

# VILLAGE OF CAYUGA HEIGHTS

## Local Law 4 of the Year 2013

### A LOCAL LAW TO PROVIDE FOR REGULATION OF PARADES AND SPECIAL EVENTS.

Be it enacted by the Board of Trustees of the Village of Cayuga Heights as follows:

#### SECTION I PURPOSE AND INTENT

The purpose of this Local Law is to establish regulations governing the time, place and manner of parades and special events that take place in the Village of Cayuga Heights (the "Village"). The intent of this Local Law is to establish a permit process for the conduct of parades and special events and to provide reasonable restrictions in connection with the conduct of parades and special events in order to maintain public safety.

#### SECTION II AUTHORITY

This Local Law is enacted pursuant to the grant of powers to local governments provided for in Section 10 of the Municipal Home Rule Law to adopt and amend local laws not inconsistent with the provisions of the New York State Constitution or not inconsistent with any general law relating to its property, affairs, government or other subjects provided for in said Section 10 of the Municipal Home Rule Law.

#### SECTION III DEFINITIONS

- A. **Parade.** A procession of any kind on a public street, road, or highway in the Village and that does not comply with other State or Village Local Laws, regulations or ordinances governing the use of Village streets, roads, or highways.
- B. **Public Place.** Any area or location to which the general public has unrestricted access; however, the term public place shall not include the interior floor space of any building or any area covered by any part of a building's roof.
- C. **Special Event.** Any event, occasion or celebration open to the public and held at or upon any public street, road, highway or sidewalk or public park or other public place, or conducted at such a location and in such a manner as to significantly impact, impair or limit the public's access to any public street, road, highway or sidewalk or public park or other public place.

#### **SECTION IV            PERMIT REQUIRED**

Unless authorized by resolution of the Board of Trustees of the Village, any parade or special event in the Village, at any time on any public street, road, or highway or other public place, requires a permit issued by the Village Clerk in accordance with the provisions of this Local Law. The permit will specify the timeline for the parade or special event and any conditions to be satisfied in arranging or conducting the parade or special event, such as safety planning, provision of insurance or indemnification to the Village, and reimbursement of costs incurred by the Village. The Chief of Police will review and approve or deny permit applications. If the Chief of Police does not approve an application, the applicant may appeal to the Board of Trustees, and the Board of Trustees will promptly consider the application. The Board of Trustees may deny an application based on threats to public safety, failure to provide satisfactory planning or information, or scheduling conflicts with other events. No permit will be issued for a parade or special event to be held primarily for private profit. Upon applying for a permit, the applicant will pay a permit fee as stated on the application form, however, the applicant may request, and the Board of Trustees may grant, a waiver of such fee.

#### **SECTION V            PUBLIC CONDUCT DURING PARADE OR SPECIAL EVENT**

No person shall drive any vehicle between the vehicles, persons or animals participating in a parade proceeding in accordance with the terms of a permit issued therefor by the Village Clerk when such parade is underway or is conspicuously designated as a parade or when the vehicles, persons or animals participating in the parade are in motion or are readily identifiable as participating in a parade. No person shall hamper, obstruct, impede or interfere with any person, vehicle or animal participating in or used in a parade or special event.

#### **SECTION VI            PARKING PROHIBITIONS**

The Police Chief shall have the authority to prohibit or restrict the parking of vehicles along the street(s), road(s), highway(s), sidewalk(s) or other public place(s) constituting any part of the route of a parade, or adjacent to the location of a special event, and to cause signs to such effect to be posted. It shall be unlawful and a violation of this Local Law for any person to park or leave unattended any vehicle in a location in violation of any parking prohibitions or restrictions so posted.

#### **SECTION VII            CONSTRUCTION WITH OTHER LAWS AND REGULATIONS**

Any individual, partnership, limited liability company, corporation or other legal entity that is issued a permit in accordance with this Local Law must also comply with:

- A.     Article 36 of the Village Laws entitled Noise.
- B.     Article 22 of the Village Laws entitled Alcoholic Beverages Open Container prohibition.
- C.     Article 10 of the Village Laws entitled Hawkers, Peddlers and Solicitors.

**SECTION VIII      PENALTIES FOR VIOLATIONS**

- A.      Any violation of this Local Law is hereby declared to be an offense. For conviction of a first offense, the violator shall be subject to a fine in the minimum amount of \$50 and the maximum amount of \$250.
  
- B.      For conviction of a second or subsequent offense which was committed within a period of one (1) hour from the commission of the prior offense, the violator shall be subject to a fine in the minimum amount of \$100 and the maximum amount of \$400.
  
- C.      For the conviction of a third or subsequent offense which was committed within any continuous 24 hour period, the violator shall be subject to a fine in the minimum amount of \$250 and the maximum amount of \$750.

**SECTION IX      SUPERSEDING EFFECT**

All ordinances, local laws, resolutions, rules, regulations and other enactments of the Village of Cayuga Heights in conflict with the provisions of this Local Law are hereby superseded to the extent necessary to give this Local Law full force and effect.

**SECTION X      VALIDITY**

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

**SECTION XI      EFFECTIVE DATE**

This Local Law shall be effective immediately upon filing in the office of the Secretary of State, except that it shall be effective from the date of its service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.