.

(c) Notification of council member(s). Immediately upon receipt of a parade/race application, the director of public works shall forward a copy of the application to the council member(s) in whose ward(s) the event is proposed to take place. Such council member(s) may, within the time for action in section 447.70(a), offer written comments to the director of public works concerning the proposed time and route of the parade/race. (95-Or-038, § 6, 3-10-95; 99-Or-022, § 1, 2-5-99; 2001-Or-128, § 3, 11-9-01)

447.50. Downtown area restrictions. (a) No permit shall be granted for a parade/race to be conducted within the downtown area between the hours of 7:00 a.m. and 9:00 a.m. or 4:00 p.m. and 6:00 p.m. on any day which is not Saturday, Sunday or a legal holiday.

(b) A parade/race may disperse at any point along a parade/race route and along more than one street upon the approval of the director of public works and the police department. (95-Or-038, § 7, 3-10-95; 2001-Or-128, § 4, 11-9-01)

447.60. Permit issuance or denial. The director of public works shall issue a permit as provided for herein. However, the director of public works shall deny the application for such a permit if from a consideration of the application and from such other information as may otherwise be obtained, the director of public works finds any of the following:

(a) The conduct of the parade/race will substantially interrupt the safe and orderly movement of other traffic contiguous to its route or will interfere with street maintenance or other legally permitted events.

(b) No permit involving bicycle racing, foot racing, race walking, wheelchair racing, rollerblading, marathons and jogging events shall be issued unless the activity is to take place between the hours of 6:00 a.m. and 3:00 p.m. on Saturday, Sunday or legal holiday.

(c) The concentration of persons, animals and vehicles at assembly points of the parade/race will unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas.

(d) The conduct of such parade/race will interfere with the movement of firefighting equipment or emergency vehicles en route to a fire or emergency.

(e) The parade/race is not scheduled to move from its point of origin and to its point of termination expeditiously and without unreasonable delays en route.

(f) The parade is to be held for the sole purpose of advertising any product or goods and is designed to be held purely for private profit.

(g) The promoter will not agree to pay the fees listed in sections 447.120 and 447.130.

(h) To ensure that no such conditions exist and to avoid the denial of an application, the director of public works or the applicant may recommend amendments to the application before the time for action in section 447.70(a) has expired. If such amendments are accepted in writing by the applicant, the application shall be amended in conformance therewith and without affecting the timeliness of the application. (95-Or-038, § 8, 3-10-95; 2001-Or-128, § 5, 11-9-01)

447.70. Time for action on application; notice of denial and issuance; notice of protest. (a) Time for action by the director of public works. The director of public works shall grant or deny an application within the following time periods.

(1) For all race permit applications and for parade permit applications filed five (5) or more business days before the event: within five (5) business days, after the receipt of the application, but in any case not less than three (3) calendar days prior to the event.

(2) For parade permit applications filed within five (5) business days of the event at least twenty-four (24) hours prior to the event.

(b) Notice of decision to the applicant and judicial review. The director of public works shall notify the applicant of the decision to grant or deny the application within the time for action specified in section 447.70(a). If the director of public works denies the application, the director of public works shall deliver to the applicant, within the time for action specified in section 447.70(a), a written notice of the action, stating the reasons for the denial of the permit. The decision of the director of public works shall be final and the applicant may immediately seek such judicial review as permitted by law. (95-Or-038, § 9, 3-10-95; 2001-Or-128, § 6, 11-9-01)

447.80. Notice of permit to officials. Immediately upon the issuance of a parade/race permit, the director of public works shall send a copy thereof to the chief of police and to the mayor. (95-Or-038, § 10, 3-10-95; 2001-Or-128, § 7, 11-9-01)

447.90. Duties of permittee, parade or race coordinator. (a) A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances. The parade/race coordinator, permittee or other person designated as heading or leading such activity shall carry the parade/race permit upon his or her person during the conduct of the parade/race.

(b) Within the two (2) hour period immediately following the end of the parade/race, the permittee, parade or race coordinator will clean up, remove and dispose of all litter or material of any kind which is placed or left on the street because of such parade/race. Should the permittee, parade or race coordinator fail to do so, the city will bill the permittee, parade or race coordinator for all costs related to the clean up, removal and disposal of litter left on the street because of the parade/race. If the permittee, parade or the coordinator fails to satisfy this obligation within the time specified in the invoice, the city will commence all appropriate legal action to collect all debts owed the city. In addition, no future applications will be considered until all obligations are satisfied. (95-Or-038, § 12, 3-10-95; 2001-Or-128, § 8, 11-9-01)

447.100. Public conduct during parades. (a) Interference. No person shall unreasonably hamper, obstruct or impede, or interfere with any parade/race or parade/race assembly or with any person, vehicle or animal participating or used in a parade/race.

(b) Driving through parades/races. No driver of a vehicle, except police, fire and ambulance vehicles, unless so directed by a police officer, 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/race.

(c) Parking on parade/race route. The chief of police and director of public works shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street or highway or part thereof constituting a part of the route of a parade/race. The director of public works shall post signs to such 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 in violation of this chapter on a street not so posted. (95-Or-038, § 13, 3-10-95; 2001-Or-128, § 9, 11-9-01)

447.110. Revocation of permit. Whenever any parade/race shall depart from or is conducted in a manner substantially different from that indicated in the application including the lack of adequate traffic control therefor, such parade/race shall be in violation of this chapter and any permit pursuant to which it is purportedly conducted shall be deemed to be automatically revoked and the parade/race shall be immediately terminated. This provision will be invoked when the permittee either violates the terms of the permit or refuses to conform to the terms of the permit after advised to do so by the police. (95-Or-038, § 14, 3-10-95; 2001-Or-128, § 10, 11-9-01)

447.120. Parade/race promoter responsible for the following fees. (a) Permit fees. Applicants seeking a parade/race permit for a parade, the fee is twenty-five dollars (\$25.00); and a permit involving bicycle racing, foot racing, race walking, wheelchair racing, rollerblading, marathons and jogging events, the fee is one hundred dollars (\$100.00) plus fifty cents (\$0.50) per participant where that fee is not concurrently required by the park and recreation board. The participant fee shall be based on preregistration or number of participants noted in the application, whichever is higher. Within seven (7) days after the event, the applicant shall pay any additional participant fees or apply for a refund if the actual number of participants was less than originally permitted.

(b) No parking sign posting fee. If pursuant to section 447.100 the posting of temporary "No Parking" signs along a parade or race route is required, applicants seeking a parade/race permit for a parade or race must additionally pay fees that shall be set time to time by resolution of the City Council.

(c) All applicants shall file an application as provided in section 447.40. In the event that a permittee fails to pay any fees due when required to do so, no future applications will be considered until all fees are paid.

(d) Required undertakings. In addition to the information required in section 447.40, the applicant will, without expense to the city, undertake the following:

(1) The applicant will provide either authorized civilian or police personnel at all intersections requiring traffic-control personnel.

(2) The applicant will provide volunteers to monitor the barricades at all intersections not requiring traffic-control personnel, as determined by the department of public works and the police department.

(3) The applicant will provide, install and remove the barricades, signs and delineation equipment as directed by either the director of public works or the chief of police or their designees.

(4) The applicant will defend and hold the city harmless from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of the conduct of the activity authorized by such permit, including attorney fees and expenses. (95-Or-038, § 16, 3-10-95; 2001-Or-128, § 11, 11-9-01)

447.130. Notice to abutting property owners. (a) This section shall apply only to parade/race permits involving bicycle racing, foot racing, race walking, wheelchair racing, rollerblading, marathons and jogging events.

(b) Upon issuance of a parade/race permit for an event described in subsection 447.140(a), the permittee shall notify all occupants and building managers of property abutting the parade/race

route by leaflet at least forty-eight (48) hours, but not more than seven (7) days, before the parade/race.

(c) In the case of a residential building containing three (3) units or less, a leaflet shall be distributed to each unit. In the case of a residential building or facility containing more than three (3) units, a leaflet shall be prominently posted in the lobby or common entryway. Leaflets shall also be distributed to nonresidential abutting properties.

(d) The leaflet shall briefly describe the nature of the parade/race, shall identify the name and telephone number of the permittee and the date and time of the parade/race, shall contain a map of the route, and shall describe all restrictions upon traffic and parking on or crossing the parade route.

(e) Prior to distribution of the leaflet, the applicant shall file a copy of the leaflet with the mayor's office, the council member's office, the police department, the department of public works and to the police liaison coordinating the traffic control. (95-Or-038, § 17, 3-10-95)

447.140. Insurance. Upon compliance with all other provisions of this chapter, a permit for a race may be granted only after the race promoter has secured and filed with the director of public works the insurance provided for in this section. The policy or policies shall specifically provide for payment by the insurance company on behalf of the insured all sums which the insureds shall be obligated to pay by reason of liability imposed upon them by law for injuries or damages to persons or properties arising out of the activities and operations of the insureds pursuant to the provisions of this chapter.

All insurance required in this section shall be issued by insurance companies acceptable to the city and admitted in Minnesota. The insurance specified may be in a policy or policies of insurance, primary or excess.

a. Workers' compensation insurance that meets the statutory obligations with coverage B - employer's liability limits of at least \$100,000.00 each accident, \$500,000.00 disease - policy limit and \$100,000 disease - each employee.

b. Commercial general liability insurance with limits of at least \$1,000,000.00 general aggregate, \$1,000,000.00 products - completed operations, \$1,000,000.00 personal & advertising injury, \$1,000,000.00 each occurrence, \$50,000.00 fire damage, and \$5,000.00 medical expense any one person. The policy shall be on an "occurrence" basis, shall include contractual liability coverage and the city shall be named an additional insured.

Acceptance of the insurance by the city shall not relieve, limit or decrease the liability of the race promoter. Any policy deductibles or retentions shall be the responsibility of the parade/race promoter. The race promoter shall control any special or unusual hazards and be responsible for any damages that result from those hazards. The city does not represent that the insurance requirements are sufficient to protect the parade/race promoter's interests or provide adequate coverage.

Evidence of coverage is to be provided on a city provided certificate of insurance (attachment a). A thirty (30) day written notice is required if the policy is canceled, not renewed or materially changed.

The race promoter shall require any of its participants using automobiles in the race to carry automobile liability insurance meeting the statutory limits of the State of Minnesota.

The race promoter shall require any of its subcontractors to comply with these provisions.

Indemnification. Race promoter agrees to defend, indemnify and hold the city, its officers and employees harmless from any liability, claim, damages, costs, judgments, or expenses, including attorney's fees, resulting directly or indirectly from an act or omission including, without limitation, professional errors and omissions, of parade/race promoter, its agents, employees, arising out of or by any reason of the conduct of the activity authorized by such permit and against all loss caused in any way be reason of the failure of the parade/race promoter to fully perform all obligations under this agreement. (95-Or-038, § 18, 3-10-95; 2001-Or-128, § 12, 11-9-01)

447.150. Indigence exception for parades. (a) For individuals and organizations with limited financial means, it is the policy of the City of Minneapolis to waive the fee requirement of section 447.120 where such burdens substantially threaten the ability of such individuals and organizations to obtain a parade permit. Accordingly, an applicant for a parade permit may request, on a form provided by the director of public works, a waiver of such requirement(s). The director of public works may waive such requirement(s) if the following conditions are satisfied:

(1) All parade applications. The parade applicant and each person responsible for organizing the parade must certify that each: (1) receives public assistance, or (2) receives average family income which is less than one hundred twenty-five (125) percent of the federal poverty line, or (3) cannot support his or her family and his or herself and also satisfy the requirements of section 447.120 without substantial hardship. The applicant shall specify the requirement(s) that should be waived in light of such financial hardship.

(2) Parade applicants for organizations. In addition, if the proposed parade is to be conducted for, on behalf of, or by an organization, the applicant shall disclose assets held in the name of such organization. The parade applicant must certify to the best of his or her knowledge that the mission, operation, or existence of the organization will be substantially threatened if the requirements of section 447.120 must be satisfied by the organization. The applicant shall specify the requirement(s) that should be waived in light of such financial hardship. (95-Or-038, § 19, 3-10-95; 2001-Or-128, §§ 13, 14, 11-9-01)

(b) Waiver of fee requirement of section 447.120 (b) for parades. Individuals or organizations must request such a waiver on a form provided by the Director of Public Works. The director of public works may waive the fee if the following conditions are satisfied:

(1) Nonprofit organizations. All applications by the following nonprofit organizations are eligible for a waiver of the fee: A corporation, society, association, foundation, or institution organized and operated exclusively for charitable, religious, or educational purposes. This may be established by providing a fully completed exemption certificate as described in Minnesota Statute 297A.665 (b), or in the alternative, by providing information deemed by the Director of Public Works to be sufficient to establish that the organization is operated exclusively for charitable, religious, or educational purposes.

(2) Other applicants. Other applicants requesting a waiver must satisfy the requirements set forth in subdivision (a) of this section.

Adopted 12/22/06.