

TITLE 16

STREETS AND SIDEWALKS, ETC.¹

CHAPTER

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CHAPTER 1

MISCELLANEOUS

SECTION

- 16-101. Obstructing streets, alleys, or sidewalks prohibited.
- 16-102. Trees projecting over streets, etc., regulated.
- 16-103. Trees, etc., obstructing view at intersections prohibited.
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- 16-109. Abutting occupants to keep sidewalks clean, etc.
- 16-110. Operation of trains at crossings regulated.
- 16-111. Animals and vehicles on sidewalks.
- 16-112. Fires in streets, etc.
- 16-113. [Repealed.]
- 16-114. [Repealed.]

16-101. Obstructing streets, alleys, or sidewalks prohibited. No person shall use or occupy any portion of any public street, alley, sidewalk, or right of way for the purpose of storing, selling, or exhibiting any goods, wares, merchandise, materials, construction materials, brush, junk, leaves, etc. (1981 code, § 12-201, modified)

16-102. Trees projecting over streets, etc., regulated. It shall be unlawful for any property owner or occupant to allow any limbs of trees on his property to project over any street or alley at a height of less than fourteen (14) feet or over any sidewalk at a height of less than eight (8) feet. (1981 code, § 12-202)

¹See title 15 in this code for related motor vehicle and traffic regulations.

16-103. Trees, etc., obstructing view at intersections prohibited. (1) It shall be unlawful for any property owner or occupant to have or maintain on his property any tree, shrub, sign, or other obstruction which prevents persons driving vehicles on public streets or alleys from obtaining a clear view of traffic control signs and approaching traffic at an intersection, pursuant to Manual of Uniform Traffic Control Devices.

(2) It shall be the duty of every owner or part owner of a lot or lots fronting upon any public street to maintain and/or remove any tree, shrub or brush outside the traveling roadway and/or back of the curb that could be constituted as a public nuisance. (1981 code, § 12-203, modified)

16-104. Projecting signs and awnings, etc., restricted. Signs, awnings, or other structures which project over any street or other public way shall be erected subject to the requirements of the building code. (1981 code, § 12-204)

16-105. Banners and signs across streets and alleys restricted. It shall be unlawful for any person to place or have placed any banner or sign across or above any public street or alley except when expressly authorized by the governing body after a finding that no hazard will be created by such banner or sign. (1981 code, § 12-205, modified)

16-106. Gates or doors opening over streets, alleys, or sidewalks prohibited. It shall be unlawful for any person owning or occupying property to allow any gate or door to swing open upon or over any street, alley, or sidewalk except when required by law. (1981 code, § 12-206)

16-107. Littering streets, alleys, or sidewalks prohibited. It shall be unlawful for any person to litter, place, throw, track, or allow to fall on any street, alley, or sidewalk any refuse, glass, tacks, mud, or other objects or materials which are unsightly or which obstruct or tend to limit or interfere with the use of such public ways and places for their intended purposes. (1981 code, § 12-207)

16-108. Obstruction of drainage ditches. It shall be unlawful for any person to permit or cause the obstruction of any drainage ditch in any public right of way or in which water from public right of way is drained.

No culvert pipe, concrete box culverts, bridges, etc. may be attached to existing drainage systems or installed in a public right of way or in a drainage ditch or area in which water from public right of way is drained without a written permit from the city engineer.

Any pipe or structure installed in violation of this section shall be removed by city personnel. (1981 code, § 12-208, modified)

16-109. Abutting occupants to keep sidewalks clean, etc. The occupants of property abutting on a sidewalk are required to keep the sidewalk clean. (1981 code, § 12-209)

16-110. Operation of trains at crossings regulated. No person shall operate any railroad train across any street or alley without giving a warning of its approach as required by state law; nor shall he make such crossing at a speed in excess of thirty-five (35) miles per hour. It shall also be unlawful to stop a railroad train so as to block or obstruct any street or alley for a period of more than five (5) consecutive minutes. (Ord. # 84-01))

16-111. Animals and vehicles on sidewalks. It shall be unlawful for any person to ride, lead, or tie any animal, or ride, push, pull, or place any vehicle across or upon any sidewalk in such manner as unreasonably interferes with or inconveniences pedestrians using the sidewalk. It shall also be unlawful for any person knowingly to allow any minor under his control to violate this section. (1981 code, § 12-212)

16-112. Fires in streets, etc. It shall be unlawful for any person to set or contribute to any fire in any public street, alley, or sidewalk. (1981 code, § 12-113)

16-113. [Repealed.] (as added by Ord. #02-11, Aug. 2002, as repealed by Ord. #06-30, Dec. 2006)

16-114. [Repealed.] (as added by Ord. #02-11, Aug. 2002, as repealed by Ord. #06-30, Dec. 2006)

CHAPTER 2

EXCAVATIONS AND PUBLIC RIGHTS OF WAY AND/OR STREETS¹

SECTION

- 16-201. Permit required.
- 16-202. Applications.
- 16-203. Deposit or bond.
- 16-204. Manner of excavating--barricades and lights--temporary sidewalks.
- 16-205. Restoration of streets, etc.
- 16-206. Insurance.
- 16-207. Time limits.
- 16-208. Supervision.
- 16-209. Driveway construction.

16-201. Permit required. It shall be unlawful for any person, firm, corporation, association, or others to make any excavation in any street, alley, public place or city right of way, or to tunnel under any street, alley, public place or city right of way without having first obtained a permit as herein required, and without complying with the provisions of this chapter; and it shall also be unlawful to violate, or vary from, the terms of any such permit; provided, however, any person maintaining pipes, lines, or other underground facilities in or under the surface of any street may proceed with an opening without a permit when emergency circumstances demand the work to be done immediately and a permit cannot reasonably and practicably be obtained beforehand. The person shall thereafter apply for a permit on the first regular business day on which the office of the city engineer is open for business, and said permit shall be retroactive to the date when the work was begun. All existing streets shall be bored unless in the opinion of the city engineer this method is not feasible. (1981 code, § 12-201)

16-202. Applications. Applications for such permits shall be made to the Public Works Department, and shall state thereon the location of the intended excavation or tunnel, the size thereof, the purpose thereof, the person, firm, corporation, association, or others doing the actual excavating, the name of the person, firm, corporation, association, or others for whom the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws relating to the work to be done. Such application shall be

¹Sections 16-201 through 16-209 in this chapter were patterned substantially after the ordinance upheld by the Tennessee Supreme Court in the 1960 case of City of Paris, Tennessee v. Paris-Henry County Public Utility District, 207 Tenn. 388, 340 S.W. 2d 885.

rejected or approved by the city engineer within twenty-four (24) hours of its filing. The fee for each permit shall be \$25.00. (1981 code, § 12-202)

16-203. Deposit or bond. No such permit shall be issued unless and until the applicant therefor has deposited with the city engineer a cash deposit, certified cashier's check or non-revocable letter of credit to the City of Springfield. The deposit shall be a minimum of \$500.00. Where the amount of the deposit is clearly inadequate to cover the cost of restoration, the city engineer shall increase the amount of the deposit to an amount considered by him to be adequate to cover the said cost. From this deposit shall be deducted the expense to the municipality of relaying the surface of the ground or pavement, and of making the refill if the applicant fails to do so, by the municipality or at its expense.

In lieu of a deposit the applicant may deposit with the city engineer a surety bond in such form and amount as the city engineer shall deem adequate to cover the costs to the municipality if the applicant fails to make proper restoration. (1981 code, § 12-204)

16-204. Manner of excavating--barricades and lights--temporary sidewalks. Any person, firm, corporation, association, or others making any excavation or tunnel shall do so according to the terms and conditions of the application and permit authorizing the work to be done. Sufficient and proper barricades and lights shall be maintained to meet minimum requirements of U.S. Dept. of Transportation-Federal Housing Admin., Manual on Uniform Traffic Control Devices (DOT-MUTCD) to protect persons and property from injury by or because of the excavation being made. If any sidewalk is blocked by any such work, a temporary sidewalk shall be constructed and provided which shall be safe for travel and convenient for users. (1981 code, § 12-205)

16-205. Restoration of streets, etc. Any person, firm, corporation, association, or others making any excavation or tunnel in or under any street, alley, or public place in this municipality shall restore said street, alley, or public place as directed by the public works director or as a minimum the following specifications: (1) All excavations shall be backfilled as directed by public works director. In case of unreasonable delay in restoring the street, alley, or public place, the city engineer shall give notice to the person, firm, corporation, association, or others that unless the excavation or tunnel is restored according to the above specifications within a specified reasonable period of time, the municipality will do the work and charge the expense of doing the same to such person, firm, corporation, association, or others. If within the specified time the conditions of the above notice have not been complied with, the work shall be done by the municipality, an accurate account of the expense involved shall be kept, and the total cost shall be charged to the

person, firm, corporation, association, or others who made the excavation or tunnel. (1981 code, § 12-206)

16-206. Insurance. In addition to making the deposit or giving the bond hereinbefore required to insure that proper restoration is made, each person applying for an excavation permit shall file a certificate of insurance indicating that he is insured against claims for damages for personal injury as well as against claims for property damage which may arise from or out of the performance of the work, whether such performance be by himself, his subcontractor, or anyone directly or indirectly employed by him. Such insurance shall cover collapse, explosive hazards, and underground work by equipment on the street, and shall include protection against liability arising from completed operations. The amount of the insurance shall be prescribed by the city engineer in accordance with the nature of the risk involved; provided, however, that the liability insurance for bodily injury shall not be less than \$500,000 for each person and \$1,000,000 for each accident, and for property damages not less than \$50,000 for any one (1) accident, and a \$100,000 aggregate. (1981 code, § 12-207)

16-207. Time limits. Each application for a permit shall state the length of time it is estimated will elapse from the commencement of the work until the restoration of the surface of the ground or pavement, or until the backfill is made ready for the pavement to be put on by the municipality if the municipality restores such surface pavement. It shall be unlawful to fail to comply with this time limitation unless permission for an extension of time is granted by the public works director. (1981 code, § 12-208)

16-208. Supervision. The public works director shall from time to time inspect all excavations and tunnels being made in or under any public street, alley, or other public place in the municipality and see to the enforcement of the provisions of this chapter. Notice shall be given to him at least ten (10) hours before the work of refilling any such excavation or tunnel commences. (1981 code, § 12-209)

16-209. Driveway construction. No person, firm, corporation, association, or others shall construct, cut, build, or maintain a driveway connecting private property to a public street in this municipality without first obtaining a permit from the city engineer. Such a permit will not be issued when the contemplated driveway is to be so located or constructed as to create an unreasonable hazard to pedestrian and/or vehicular traffic. If such a permit is issued, it shall specify whether or not a drainage tile or culvert is required in the construction of the said driveway. If a drainage tile or culvert is required, the said permit shall specify the size of the drainage tile or culvert to be used. All drainage tiles or culverts used shall be constructed of either concrete or metal of no less than 15"

in diameter. Driveway placement, width and design shall comply with the Springfield Municipal Regional Zoning ordinance. Persons not complying with aforementioned permit shall not be issued any additional permits from the city. Driveways constructed in violation of the city code or driveway permits shall be removed by the Public Works Department. (1981 code, § 12-210, modified)

CHAPTER 3

SIDEWALKS

SECTION

- 16-301. Responsibility for construction of sidewalks.
- 16-302. Responsibility for maintenance.
- 16-303. Responsibility for correcting grade defects.
- 16-304. Conditions constituting a public nuisance.
- 16-305. Abatement of nuisances by city.
- 16-306. Supervision and direction of work.
- 16-307. Repairs and construction performed by the City of Springfield.

16-301. Responsibility for construction of sidewalks. It shall be the duty of every owner or part owner of a lot or lots fronting upon any public street in front of which there is no sidewalk or pavement to cause to be constructed and kept in proper and safe repair so as not to be attended with danger of personal injury, discomfort or inconvenience to the traveling public, a safe and proper sidewalk or pavement along the whole front of his lot or lots in accordance with the provisions of this chapter and any and all other ordinances of Springfield, Tennessee. (1981 code, § 12-301)

16-302. Responsibility for maintenance. It shall be the duty of every owner of a lot or lots within the city along or in front of which a sidewalk or pavement has been constructed to maintain such sidewalk in a proper and safe condition so that the same is not attended with danger of personal injury, discomfort or inconvenience to the traveling public. (1981 code, § 12-302)

16-303. Responsibility for correcting grade defects. It shall be the duty of every owner of a lot or lots within the city along or in front of which a sidewalk or pavement has been constructed, but in which there is an elevation or depression causing such sidewalk to be unsafe and improper for the traveling public and attended with danger of personal injury, discomfort or inconvenience, to so repair or fix said elevation or depression or, if necessary, to change the grade of his sidewalk or pavement so as to make it safe for the traveling public. (1981 code, § 12-303)

16-304. Conditions constituting a public nuisance. The absence of a sidewalk or pavement upon any public street or the presence of any defect or obstruction in any existing sidewalk or pavement which makes the use thereof by the public unsafe, improper, or attended with danger of personal injury, discomfort or inconvenience, is hereby declared to be and to constitute a public nuisance. The owner of the property in front of or along which such nuisance exists is responsible therefor and the failure to abate the same or in good faith

to commence to abate the same within five (5) days from the time notice has been served on him, or them, by the Codes Enforcement Department shall constitute a misdemeanor punishable under the general penalty clause for this code. The notice shall set out the character, size and kind of sidewalk to be constructed, or if repairs are necessary, the kind and character of such repairs, or if a change in the grade of the existing sidewalk is necessary or repairs to an elevation or depression is necessary, what grade is to be used or in what manner the elevation or depression is to be remedied. (1981 code, § 12-304)

16-305. Abatement of nuisances by city. When the Codes Enforcement Department has served the notice set out in the preceding section and the owner of said lot or lots has failed within five (5) days from the date of such service to in good faith commence the construction, paving, repairing or grading of said sidewalks as provided by this and other ordinances of Springfield, Tennessee, then the Board of Mayor and Aldermen of Springfield, Tennessee, may at once proceed to repair, construct, pave or grade said sidewalks or pavements by contract let to some suitable person on the best terms that can be made and pay for the same. When the costs thereof to each abutting owner is ascertained by the city recorder he shall notify him or them by registered mail as to the amount so expended and said amount shall constitute a charge against said owner or owners of the lot or lots respectively abutting thereon and also a lien upon said abutting lot or lots which may be enforced by attachment in law or equity, or recovered by suit in the name and for the use of the Aldermen of Springfield, Tennessee, in any court of competent jurisdiction. (1981 code, § 12-305)

16-306. Supervision and direction of work. The work of laying or constructing sidewalks or pavement and the repairing or changing of the grade therein or thereof shall be under the supervision and direction and subject to the control of the city engineer, as to the work and materials used. (1981 code, § 12-306)

16-307. Repairs and construction performed by the City of Springfield. The City of Springfield may from time to time elect to make repairs to existing sidewalk or construct new sidewalk, at selected locations and at its own expense, in order to improve pedestrian safety or the general appearance and function of city streets, or to eliminate grade defects or other public nuisances. The performance of such work by the City of Springfield shall not relieve the owner of a lot or lots within the city, along or in front of which a sidewalk or pavement has been constructed, of the duty to subsequently maintain at the owner's expense such sidewalk in a proper and safe condition in accordance with the provisions of this chapter and any and all other ordinances of Springfield, Tennessee. (as added by Ord. #01-40, Jan. 2002)

CHAPTER 4

HOUSE NUMBERS

SECTION

- 16-401. Division of city.
- 16-402. Use of "even" and "odd" numbers.
- 16-403. Allocation of numbers.
- 16-404. Placement of numbers.
- 16-405. Application and enforcement.

16-401. Division of city. Fifth Avenue shall be the dividing line between the northern and southern portions of the city. Main Street shall be the dividing line between the eastern and western portions of the city. (1981 code, § 12-401)

16-402. Use of "even" and "odd" numbers. Even numbers shall be placed on the north and east sides of avenues and streets and odd numbers shall be placed on the south and west sides. (1981 code, § 12-402)

16-403. Allocation of numbers. Numbers shall begin with the 100 block and 100 numbers shall be allotted to each block between cross streets.

Generally a separate number shall be allocated for each 25 feet or fraction thereof of frontage.

On the east side of Main Street between Fourth Avenue and Eighth Avenue and on the Square a separate number shall be allocated for each 12 1/2 feet or fraction thereof. (1981 code, § 12-403)

16-404. Placement of numbers. The owner of every house that is not already numbered with an approved number shall place thereon a conspicuous house number approved by the Community Development Office.

The owner shall remove any incorrect or irregular number. (1981 code, § 12-404, modified)

16-405. Application and enforcement. The Community Development Office shall see that proper numbers are assigned and made available at cost to property owners making application therefor and shall generally see to the enforcement of this chapter. (1981 code, § 12-405, modified)

CHAPTER 5

STREET NAMES

SECTION

16-501. System established.

16-501. System established. There is hereby established an official system of street names in the City of Springfield as shown on the City Engineer's Base Map for Computer Aided Design as produced by the City Engineering Department.

Names of streets shall remain as designated on said map unless officially changed by ordinance.¹

No new streets shall be accepted by the city nor municipal improvements made therein until such streets have been named. If they are extensions of existing streets, the existing name shall be continued. If not extensions the names recorded shall not duplicate or closely approximate street names already assigned.

Every subdivision plat submitted to the planning commission for its approval after the effective date of this chapter shall show the proper names of any and all streets and these street designations shall be approved by the planning commission before such new streets are officially named. If street names are changed, the city engineer shall be responsible for revision and recording of revised plats. (1981 code, § 12-501)

¹Ordinances vacating, closing, or changing the names of streets and/or alleys are of record in the city recorder's office and are dated as follows:

Sept. 11, 1964

June 9, 1970

Feb. 9, 1971

May 7, 1974

Aug. 8, 1978

Apr. 22, 1980

CHAPTER 6

PARADES

SECTION

- 16-601. Short title.
- 16-602. Definitions.
- 16-603. Purposes.
- 16-604. Permit.
- 16-605. Application.
- 16-606. Standards for issuance.
- 16-607. Contents of permit.
- 16-608. Duties of permittee.
- 16-609. Revocation of permit.
- 16-610. Notice to city officials.
- 16-611. Violation and penalty.

16-601. Short title. This ordinance shall be known and may be cited as the "Parade Ordinance of the City of Springfield". (Ord. # 091-17, Dec. 1991)

16-602. Definitions. The following words, for the purpose of this ordinance, shall have the following meanings:

(1) "Parade" is any meeting, parade, demonstration, exhibition, festival, homecoming, assembly, or other such events to be held in, upon, or along any street, or on any other city owned outdoor public place in Springfield. "Parade" shall not include the solicitation or collection of donations by religious, charitable, or non-profit organizations.

(2) "City" is the City of Springfield.

(3) "Board of Mayor and Aldermen" is the Board of Mayor and Aldermen of Springfield.

(4) "City recorder" is the city recorder of Springfield.

(5) "Chief of police" is the Chief of police of Springfield.

(6) "Parade permit" is a permit as required by this ordinance.

(7) "Person" is any person, firm, group, partnership, association, corporation, company, or organization of any kind. (Ord. # 091-17, Dec. 1991, as amended by Ord. #01-41, Jan. 2002)

16-603. Purposes. (1) The City of Springfield recognizes the constitutional right of every citizen to harbor and express beliefs on any subject whatsoever and to associate with others who share similar beliefs.

(2) The city passes this ordinance to regulate the time, place, and manner of parades.

(3) The city passes this ordinance in the interest of all its citizens, public safety, health, welfare, comfort, and convenience.

(4) The City of Springfield has limited resources and passes this ordinance so that it may properly allocate these resources among its citizens.

(5) The purpose of this ordinance is to promote order, safety, and tranquility in the streets of the city.

(6) This ordinance is passed to help minimize traffic and business interruption on or along city streets and public places. (Ord. # 091-17, Dec. 1991)

16-604. Permit. (1) No person shall parade unless a parade permit has been obtained from the Board of Mayor and Aldermen. Any parade held without the proper permit shall be unlawful.

(2) This ordinance shall not apply to funeral processions and park lands excluding the street, avenues or right of ways therein. (Ord. # 091-17, Dec. 1991)

16-605. Application. (1) Any person seeking issuance of a parade permit shall file an application with the city recorder on forms provided by the city recorder. The city recorder shall place the request for a parade permit on the agenda of the next meeting of the Board of Mayor and Aldermen for action by it in the normal course of business.

(2) The application for a parade permit shall be filed in writing with the city recorder not less than thirty (30) days prior to the contemplated parade and five (5) working days prior to any regularly scheduled or called meeting of the Board of Mayor and Aldermen. No permit shall be granted sooner than one hundred eighty (180) days prior to the contemplated parade. A copy of the application shall be given to the chief of police who shall investigate and make a report to the Board of Mayor and Aldermen.

(3) The application for a parade permit shall set forth the following information:

(a) The name, address, and telephone number of the person seeking to conduct a parade or of the organization and its responsible heads;

(b) The name, address, and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;

(c) The date when the parade is to be conducted;

(d) The route to be traveled, the starting point, and the termination point;

(e) The approximate number of persons who, and animals which, will constitute such parade; the type of animals and description of the vehicles;

(f) The hours when the parade will begin and end;

(g) A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed;

(h) The location by streets of any assembly area(s);

(i) The time at which units of the parade will begin to assemble at any assembly area(s);

(j) The interval of space to be maintained between units of the parade; and

(k) If the parade is to be held on behalf of any person other than the applicant, the authorization of that person.

(l) Whether the applicant has been convicted for the violation of the city parade ordinance of the City of Springfield.

(4) The Board of Mayor and Aldermen shall decide whether to grant the application for a permit. The Board of Mayor and Aldermen may consult with the chief of police in making their decision.

(5) The Board of Mayor and Aldermen in cooperation with the chief of police shall have the authority to designate the starting point, route, terminal point, or other time, place, and manner restrictions as deemed proper in consideration of minimum traffic interruption, public safety, health, welfare, convenience, peace or order. (Ord. # 091-17, Dec. 1991)

16-606. Standards for issuance. (1) The Board of Mayor and Aldermen shall issue a parade permit upon consideration of the application and other information obtained when they find that:

(a) The conduct of the parade will not unduly interrupt the safe and orderly movement of other traffic contiguous to its route;

(b) The conduct of the parade will not require the diversion or interruption of essential or emergency municipal services;

(c) The parade is scheduled to move from its origin to its termination expeditiously and without reasonable delay;

(d) The applicant has satisfied the bond requirement; and

(e) No other permit has been granted for the same day.

(2) A permit shall be granted to the first person properly applying under the requirements of this ordinance.

(3) No permit shall be granted for a parade except those restricted to the following time:

(a) No earlier than 8:00 a.m.

(b) No later than 12:00 midnight.

(c) This subsection shall not be applicable to activities directly related to or activities sponsored by accredited public schools.

(4) No permit shall be granted to any person until the applicant has posted in advance a two hundred fifty (\$250.00) bond to cover the reasonable expenses incurred in the clean up efforts after the parade.

(5) The city recorder shall notify the applicant within five (5) days after the action of the Board of Mayor and Aldermen whether the permit has been granted or denied. If the permit has been denied, the city recorder shall set forth the reasons why the Board of Mayor and Aldermen denied the permit.

(6) In computing any period of time set out in this ordinance, no Saturdays, Sundays, or holidays are to be computed in the time period. (Ord. # 091-17, Dec. 1991, as amended by Ord. # 094-07, May 1994)

16-607. Contents of permit. Each parade permit shall state the following:

- (1) Assembly and disassembly time and place;
- (2) Starting time;
- (3) The route and the portions of the streets to be traversed that may be occupied by the parade;
- (4) Minimum speed;
- (5) Maximum speed;
- (6) Interval of space between parade units;
- (7) The maximum length of the parade in miles or fractions thereof;
- (8) Other information as the Board of Mayor and Aldermen in cooperation with the chief of police shall find necessary to the enforcement of this ordinance. (Ord. # 091-17, Dec. 1991)

16-608. Duties of permittee. (1) A permittee shall comply with all permit application information, permit directions and conditions, and with all applicable laws and ordinances.

(2) The permittee shall advise parade participants of such permit requirements.

(3) The parade chairman or other person heading or leading such activity shall carry the parade permit upon his person during the parade. (Ord. # 091-17, Dec. 1991)

16-609. Revocation of permit. (1) The Board of Mayor and Aldermen or their designee shall have the authority to revoke a parade permit issued hereunder prior to the parade upon the application of the standards for issuance as herein set forth if it is found that:

(a) Applicant materially misrepresented facts or information in the application; and/or

(b) Applicant failed to meet the standards for issuance set forth herein.

(2) The Board of Mayor and Aldermen or their designee shall have the authority to revoke the permit during the parade and disassemble the parade if:

(a) A public emergency arises requiring such revocation to protect the safety of persons or property; or

(b) Disorderly conduct, riots, lawless activity, violence, or other breach of the peace, incited by parade participants, occurs. (Ord. # 091-17, Dec. 1991)

16-610. Notice to city officials. Immediately upon the issuance of a parade permit, the city recorder shall send a copy of the permit to the following:

- (1) The mayor;
- (2) The city manager;
- (3) The city attorney;
- (4) The fire chief;
- (5) The ambulance authority; and
- (6) The chief of police. (Ord. # 091-17, Dec. 1991)

16-611. Violation and penalty. (1) It shall be unlawful for any person to parade without first having obtained a permit as required by this ordinance.

(2) It shall be unlawful for any person to participate in a parade in Springfield for which a permit has not been granted.

(3) It shall be unlawful for any person to fail to comply with all directions and conditions of the parade permit.

(4) Any person violating the provisions of any section of this ordinance shall, upon conviction, be fined not more than fifty dollars (\$50.00) for each violation. (Ord. # 091-17, Dec. 1991)

CHAPTER 7

SOLICITATION ROADBLOCKS

SECTION

16-701. Determination of exemption from IRS required.

16-702. General requirements.

16-703. Definitions.

16-704. Eligibility.

16-705. Restrictions.

16-706. Permits.

16-707. Violations.

16-701. Determination of exemption from IRS required. Solicitation roadblocks shall be allowed on the streets of the City of Springfield only by organizations that have received a determination of exemption from the internal revenue service under 26 U.S.C. Subchapter 501(c) (3) or (4). (as added by Ord. #01-42, Jan. 2002)

16-702. General requirements. The members of the organization shall take reasonable and prudent precautions to prevent both the disruption of traffic flow and the injuries to persons or property. (as added by Ord. #01-42, Jan. 2002)

16-703. Definitions. The following terms shall apply in the interpretation and application of this chapter:

(1) "Solicitation roadblock" shall mean the solicitation by any person of money on or in the right of way of any street, road, highway, or any other public way and place generally open to and used by the public for travel in or upon motor vehicles.

(2) "Street," "road," "highway," and public way and place shall include the paved or unpaved surface of any such street, road, highway or public place, the entire width of the public right-of-way extending laterally therefrom, dividers, medians, and abutting or adjoining sidewalks or other pedestrian pathways generally used by the public for pedestrian traffic.

(3) "Professional solicitor" means any person who, for a financial or other consideration, solicits contributions for, or on behalf of, a charitable organization. (as added by Ord. #01-42, Jan. 2002)

16-704. Eligibility. Charitable organizations desiring to conduct a solicitation roadblock shall be restricted to:

(1) Charitable organizations that have their principal headquarters and meeting place within the boundaries of Robertson County.

(2) No professional solicitor shall solicit in the name of a charitable organization.

(3) City of Springfield including various departments of the city. (as added by Ord. #01-42, Jan. 2002)

16-705. Restrictions. Restrictions shall be as follows:

(1) Roadblocks shall be limited to one (1) per day and only on Saturdays from 8:00 A.M. to 12:00 Noon.

(2) Roadblocks shall be conducted at the intersections of Locust Street and 5th Avenue West and Main Street at Central Avenue.

(3) Organizations shall be limited to one (1) roadblock per calendar year.

(4) Organizations shall clean up all litter occurring as a result of the roadblock.

(5) No one under eighteen (18) years of age may actively participate in the roadblock. (as added by Ord. #01-42, Jan. 2002)

16-706. Permits. Every charitable organization, which intends to solicit roadblock contributions within the City of Springfield, shall, prior to any solicitation shall comply with the following:

(1) File a completed "roadblock application" with the city recorder's office.

(2) The "roadblock application" must be filed a minimum of 30 days prior to the roadblock and no sooner than 90 days before the requested date.

(3) The city recorder, with the assistance of the police chief, shall approve or deny the application within five (5) days of request.

(4) Any applicant denied approval of an application may request, in writing, to appear before the board of mayor and aldermen for reconsideration.

(5) A permit shall be issued by the city recorder's office and a copy must be available at all solicitation locations. (as added by Ord. #01-42, Jan. 2002)

16-707. Violations. Any person violating this chapter shall be subject to punishment under the general penalty provision of the City of Springfield Municipal Code. (as added by Ord. #01-42, Jan. 2002)