

ORDINANCE NO. 1961

**AN ORDINANCE CREATING A NEW CHAPTER 4.28 TO THE SELAH MUNICIPAL CODE ENTITLED  
"PARADES".**

**WHEREAS**, the City of Selah under its general police powers is entitled to ensure that its rights of way, public streets, and alleys are used in an orderly fashion and subject to general and specific provisions designed to ensure and protect the public health, safety and welfare;

**WHEREAS**, from time to time, individuals or entities may seek to use the City's rights of way, streets, or alleys for purposes of conducting marches, parades, or procession;

**WHEREAS**, the City of Selah wishes to formalize the process by which persons or entities can seek permission to use City rights of way (public streets and alleys) for marches, parades or processions;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELAH, WASHINGTON, DOES ORDAIN as follows:

Section 1. New Selah Municipal Code Chapter 4.28 "Parades".

A new Selah Municipal Code Chapter 4.28 is hereby created entitled "Parades" as follows:

4.28.010 Definitions:

(a) Parade - Any organized gathering, march or procession consisting of more than five (5) people, animals or vehicles or a combination thereof, upon any rights of way, public streets or alleys.

(b) Parade Application – application form created by the City of Selah which must be completed, filed and approved by the City of Selah prior to any individual, group, or entity conducting a parade within the City.

4.28.020 Requirements:

All individuals, groups, or entities, ("Applicant"), that propose to conduct a parade upon any city rights of way, public streets or alleys within the city limits of the City of Selah must comply with the following procedures:

1. The "Parade Application", all fees and insurance must be submitted to the City Administrator, City of Selah, 115 W Naches Ave., Selah, WA 98942, 509-698-7333 no less than forty-five (45) calendar days or more than sixty (60) calendar days prior to the event date.
2. The City of Selah, Selah Chamber of Commerce and Selah School District sponsored events are exempt from the fees provided for under this Chapter, but are not exempt from the application and permit process.

3. The City Administrator and Selah Police Chief will review and approve or deny all parade applications.
4. For closure of a State right-of-way within the City limits for less than two (2) hours, a "Right-of-Way Use Agreement" with the Washington Department of Transportation must be approved.
5. Candy, gum, beads, paper or any other article(s) shall not be thrown from any type of vehicle during a parade nor directly transferred to the hand of spectators from a vehicle. This shall include, but is not limited to, persons on horseback. Candy, gum, beads, paper or any other article(s) may be distributed by walking members of the parade and must be done off of the parade route itself.
6. The conduct of the parade shall not substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
7. The concentration of persons, animals and vehicles at the assemble points of the parade will not unduly interfere with the proper fire and police protection or, ambulance service to areas contiguous to the assembly areas.
8. The parade must be scheduled to move from its point of origin to its point of termination in a timely manner without unreasonable delays.
9. The parade is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit.

#### 4.28.030 Exceptions

No parade permit shall be required for the following:

- a. The armed forces of the United States of America, the military forces of the state and the forces of police and fire departments acting within the scope of their duties.
- b. Funeral processions proceeding by vehicle by the most reasonable route from the funeral home, church or residence of a deceased to the place of service or place of interment.
- c. Sidewalk processions which observe and comply with traffic regulations and traffic control devices, utilizing that portion of a sidewalk nearest the street, but at no time more than on half of the sidewalk.

#### 4.28.040 Notice of Rejection:

The City Administrator and Chief of Police shall act upon the application for a parade permit within seven (7) business days after the filing thereof. If the City Administrator or Chief of Police disapproves the application, he or she shall mail a notice of such disapproval to the applicant stating the reasons for denial.

#### 4.28.050 Appeal Procedure:

Any person aggrieved by a denial of a parade permit shall have the right to appeal the denial of a parade permit to the City Council. The appeal shall be taken within five (5) days after the notice of denial. The City Council shall act upon the appeal within a reasonable time after receiving a timely appeal notice of appeal.

4.28.060 Penalty:

(a) Failure to comply with this Chapter and its provisions shall be punishable by fine of no more than \$250 processed as an infraction through the City of Selah's Municipal Court under the provisions of RCW 7.80.

(b) Penalty Cumulative: The penalty provided herein is cumulative and is in addition to any other penalties that may be applicable at equity or at law, including criminal penalties where appropriate.

4.28.070 Severability - Savings clause.

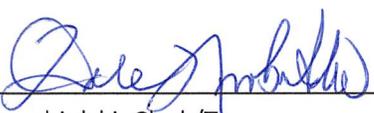
If any provision of this Chapter is declared invalid or unconstitutional by any court of competent jurisdiction, the remaining provisions shall be severable and shall continue in full force and effect.

**Section 2.** Effective Date. This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ORDAINED this 10<sup>th</sup> day of March, 2015.

  
\_\_\_\_\_  
John Gawlik, Mayor

ATTEST:

  
\_\_\_\_\_  
Dale Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Robert F. Noe, City Attorney

ORDINANCE NO. 1961