

FOR PARADE/ASSEMBLAGE PERMITS:

PLEASE COMPLETE THE APPLICABLE PORTIONS OF THE ATTACHED
PARADE/ASSEMBLAGE PERMIT APPLICATION, THEN SIGN, DATE, AND RETURN TO:
CITY HALL, TRAFFIC ENGINEERING DEPARTMENT - 5TH FLOOR
26 SOUTH PHELPS STREET
YOUNGSTOWN, OHIO 44503

***IN ADDITION, PLEASE BE SURE TO INCLUDE A CERTIFICATE OF LIABILITY
INSURANCE, WHICH SPECIFICALLY NAMES THE CITY OF YOUNGSTOWN AS AN
ADDITIONAL INSURED. THIS IS TO BE LIABILITY INSURANCE FOR \$1,000,000 MINIMUM PER
OCCURRENCE, AND NEEDS TO BE SUBMITTED WITH AN ORIGINAL SIGNATURE. FAILURE
TO INCLUDE THIS WILL DELAY THE PROCESSING OF THE PERMIT***

IF CHIEF HUGHES APPROVES THE APPLICATION, YOU WILL RECEIVE A COPY OF THE
PERMIT, ALONG WITH A LETTER OF APPROVAL FROM THIS OFFICE TO PROCEED WITH
THE EVENT INDICATED ON THE PERMIT APPLICATION.

TRAFFIC ENGINEERING DEPARTMENT
(330) 742-8815

PARADE OR ASSEMBLAGE PERMIT APPLICATION
CITY OF YOUNGSTOWN - TRAFFIC ENGINEERING DIVISION

Legal Authority: Sec.311.02 - Yo. Codified Ordinances.

TYPE OF EVENT: PARADE _____ ASSEMBLAGE _____

DATE OF APPLICATION: _____

DATE OF EVENT: _____ TIME: _____ TO _____

STREET(S) TO BE CLOSED: _____

BETWEEN _____ and _____

ORGANIZATION SPONSORING EVENT: _____

CONTACT PERSON: _____ PHONE: _____

ADDRESS: _____ ZIP: _____

PURPOSE AND DESCRIPTION OF EVENT: _____

NUMBER OF PERSONS EXPECTED TO PARTICIPATE IN EVENT: _____

PARADE ROUTE: (if applicable) _____

APPROVED AS TO INSURANCE REQUIREMENTS: _____
(If Applicable) RISK MANAGER

CONCURRENCE OF CHIEF OF POLICE: _____
CHIEF OF POLICE

I, (we) the undersigned, having received a copy of Section 311.02 of the Codified Ordinances of the City of Youngstown, and having read said Ordinance, do hereby agree to abide by all provisions, of said Ordinance, and to confine all activities to those mentioned in the above permit application. Further, it is understood that any deviation from the listed activities will result in the revocation of such permit, if one is issued, and cancellation of event.

Signature of Applicant Date: _____

- cc: Mayor's Office
- Law Director
- Fire Chief
- Police Chief
- City Engineer

CHAPTER 311

Street Obstructions and Special Uses

(f) No person, with intent to cause physical harm to a person or a vehicle, shall place or knowingly drop upon any part of a highway, lane, road, street or alley any tacks, bottles, wire, glass, nails or other articles which may damage or injure any person, vehicle or animal traveling along or upon such highway, except such substances that may be placed upon the roadway by proper authority for the repair or construction thereof. (ORC 4511.74)

311.02 PARADES, ASSEMBLAGES AND NEIGHBORHOOD BLOCK PARTIES.

(a) No person, group of persons or organization shall conduct or participate in any parade, assemblage, procession or neighborhood block party, other than a funeral procession, upon any street or highway or other public right of way or block off any street or highway area or other public right of way, unless a permit has been obtained from the Traffic-Engineering Division of the Department of Public Works to conduct such parade, assemblage or neighborhood block party. The concurrence of the Chief of Police must be secured. A copy of any permit issued under this section by the Traffic Engineering Division shall be forwarded to the councilman who represents the ward in which the parade, assemblage or neighborhood block party is to take place before such a permit is issued.

(b) Applications for permits for parades and assemblages shall be made to the Traffic-Engineering Division of the Department of Public Works on such forms as may be prescribed and shall contain such information as is reasonably necessary to a fair determination of whether a permit should be issued. Applications shall be filed not less than two weeks before the time intended for such parade, procession or assemblage.

The permit may be refused or canceled if:

- (1) The time, place, size or conduct of the parade, including the assembly areas and route of march would unreasonably interfere with the public convenience and safe use of the streets and highways.
- (2) The parade would require the diversion of so great a number of police officers to properly police the line of movement, assembly area and areas contiguous thereto so as to deny normal police protection to the Municipality.
- (3) The parade route of march or assembly areas would unreasonably interfere with the movement of police vehicles, fire-fighting equipment or ambulance service to other areas of the Municipality.
- (4) The parade would unreasonably interfere with another parade for which a permit has been issued.
- (5) The information contained in the application is found to be false, misleading or incomplete in any material detail.
- (6) An emergency such as a fire or storm would prevent the proper conduct of the parade.

The permit or any order accompanying it may limit or prescribe reasonable conditions, including the hours, the places of assembly and of dispersal, the route of march or travel and the streets, highways or portions thereof which may be used or occupied.

(c) Applications for permits for neighborhood block parties shall be made as provided in subsection (b) hereof. The following restrictions shall apply to neighborhood block parties:

- (1) State highways, main thoroughfares or local streets, with traffic volumes of more than 1,500 vehicles per day, will not be closed for block parties.
- (2) Time restrictions will be from May 15 to September 15, and between the hours of 12:00 noon to 9:00 p. m. A maximum of two permits a week can be issued and limited to three per year per area.
- (3) A petition shall be signed by the residents of the affected area with a three-fourths majority and submitted to the Traffic-Engineering Office along with the application form by the chairperson or persons at least two weeks in advance of the scheduled festivity date.
- (4) In arranging the party, a ten-foot lane must be established for ingress and egress to the nonparticipating residents and for emergency equipment. The total roadway width shall not be blocked off with tables.
- (5) The chairperson or persons submitting a request for the permit will be responsible for the "Road Closed" signs, barricades and detours. The chairperson shall also be responsible for clean-up of debris in the affected area, and controlling the noise level of stereo equipment, radios, and other sources of sound, so as not to disturb the nonparticipants of the festivities.
- (6) Participants of the festivities shall comply with Section 529.07 of the General Offenses Code, which prohibits the sale or consumption of intoxicating beverages on public property.
- (7) Streets located in areas that are zoned other than single-family dwelling shall be issued permits.
- (8) If a business is in existence in a requested block party area and in operation at the time of the proposed festivity, the block party permit shall not be issued. (Ord. 84-408, Passed 9-19-84.)

539.07 PLAYING OF LOUD SOUND DEVICES PROHIBITED.

(a) General Prohibition.

(1) No person shall play any radio, music player such as a "boom box", tape cassette, disc player or television, audio system or musical instrument or any other type of sound service upon any public road, street, highway, or private property in the City in a manner or at a volume as to disturb the quiet, comfort or repose of other persons. An exception is made for organized events which have received a valid permit from the City as set forth in Section 311.02, Section 725.02 and any other applicable section.

(2) No person shall play any radio, music player such as a "boom box", tape cassette, disc player, television, audio system or musical instrument or any other type of sound device in a manner or at a volume as to disturb the quiet, comfort or repose of neighboring inhabitants or at a volume which is plainly audible to persons other than those who are in the room in which such device or instrument is played and who are voluntary listeners thereto.

(3) Whoever violates subsection (a) hereof is guilty of a minor misdemeanor for a first offense. For any subsequent offense, such person is guilty of a misdemeanor of the second degree. In addition, the Court shall impose the following minimum penalties:

1st offense: a mandatory minimum fine of one hundred dollars (\$100.00);

2nd offense: a mandatory minimum fine of two hundred dollars (\$200.00);

3rd offense & thereafter: a mandatory minimum fine of three hundred dollars (\$300.00) and three (3) days in jail.

(4) Upon conviction for a violation of this section, the sound device used during the commission of the offense shall be subject to seizure and payment of a judgment.

(b) Excessive Vehicular Sound Amplification Systems Prohibited.

(1) No person operating or occupying a motor vehicle upon any public road, street, highway or private property shall operate or permit the operation of any sound amplification system from within the vehicle so as to disturb the quiet, comfort or repose of other persons, or at a volume that is plainly audible from outside of the vehicle.

(2) "Sound amplification system" means any radio, tape player, compact disc, loudspeaker, speaker or other electronic device used for the amplification of musical instruments or other sounds.

(3) "Plainly audible" means any sound produced by a sound amplification system from within the vehicle that can clearly be heard outside the vehicle at a distance of fifty feet or more. Measurement standards shall be by the auditory senses, based upon direct line of sight. Words or phrases need not be discernible and bass reverberations are included. The motor vehicle may be parked, stopped, standing or moving.

(4) Warning and/or emergency devices used to call police or signal hazardous conditions, or other sound systems that are used in compliance with proper authorization by the City are exempted from this section.

(5) Whoever violates this section is guilty of generating excessive vehicular sound. The following penalties apply to violations of this section:

Upon a first offense for violation of this section, the offender is guilty of a misdemeanor of the first degree punishable by up to one hundred eighty (180) days in jail and a fine of one thousand dollars (\$1,000), and the court shall impose a mandatory minimum fine of fifty dollars (\$50.00). In addition, the sound amplification system used in the commission of the offense is subject to seizure and forfeiture;

Upon a second offense for violation of this section, the offender is guilty of a

misdemeanor of the first degree punishable by up to one hundred eighty (180) days in jail and a fine of one thousand dollars (\$1,000), and the court shall impose a mandatory minimum fine of five hundred dollars (\$500.00). In addition, the sound amplification system used in the commission of the offense shall be seized and forfeited;

Upon a third or greater offense for violation of this section, the offender is guilty of a misdemeanor of the first degree punishable by up to one hundred eighty (180) days in jail and a fine of one thousand dollars (\$1,000) and the court shall impose a mandatory minimum fine of six hundred dollars (\$600.00). In addition, the sound amplification system used in the commission of the offense shall be seized and forfeited.

(6) In any third or greater violation of this section involving sound equipment in a motor vehicle, the motor vehicle is hereby deemed contraband and subject to seizure and forfeiture pursuant to these Ordinances or Chapter 2981 of the Ohio Revised Code.

(7) Upon conviction for a first violation of this section, the sound amplification system used during the commission of the offense is hereby deemed contraband and is subject to seizure and forfeiture. Upon conviction for a second or third or greater offense, the sound amplification system used during the commission of the offense is hereby deemed contraband and shall be forfeited. A person loses any right that the person may have to the possession, ownership, or the possession and ownership, of a sound amplification system if it is used in the commission of a violation of this section. The cost of the removal of the sound amplification system shall be paid by the person seeking the release of the vehicle prior to its being released. (Ord. 09-233. Passed 10-7-09.)