

BY AUTHORITY

ORDINANCE NO. 351
SERIES OF 2009

COUNCIL BILL NO. 306
COMMITTEE OF REFERENCE:
Safety

A BILL

For an ordinance amending Division 10 of Article VI of Chapter 54, Denver Revised Municipal Code, concerning the regulation of parades.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. Section 361 of Division 10 of Article VI of Chapter 54, Denver Revised Municipal Code, shall be amended by deleting the language stricken and adding the language underlined to read and be read as follows:

DIVISION 10. PARADES

Sec. 54-361. Application.

(a) Application to conduct a parade or a special event shall be made at the Denver Police Department (DPD) and will then be submitted in writing to the manager of safety or his designee, or if the mayor declares a specific event an extraordinary event the application shall be submitted to the mayor or his designee, by the person in charge or control of, or responsible therefore.

(b) Such application shall set forth the following information:

(1) The name, address and telephone number of the applicant and of any other persons, organizations, firms, or corporations on whose behalf the application is made, and the purpose of the parade or special event;

(2) The name, address, telephone number, and a valid United States government or state-issued photo identification, of the person who will be the parade or special event sponsor and will be responsible for the parade or special event;

(3) The name, address and telephone number of the person or organization to whom the permit is to be issued;

(4) The date or dates when a parade or special event is to be conducted and the time the parade or special event is to commence and finish;

(5) The route to be traveled, the starting point, termination point, and assembly and disassembly area, and/or other areas to be used;

(6) The estimated number of persons who will participate;

(7) The estimated number and description of vehicles that will participate;

(c) At the time the application is submitted, the applicant/organization will work with the DPD to determine a staging area based on the number of participants, floats, animals, vehicles, marching units and traffic concerns.

(ed) The application shall be made in writing no sooner than two hundred (200) days prior to the parade or special event and no later than thirty (30) days before the parade or special

1 event, unless a different time period is specified because the mayor has declared an
2 extraordinary event. Regardless of whether an extraordinary event has been declared, an
3 application may be accepted up to twenty-four (24) hours before a parade if the proposed parade
4 is for the purpose of spontaneous communication of topical ideas that could not have been
5 foreseen in advance of required application period or when circumstances beyond the control of
6 the applicant prevented timely filing of the application. For any application submitted less than
7 thirty (30) days before the parade, the manager or the manager's designee shall promptly issue
8 a permit unless the manager or the manager's designee finds, in writing, within ~~twenty four (24)~~
9 hours three (3) business days after the application is received, that the proposed parade creates
10 an immediate, clear and present danger to public health, safety or welfare or violates ordinances
11 or published rules and regulations or there are other grounds for denial pursuant to section 54-
12 364.

13
14 (de) Unless there are conflicting applications as governed by section 54-361.5, not more
15 than ten (10) days after receipt of a fully completed application for a permit for a parade or
16 special event the manager shall either issue or deny the permit and shall notify, in writing, the
17 applicant of such issuance or denial. If, within that time period, the manager fails to notify the
18 applicant of the denial of the permit, the permit shall be deemed to have been issued.

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20 **Section 2.** Section 361.5 of Division 10 of Article VI of Chapter 54, Denver Revised
21 Municipal Code, shall be amended by deleting the language stricken and adding the language
22 underlined to read and be read as follows:

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25 **Sec. 54-361.5. Conflicting applications.**

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27 (a) *Conflicting applications:* When more than one (1) application for a parade or special
28 event is received on the same business day for the same date and time, the manager or the
29 manager's designee shall issue a permit, subject to the other provisions of this division, based on
30 the following order of priorities:

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32 (1) Historic usage scheduled events where the same applicant/organization has been
33 granted use of a parade ~~or special event~~ route at a particular date and time for more than five (5)
34 consecutive years. Historic usage scheduled events where the same applicant/organization has
35 been granted use of a special event route at a particular date and time for more than three (3)
36 consecutive years.

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38 (2) If paragraph (1) of this subsection (a) is not applicable, priority shall be given to a first
39 in time application unless more than one application is submitted on the same business day
40 requesting the same date and time for a parade, in which event, all such applications shall be
41 determined by a lottery.

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43 (b) The lottery shall be conducted as follows: no later than ten (10) days after the
44 conflicting applications are received, the manager of safety or the manager's designee shall draw
45 at random from the applications received for parade permits for the date at issue. The first
46 application so chosen shall be issued a parade permit and have first choice of the time slot, as
47 specified in the application. The second application chosen at random by the manager or the
48 manager's designee shall be granted the parade permit for the second choice time slot, if one is

1 available, for that same day. This process shall continue until all parade applicants are granted a
2 time slot unless the manager determines that a ground for denial as set forth in section 54-364
3 exists. If any of the chosen applicants for a parade permit on a given day has indicated an
4 unwillingness to conduct a parade in the remaining time slots available, or if the application is
5 disqualified, the manager or the manager's designee shall select another application for the
6 remaining time slots at random, and continue in this fashion until the remaining available time
7 slots are filled. Whenever the mayor has declared an extraordinary event, additional or
8 alternative lottery procedures may be provided in the declaration.
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10 (c) Applications for special events shall not be subject to the lottery process set forth in
11 subsection (b) of this section.
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15 COMMITTEE APPROVAL DATE: May 6, 2009

16 MAYOR-COUNCIL DATE: May 12, 2009

17 PASSED BY THE COUNCIL June 22 2009

18 [Signature] - PRESIDENT

19 APPROVED: [Signature] - MAYOR June 23, 2009

20 ATTEST: [Signature] - CLERK AND RECORDER,

21 EX-OFFICIO CLERK OF THE
22 CITY AND COUNTY OF DENVER

23 NOTICE PUBLISHED IN THE DAILY JOURNAL June 19, 2009; June 26, 2009

24 PREPARED BY: Mary E. Toornman - Assistant City Attorney DATE: May 28, 2009

25 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
26 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
28 § 3.2.6 of the Charter.
29

30 David R. Fine, City Attorney for the City and County of Denver

31 BY: [Signature], Asst City Attorney

32 DATE: 28 May 2009

