

**AN ORDINANCE AMENDING THE PARADES
AND PUBLIC ASSEMBLIES ORDINANCE IN THE CITY OF NASHVILLE**

WHEREAS, the City Council has determined that the Parade and Public Assembly Ordinance heretofore passed needs to be amended to be in accord with recent Federal Court decisions, and;

WHEREAS, the process appears to be more efficiently administered by the Chief of Police, now therefore:

BE IT HEREBY ORDAINED BY THE CITY OF NASHVILLE, ARKANSAS:

Section 1. The Parades and Public Assemblies Ordinance should be amended to read as follows:

"Section 1. No person shall engage in or conduct any parade or public assembly unless a permit is issued by the Chief of Police.

Section 2. Definitions: a) Parade means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles or a combination thereof upon the streets, parks or other public grounds within the City with an intent of attracting public attention that interferes with the normal flow or regulation of traffic upon the streets, parks or other public grounds.

b) Public Assembly means any meeting, demonstration, picket line, rally or gathering of more than twenty-five (25) persons for a common purpose as a result of prior planning that interferes with the normal flow or regulation of pedestrian or vehicular traffic or occupies any public area in a place open to the general public.

c) Parade Marshall means the individual person who will be responsible for the gathering of participants in the assembly area, the conduct of the parade or assembly, and the dispersal of the participants afterwards.

Section 3. Application. A person seeking a parade or public assembly permit shall file an application with the Chief of Police two (2) business days prior to the event on forms provided by that office which must include the following: a) Identification of the Parade Marshall by name, address, and telephone number, b) the name of the sponsoring organization, c) the proposed starting time and ending time of the parade or assembly, d) the assembly area, e) proposed route of parades, and f) dispersal directions.

Section 4. Exceptions. This Ordinance shall not apply to a) funeral processions, b) public school functions, or c) spontaneous events occasioned by news or affairs coming into public knowledge within two (2) days of such public assembly, provided that the organizer thereof gives written notice to the City at least twenty-four (24) hours prior to such parade or public assembly.

Section 5. Fee. No fee will be required at this time for permits.

Section 6. Appeal From Denial. Denial of a permit by the Chief of Police shall be made in writing and subject to appeal to the Mayor.

Section 7. Public Conduct During Parades or Public Assemblies.

a) No person shall unreasonably hamper, obstruct or impede, or interfere with any parade or public assembly or with any person, vehicle or animal participating or used in a parade or public assembly.

b) No driver of a vehicle shall drive between the vehicles or persons comprising a parade or public assembly when such vehicles or persons are in motion and are conspicuously designated as a parade or public assembly.

c) The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a parade or public assembly. The Chief shall post signs to that 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 not posted.

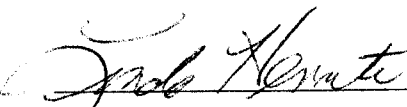
Section 8. Penalties. Any person violating the provisions of any section of this Ordinance shall, upon conviction, be punished by fine not to exceed \$250.00 or imprisonment of not more than 30 days, or both."

Section 2. Emergency. This Ordinance is deemed to be in the interest of the safety of the citizens of the City of Nashville, and as such an emergency is hereby declared to exist, and the Ordinance shall be in full force and effect immediately.

Passed this 22 day of June, 2004.


MAYOR MIKE REESE

ATTEST:


LINDA HENRITE, CLERK