

Memorandum

Date: 19 March 2018
To: Police and Security Committee
From: Keith R. Dalton, Town Manager 
Cc: Town Council
Neal White, Chief of Police
Subject: 22 March 2018 Police and Security Committee meeting

Please find attached:

- Agenda for the next Police and Security Committee meeting
- Berryville Code Chapters 11 & 20

The agenda includes discussion of two Berryville Code chapters. The first chapter to be discussed is Chapter 11 – Noise. The second chapter to be discussed is Chapter 20 – Assemblies, Demonstrations, and Parades.

Chapter 11 – Noise

Because concerns have been expressed about the ordinance, Town staff wants to discuss it with the Committee. This section was adopted in 2013.

Chapter 20 – Assemblies, Demonstrations, and Parades

At the last Committee meeting it was determined that this section, which was adopted 2008, should be reviewed in detail.

Chief White is assembling information for the Committee's review but for the most part staff wants to gain understanding about Committee concerns and the direction it wishes to take with these ordinances.

**BERRYVILLE TOWN COUNCIL POLICE AND SECURITY COMMITTEE
MEETING AGENDA
Berryville-Clarke County Government Center
101 Chalmers Court, Second Floor
Meeting Room A/B
Regular Meeting
March 22, 2018
9:00 am**

Item

Attachment

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|------------------------------|--------------------------------------|
| 1. Call To Order | Dave Tollett, Chair |
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| 2. Approval of Agenda | |
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| 3. Department Update | Neal White, Chief |
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| 4. Discussion | Berryville Code Review - Chapter 11 |
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| 5. Discussion | Berryville Code Review -- Chapter 20 |
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| 6. Closed Session | No Closed Session Scheduled |
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| 7. Other | |
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| 8. Adjourn | |

↑ Denotes an item on where a motion for action is included in the packet

Chapter 11 - NOISE^[1]

Sec. 11-1. - Declaration of policy.

At certain levels, excessive noise can be detrimental to the health, welfare, peace, safety and quality of life of inhabitants of the town, and in the public interest excessive noise should be restricted. It is, therefore, the policy of the town to reduce, and eliminate where possible, excessive noise and related adverse conditions in the community, and to prohibit unnecessary, excessive, harmful and annoying noises from all sources subject to its police power.

(Ord. of 10-8-13(1))

Sec. 11-2. - Definitions.

The following words, when used in this chapter, shall have the following respective meanings, unless the context clearly indicates a different meaning:

Excessive noise means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans. Specific examples of prohibited excessive noise are set forth in section 11-4 of this chapter.

Motor vehicle means a vehicle defined as a motor vehicle by § 46.2-100 of the Code of Virginia (1950), as amended.

Owner means the person owning, controlling, or possessing land, premises, or personality.

Person means any individual, partnership, corporation, association, society, club, group of people acting in concert, or organization. This term shall not include the federal, state, county, town, city, or local government, or any agency or institution thereof.

Plainly audible means any sound that can be heard clearly by a person using his or her unaided hearing faculties. When music is involved, the detection of rhythmic bass tones shall be sufficient to be considered plainly audible sound.

Public property means any real property owned or controlled by the town or any other governmental entity or institution.

Public right-of-way means any street, avenue, boulevard, court, lane, highway, sidewalk or alley.

Real property boundary means the property line along the ground surface, and its imaginary vertical extension, which separates the real property owned by one person from that owned by another person.

Residential refers to single-unit, two-unit, and multi-unit dwellings, and residential areas of planned residential zoning district classifications, as set out in the zoning ordinance.

Sound means an oscillation in pressure, particle displacement, particle velocity, or other physical parameter, in a medium with internal forces that cause compression and refraction of that medium, and which propagates at a finite speed. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

Sound amplifying equipment means any machine or device for the amplification of the human voice, music or any other sound. This term shall not include warning devices on authorized emergency vehicles or structures, or horns or other warning devices on other vehicles used only for traffic safety purposes.

Sound truck means any motor vehicle or animal-drawn vehicle having mounted therein, or attached thereto, any sound-amplifying equipment.

Town manager means the town manager or the chief of police, or their respective designees.

(Ord. of 10-8-13(1))

Sec. 11-3. - Violations of chapter.

A violation of any provisions of this chapter shall constitute a Class 4 misdemeanor, unless otherwise specifically provided.

(Ord. of 10-8-13(1))

Sec. 11-4. - Specific prohibitions.

Subject to the exceptions provided in section 11-5, any of the following acts, or the causing or permitting thereof is declared to be excessive noise, constituting a Class 4 misdemeanor and a public nuisance:

- (a) *Radios, television sets, musical instruments and similar devices.* Operating, playing or permitting the operation or playing of any radio, television, record, tape or compact disc player, drum, musical instrument, or similar device:
 - (1) In such a manner as to permit sound to be heard across a residential real property boundary or through partitions common to two (2) dwelling units within a building; or
 - (2) In such a manner as to be plainly audible at a distance of fifty (50) feet or more from the structure in which it is located; or
 - (3) When the sound is plainly audible at a distance of fifty (50) feet or more from its source.
- (b) *Yelling, shouting, etc.* Yelling, shouting, whistling or singing between the hours of 11:00 p.m. and 7:00 a.m. in such a manner as to permit sound to be heard across a residential real property boundary or through partitions common to two (2) dwelling units within a building.
- (c) *Horns, whistles, etc.* The sounding of any vehicular horn or other sound signaling device on any motor vehicle on any public street or public place except as an emergency warning signal so as to create any unreasonably loud or harsh sound for any unnecessary and unreasonable period of time. Sounding of such horn or other device more than once every two (2) minutes in any one town block and with duration of more

than five (5) seconds for any single emission shall be prima face evidence of violation of this section.

The acts prohibited by this subsection shall not apply to the sounding or activation of a siren or air horn during any parade or demonstration provided the sponsor of such parade or demonstration has received a permit from the town as required by section 20-3 of the Town Code, and provided further that such siren or air horn shall not be sounded or activated during such parade or demonstration on Main Street between the eastern boundary of the intersection of Chalmer's Court and East Main Street to the western boundary of the intersection of Rice Street and West Main Street, and on Buckmarsh Street between the northern boundary of the intersection of Academy Street and North Buckmarsh Street and the southern boundary of the intersection of Crow Street and South Buckmarsh Street.

- (d) *Vehicles.* Operation of a motor vehicle or motorcycle within the town that creates mechanical or exhaust noise that is plainly audible at a distance of two hundred (200) feet or more from the vehicle. The operation or permitting the operation of any radio, tape player, compact disc player, or any other device which produces, reproduces, or amplifies sound in a motor vehicle, in such a manner that the sound can be heard more than fifty (50) feet from the motor vehicle.
- (e) *Construction.* The erection, including excavation, demolition, alteration, or repair of any building, street, public facility, or improvement between the hours of 8:00 p.m. and 7:00 a.m., except in the case of that it is in the best interests of the public, for public improvements and to provide for public safety, to perform the construction between said hours. The town manager shall have the authority to approve the operation of the construction equipment that may generate said noise. In considering the granting, conditioning, or denial of permit, the town manager shall be guided by the following standards: (i) significant impact to businesses; (ii) pedestrian safety; (iii) traffic volume and traffic control safety; (iv) staff to endeavor to avoid night construction if possible; and (v) staff will notify affected businesses and residents in advance prior to construction when possible.
- (f) *Pneumatic hammer, chain saw, etc.* The operation between the hours of 8:00 p.m. and 7:00 a.m. of any chain saw, pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist, or other appliance. The town manager shall have the authority to approve the operation of the equipment that may generate said noise. In considering the granting, conditioning, or denial of permit, the town manager shall be guided by the following standards: (i) significant impact to businesses; (ii) pedestrian safety; (iii) traffic volume and traffic control safety; (iv) staff to endeavor to avoid night activity associated with said machinery if possible; and (v) staff will notify affected businesses and residents in advance prior to operation of said machinery when possible.
- (g) *Schools, courts, public buildings, places of worship, and hospitals.* The creation of any noise on the grounds of any school, court, public building, place of worship, hospital, or nursing home, in a manner that is plainly audible within such school, court, public building, place of worship, hospital, or nursing home and interferes with the operation of the institution.
- (h) *Blowers or power fans.* The operation of blower or power fans, unless the noise from the blower or fan is muffled.
- (i) *Animals and fowl.* In addition to the prohibitions set forth in chapter 4, article I, section 4-1 and chapter 4, article II, section 4-26, the owning, keeping, or possessing of any animals or animals that make or cause frequent or long continued unreasonable noise that could be heard across a residential real property boundary or through partitions common to two (2) dwelling units within a building. Upon complaint being

made to the chief of police or designee that the provision of this subsection are being violated, such officer may, after investigation, give notice of such complaint to the owner or person in charge of such offending animal or fowl and order the discontinuance of the disturbance. It shall be unlawful for any person to fail to comply with such order.

- (j) *Use of loudspeakers for advertising purposes.* The operation for commercial advertising purposes [of] any loudspeaker or other like device or mechanism used to emit sound of any kind, which loudspeaker or other like device or mechanism is attached to or installed in any vehicle, when the vehicle is being driven, drawn, or parked along or upon the streets of the town. It shall also be unlawful for any person to use any machine or device for the production or reproduction of sound which is cast upon public streets or lands for the purpose of commercial advertising or of attracting attention of the public to any building, structure, or activity during the nighttime.

(Ord. of 10-8-13(1))

Sec. 11-5. - Exceptions.

Subsections (a) through (j) of section 11-4 above shall have no application to any of the sound generated by any of the following:

- (a) Sound which is necessary for the protection or preservation of property or the health, safety, life or limb of any person.
- (b) Public speaking and public assembly activities conducted on any public right-of-way or public property.
- (c) Radios, horns, sirens, and bells on police, fire, or other emergency response vehicles.
- (d) Parades, fireworks displays, school-related activities, and other such public special events or public activities.
- (e) Activities on or in municipal, county, United States, or school athletic facilities, or on publicly owned property and facilities.
- (f) Fire alarms, burglar alarms, and vehicle alarms, prior to the giving of notice and a reasonable opportunity for the owner or person in possession of the premises served by any such alarm to turn off alarm, and if turned off within a reasonable period of time.
- (g) Religious services, religious events, or religious activities or expressions, including, but not limited to music, singing, bells, chimes, and organs which are part of such service, event, activity, or expression.
- (h) Locomotives and other railroad equipment, and aircraft.
 - (i) The striking of clocks.
 - (j) Military activities of the Commonwealth of Virginia or of the United States of America.
- (k) Household tools, lawnmowers, and other lawn care equipment with manufacturer's recommended mufflers installed, between 7:00 a.m. and 9:00 p.m.
 - (l) Agricultural activities.
- (m) Lawful discharge of firearms.
- (n) Musical sounds from a commercial ice cream vehicle, used for the retail sale of ice cream products, to signify the location of the vehicle and

the possible presence of children, between the hours of noon and 9:00 p.m.; provided, however, the sounds shall not be plainly audible at a distance of more than five hundred (500) feet from its source.

(Ord. of 10-8-13(1))

Sec. 11-6. - Sound amplifying equipment.

No person shall use, or cause to be used, a sound truck, with its sound amplifying equipment in operation, for any purpose in the town except in accordance with, and subject to, the provisions of this section. The operation of a sound truck in violation of this section shall constitute a public nuisance and may be summarily abated.

- (a) *Aircraft.* The provisions of this section shall be construed to apply to aircraft carrying sound amplifying equipment, except those provisions which, by their very nature, could have no such application.
- (b) *Permit.* It shall be unlawful for any person to operate a sound truck, with its sound amplifying equipment in operation, in town, unless she/he shall first have secured a permit to do so from the town manager. Such permit shall be valid only for the time specified therein. No such permit shall be construed as authorizing the operation of a sound truck contrary to any provisions of this section. The application for such permit shall be in writing to the town manager and shall contain the following:
 - a. The name and address of the applicant.
 - b. The address of the organization of the applicant.
 - c. The license number of any sound truck, or federal registration number of any aircraft, to be used by the applicant.
 - d. The name and address of the person who owns the sound amplifying equipment.
 - e. The name and address of the person having direct charge of the sound amplifying equipment.
 - f. The names and addresses of all persons who will use the sound amplifying equipment.
 - g. The location in town in which the sound amplifying equipment will be employed.
 - h. The proposed hours of operation.
 - i. The proposed dates of operation.
 - j. A general description of sound amplifying equipment to be used.
- (c) *Hours of operation.* When a permit is issued for the use of sound amplifying equipment on a sound truck, no such equipment shall be operated for more than four (4) hours in any one day, nor shall such equipment be operated at any time on a Sunday.
- (d) *Permitted sounds.* The only sounds permitted from sound trucks are human speech and it shall be unlawful for any person to permit any other sounds to emanate from such truck.
- (e) *Volume.* The volume of sound from a sound truck shall be controlled so that it would not be audible for a distance in excess of two hundred

(200) feet from the sound truck and so that such volume is not unreasonably loud. In no case shall the sound amplifying equipment of a sound truck be operated in excess of fifteen (15) watts of power in the last stage of amplification.

- (f) *Schools, hospitals, etc.* Sound from sound trucks shall not be emitted within one hundred (100) yards of schools, hospitals, nursing homes, churches, and courthouses.
- (g) *Minimum speed.* The sound amplifying equipment of a sound truck shall not be operated unless the truck is operated at a speed of at least ten (10) miles per hour, except when such truck is stopped or impeded by traffic. Where stopped by traffic, the sound amplifying equipment shall not be operated for longer than one minute at each stop.
- (h) *Inspection.* Sound amplifying equipment in operation on a sound truck shall be subject to inspection, by a person designated by the town manager, at reasonable times.

(Ord. of 10-8-13(1))

Sec. 11-7. - Other enforcement.

Instead of criminal enforcement of this chapter, the town may bring a suit for injunction, abatement, or other appropriate civil relief to remedy, correct, or abate excessive noise.

Citizens of the town believing that excessive noise constituting a public nuisance exists may utilize the procedure set forth in § 48-1 et seq. of the Code of Virginia (1950), as amended, or any other legal civil or criminal remedies that may be available to them.

(Ord. of 10-8-13(1))

Chapter 20 - ASSEMBLIES, DEMONSTRATIONS, AND PARADES^[1]

Sec. 20-1. - Purpose.

Pursuant to the authority granted to the town by the Code of Virginia and its general police powers, the town does hereby adopt the following sections in order to provide for the public health, safety, and general welfare in the town, to ensure the free and safe passage of pedestrians and vehicles on the public rights-of-way, and to ensure the safe and unimpaired use and enjoyment of public property in places open to the general public, and otherwise to regulate and control the time, place, and manner of activities that would otherwise threaten or impair the public health, safety, and welfare in the town while also encouraging the exercise of the rights to free speech and assembly in the town.

(Ord. of 5-13-08)

Sec. 20-2. - Definitions.

The following terms shall have the meanings set out herein:

- (a) *Parade* means any march, demonstration, procession, or motorcade consisting of people, animals, or vehicles, or a combination thereof, upon the streets, sidewalks, or other public areas within the town with an intent or likely effect of attracting public attention that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks, or other public property.
- (b) *Public assembly* means any meeting, demonstration, picket line, rally, or gathering of more than ten (10) people for a common purpose as a result of prior planning that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic upon the streets, sidewalks, or other public property within the town, or that interferes with or has a tendency to interfere with the normal use of any public property in a place open to the general public.
- (c) *Spontaneous event* shall mean an unplanned or unannounced coming together of people, animals, or vehicles in a parade or public assembly which was not contemplated beforehand by any participant therein and which is caused by or in response to unforeseen circumstances or events occasioned by news or affairs first coming into public knowledge within five (5) days of such parade or public assembly.

(Ord. of 5-13-08)

Sec. 20-3. - Permit required.

- (a) It shall be unlawful for any person to conduct or participate in a public assembly, demonstration, or parade on the public streets, sidewalks, or other public property of the town in a place open to the general public for which a written permit has not been issued in accordance with the provisions of this chapter.
- (b) The provisions of this permit shall not apply to:
 - (1) Spontaneous events;
 - (2) Recreational activities, including jogging or walking, that do not require closing public streets or other public rights-of-way and that do not interfere with or have a tendency to interfere with the normal use of any public property in a place open to the general public;
 - (3) Door-to-door advocacy, including canvassing, pamphleteering, religious or political proselytizing, and the distribution of written materials, and similar activities that do not interfere with or have a tendency to interfere with the free passage of pedestrians and vehicles on the public rights-of-way or the normal use of any public property in a place open to the general public.
 - (4) Door-to-door sales of goods or services, and similar activities that do not interfere with or have a tendency to interfere with the free passage of pedestrians and vehicles on the public rights-of-way or the normal use of any public property in a place open to the general public; provided, however, that any persons or organizations engaging in such activities shall comply with any other applicable requirements of the

Code of the Town of Berryville.

- (5) Funeral processions;
 - (6) Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
 - (7) The United States Army, Navy, Air Force, and Coast Guard, the military forces of the state, and the police and fire departments of the town;
 - (8) A governmental agency/agencies acting within the scope of its functions; or
 - (9) Park and recreation areas that are regulated by the town.
- (c) Permits may be granted if they are requested by individuals or organizations who desire to have a permit, even though the permit is not required under this section.

(Ord. of 5-13-08)

Sec. 20-4. - Application.

- (a) Any person desiring to conduct a parade or public assembly shall make written application to the chief of police, or his designee, at least five (5) days prior to such parade or public assembly. Such application shall set forth the following information:
- (1) The name, address, and telephone number of the person requesting the permit;
 - (2) The name and address of any organization or group the applicant is representing;
 - (3) The name, address, and telephone number of the person who will act as the parade or public assembly leader or chairman and who will be responsible for the conduct of the parade or public assembly;
 - (4) The type of public assembly, including a description of the activities planned during the event;
 - (5) The date and time (start and ending) of the parade or public assembly;
 - (6) If an assembly, the specific location or locations of the assembly;
 - (7) If a parade, the specific assembly and dispersal locations, the specific route, and the plans, if any, for assembly and dispersal;
 - (8) The approximate number of people who, and animals and vehicles which, will constitute such parade or public assembly, and the type of animals and a description of the vehicles;
 - (9) A statement as to whether the parade or public assembly will occupy all or only a portion of the width of the streets or sidewalks or other public rights-of-way proposed to be traversed or used;
 - (10) A description of any recording equipment, sound amplification equipment, banners, signs, or other attention-getting devices to be used in connection with the parade or public assembly; and
 - (11) Such other information as the chief of police, or his designee, may deem reasonably necessary in order to properly provide for traffic control, street and property maintenance, administrative arrangements, police and fire protection, and for the protection of public health, safety, and

welfare.

- (b) The chief of police, or his designee, shall not issue the permit if any material information supplied by the applicant is false or intentionally misleading.
- (c) The chief of police, or his designee, shall have the authority to and shall make reasonable efforts to consider an application hereunder which is filed less than five (5) days before the date the parade or assembly is proposed to be conducted if, after due consideration of the date, time, place, and nature of the parade or public assembly, the anticipated number of participants, and the town services required in connection with the event, and where good cause is otherwise shown, the chief of police, or his designee, determines that the waiver of the permit application deadline will not present an undue hazard to public safety.

(Ord. of 5-13-08)

Sec. 20-5. - Issuance or denial of permit.

- (a) The chief of police, or his designee, shall issue the permit within three (3) days of receipt of the completed application, and in any event prior to the scheduled parade or public assembly if the proposed parade or public assembly will not endanger the public health, welfare, or safety, applying the following criteria and finding that:
 - (1) The time, duration, route, and size of parade or assembly will not unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic or the normal use of public property in a place open to the general public;
 - (2) The parade or assembly is not of such a nature that it will require diversion of so great a number of police and fire personnel to properly police the line of movement in the areas contiguous thereto so as to impair the normal protection of the remainder of the town;
 - (3) The applicant has, where appropriate, designated monitors sufficient to control the orderly conduct of the parade or assembly in conformity with such permit;
 - (4) The conduct of the parade or assembly will not unduly interfere with the proper fire and police protection of, or ambulance service to, the remainder of the town, or unreasonably disrupt other public services and protection normally provided to the town;
 - (5) The parade or assembly will not interfere with another parade or assembly for which a permit has been granted; and
 - (6) The parade or assembly proposed will not violate, and will conform with, all applicable state regulations and laws governing the proposed event.
- (b) For parades or public assemblies held on a regular or recurring basis at the same location, an application for an annual permit covering all such parades or assemblies during the calendar year may be filed with the chief of police, or his designee, at least five (5) and not more than sixty (60) days before the date and time at which the first such parade or public assembly is proposed to commence. The chief of police, or his designee, may and shall make reasonable efforts to waive the minimum five-day period after due consideration of the factors specified in subsection (c) in the previous section.
- (c) If the chief of police, or his designee, denies an application, he shall promptly mail to the applicant a notice of his action, stating the reasons for his

denial of the permit, and notifying the applicant of his right to appeal the denial pursuant to section 20-10 of this chapter.

- (d) If two (2) or more applications are submitted requesting a permit under this chapter for a parade or assembly to be used at the same time and place, the application first filed shall be granted if it meets the requirements of this chapter;
- (e) Nothing in this chapter shall permit the chief of police, or his designee, to deny a permit based upon political, social, or religious grounds, or reasons or based upon the content of the views expressed. Denial of a permit on such grounds is prohibited.

(Ord. of 5-13-08)

Sec. 20-6. - Alternative permit.

The chief of police, or his designee, in denying a permit for a parade or public assembly shall be empowered to authorize the conduct of the parade or assembly on a date, at a time, at a place, or over a route different from that proposed by the applicant. An applicant desiring to accept an alternate permit shall file a written notice of acceptance with the chief of police, or his designee. An alternate permit shall conform to the requirements of and shall have the effect of a permit under this chapter.

(Ord. of 5-13-08)

Sec. 20-7. - Notice to town and other officials.

Immediately upon the issuance of a permit, the chief of police, or his designee, shall send a copy thereof to the following:

- (a) The town manager;
- (b) The town attorney; and
- (c) The John H. Enders Fire and Rescue Company fire chief.

(Ord. of 5-13-08)

Sec. 20-8. - Compliance with directions and conditions.

Every person to whom a permit is issued under this chapter shall substantially comply with all permit terms and conditions and with all applicable laws and ordinances. The parade or assembly chairman or other person heading or leading the parade or assembly shall carry the permit upon his person during the conduct of the parade or assembly, and show the permit when requested to do so.

(Ord. of 5-13-08)

Sec. 20-9. - Revocation of permit.

The chief of police, or his designee, shall have the authority to revoke any permit issued pursuant to this chapter if any material information supplied by the applicant is discovered to be false or intentionally misleading, or if any term, condition, restriction, or limitation of the permit has been substantially violated, or if there is any continued violation of the terms, conditions, restrictions, or limitations of the permit after the applicant or anyone acting in concert with him is notified of a violation of the permit by an appropriate law enforcement official.

(Ord. of 5-13-08)

Sec. 20-10. - Appeal.

- (a) Any person aggrieved by the refusal of the chief of police, or his designee, to grant a permit, or by the revocation of a permit after one has been issued, may appeal the denial or revocation to the town manager, or his designee, by filing with the town manager's office, within five (5) working days after the date of denial or revocation, a written notice of the appeal setting forth the grounds therefore. The town manager, or his designee, shall act upon the appeal within five (5) working days after its receipt.
- (b) The decision of the town manager, or his designee, may be appealed to the Circuit Court of the County of Clarke, in accordance with the laws of the Commonwealth of Virginia.
- (c) In any appeal under this section, the town shall have the burden of demonstrating that the denial or revocation of the permit was justified under section 20-5 of this chapter.

(Ord. of 5-13-08)

Sec. 20-11. - Public conduct during parades, demonstrations, and assemblies.

- (a) *Interference.* No person shall unreasonably hamper, obstruct, impede, or interfere with any parade, demonstration, or assembly, or with any person, vehicle, or animal participating or used in a parade, demonstration or assembly, for which a written permit has been issued in accordance with the provisions of this chapter.
- (b) *Driving through parades.* No driver of a vehicle shall drive between the vehicles, persons, or animals comprising a parade, demonstration, or assembly or funeral procession except when otherwise directed by a police officer. This shall not apply to authorized emergency vehicles.
- (c) *Parking on parade, demonstration, or assembly route.* The chief of police, or his designee, shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along the public streets or public rights-of-way constituting a part of the route of a parade, demonstration, or assembly. The chief of police, or his designee, 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 on a street unposted in violation of this chapter.

(Ord. of 5-13-08)

Sec. 20-12. - Severability.

If any portion of this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this chapter and such invalid provisions or portions thereof shall be severable.

(Ord. of 5-13-08)