

CHAPTER 11
PARADES AND OTHER OUTDOOR ASSEMBLIES
ARTICLE I. PARADES AND DEMONSTRATIONS

DIVISION I. GENERALLY

Section 11-1 Purpose of Article.

The town council, upon due deliberation enacts this article for the purpose of preserving the public peace, safety, comfort and welfare, and for the protection of persons and property within the town

Section 11-2. Definitions.

For the purposes of this article, the following words and phrases shall have the mean jugs respectively ascribed to them by this section:

Demonstration: A group of three (3) or more persons assembled together and acting in concert to then and there call attention of the public to their opposition to, support of or position with respect to any political, social or other controversial subject; provided that this article shall not apply to persons lawfully engaged in picketing in an orderly manner.

Parade: Any parade, march, or any other procession of six (6) or more persons for the calling attention of the public thereto.

Section 11-3. Participants carrying dangerous weapons.

No person parading or demonstrating pursuant to a permit issued under the provisions of this article shall carry any dangerous weapon; provided, that the town council may, in the exercise of sound discretion, include in such permit such variations from this section as it may consider appropriate for members of color guards, drill teams, lodges, and other persons by whom the display weapons upon the occasion of such parade or demonstration would not arouse anxiety on the part of spectators or constitute a threat to the maintenance of law and order and the preservation of the public peace.

Section 11-4. Participation by dangerous animals.

No person parading or demonstrating pursuant to a permit issued under the provisions of this article shall cause or suffer to be caused any vicious or apparently vicious animal to participate in or accompany such parade or demonstration; provided, that the Town Council may, in the exercise of sound discretion, include in such permit such variations from this section as it may consider appropriate for circus parades and similar events.

Section 11-5. Limitation on carrying or displaying signs, pennants, stickers, etc.

No person parading or demonstrating pursuant to a permit issued pursuant to this article shall carry or display any sign, pennant, sticker or other device which contains any scurrilous, profane or obscene picture or work, or language or illustration calculated to incite a breach of the public peace. No sign shall exceed the width of twenty-four (24) inches or a height of thirty-six (36) inches.

Section 11-6. Carrying or display of certain flags, emblems and pictures prohibited.

No person parading or demonstrating pursuant to a permit issued under the provisions of this article shall carry or display the flag or emblem of any foreign state, or of any foreign political party or other group, which is engaged in hostilities against the armed forces of the United States, nor shall any such parade or demonstrator carry or display a picture of any person associated with any such foreign state, political party or other group.

Section 11-7 Insulting, harassing or interfering with participants.

It shall be unlawful for any person to willfully insult, harass or interfere with any person lawfully parading or demonstrating pursuant to a permit issued under the provisions of this article.

DIVISION 2. PERMIT

Section 11-8. Required; exceptions.

- (a) It shall be unlawful for any person to organize, direct, lead or participate in any parade or demonstration upon or in any street, sidewalk, commonage or public place within the Town, unless a permit has been granted to hold such parade or demonstration pursuant to the provision of this division.
- (b) This section shall not apply to any component of the armed forces of the United States or of this, or to any governmental agency or organization, or to any funeral procession, or to any orderly groups of person affected by a labor-management dispute while lawfully engaged in picketing.

Section 11-9. Application Generally.

- (a) Any person desiring to organize, direct or lead a parade or demonstration upon or in any street, sidewalk, commonage or public place within the town shall file with the town clerk an application for a parade or demonstration permit. Such application shall be filed at least five (5) days prior to the council meeting immediately preceding the date of the parade or demonstration and shall set forth:
 - (1) The, date, hour and place for assembly of the participants in such parade or demonstration and the expected duration thereof.
 - (2) The street, sidewalks, commonages and public places over and upon which the parade or demonstration is to take place.
 - (3) Whether the parade or demonstration is to be concocted on foot or with animals or vehicles, or any combination thereof, and the number of persons, vehicles, and animals expected to participate.
 - (4) The purpose of the parade or demonstration
 - (5) The names and addresses of the actual sponsors of such parade or demonstration, and the organization or organizations, if any, which are participating.
 - (6) The name and address of the person who shall be in charge of such parade or demonstration and who shall be responsible for the conduct thereof and for compliance with all applicable provisions of law, this Code and other ordinances by participants in such parade or demonstration.
 - (7) Such other information as the town council may require.
- (b) Each application for a parade or demonstration permit shall be signed and sworn to by at least one person, who shall be the person named in the application as the person who shall be in charge of such parade or demonstration and who shall be responsible for the conduct thereof and for compliance with applicable provisions at law, this Code and other ordinances by participants in such parade or demonstration.

Section 11-10. Council action on application; grant or denial generally.

Upon the filing of an application for a parade or demonstration permit, the Town Clerk shall promptly transmit copies thereof to all members of the Town Council. The Town Council, at its next meeting, shall consider such application and hear the applicant, if e so requests, and such other persons as the council may desire to hear, and then proceed to take action upon the application. If the Town Council considers that the parade or demonstration would not be detrimental to the public peace, safety, comfort or welfare, and would not endanger any person or property, or cause an unacceptable conditional of traffic upon the streets, the permit applied for shall be granted. If, however, the Town Council, in the exercise of sound discretion and in view of circumstances then existing considers that holding of such parade or demonstration would be detrimental to the public peace, safety, comfort or welfare, or would endanger any person or property or cause an unacceptable condition of traffic upon the street, the permit applied for shall be denied.

Section 11-11. Bond as prerequisite to grant.

Prior to the granting of a permit pursuant to this division, and as a condition precedent to the granting of such permit, the Town Council may require that the person named in the application as the one to be responsible for the conduct of the parade or demonstration shall give bond to the Town, in such amount and with such surety as the Town Council may deem necessary, conditioned upon the full satisfaction of all claims, judgments and decrees which may result by reason of any negligent or unlawful act or omission of any person managing or participating in such parade or demonstration and for the cleaning and repair of Town property, which may be soiled or damaged by acts of vandalism during the period of organizing and holding the parade, or demonstration or within six (6) hours thereafter, when such acts of vandalism are reasonable attributable to the holding of such parade or demonstration.

Section 11-12. Conditions, restriction, etc.

- (a) In granting a permit pursuant to this division, the Town Council may include therein such prohibitions, conditions, restrictions and limitations as the Council may consider necessary for the welfare or for the protection of persons or property or for the orderly flow of traffic upon the streets, and it shall be unlawful for any person covered by the permit to violate or fail to comply with any such prohibition, condition, restriction or limitation.
- (b) The provisions of this article shall be deemed to be a part of each parade or demonstration permit, whether or not so stated in the permit.

ARTICLE II. PICKETING

Section 11-13. Purpose of article.

The purpose of this article is to protect persons who are picketing in a lawful manner against interference by persons who are not picketing who might attempt to intimidate them by violence or by the use of words or gestures which may tend to provoke or incite such picketers or others to a breach of the peace, and to preserve the public peace and tranquility where any picketing is taking place, It is also the purpose of this article to protect persons who are not picketing and who are acting in a lawful manner against interference by picketers or supporter of picketers who might attempt to intimidate them by violence or by the use of words or gestures which may tend to provoke or incite such non-picketers or others to a breach of the peace.

Section 11-14. When permitted.

- (a) Peaceful picketing in the furtherance of a lawful purpose shall be permitted in the Town when it is done under the following:

- (1) Picketing may be conducted only on the sidewalks or footway reserved for pedestrian movement and may not be conducted on the portion of a street used primarily for vehicular traffic.
 - (2) Not more than five (5) picketers promoting the same objective shall be permitted to use one of the two (2) sidewalks within a block of the town at any one time.
 - (3) Such picketers may carry written or printed placards or signs not exceeding two (2) feet in length, promoting the objective for which the picketing is done; provided, the words are not defamatory in nature and will not tend to produce violence.
 - (4) Picketers shall march in single file and not abreast, and may not march closer together than fifteen (15) feet, except in passing one another.
 - (5) If picketers promoting different objectives desire to use the same sidewalk for picketing and such use would result in the presence of more than ten (10) picketers thereon the Town police shall allot time to each group of picketers for the use of such sidewalk and equitable basis.
- (b) The term “block”, as used in this section, shall mean that portion of a street lying between street intersection.
- (c) Picketing done contrary to the provisions of this section shall be unlawful.

Section 11-15. Prohibited conduct with respect to picketers and others.

- (a) It shall be unlawful for any person to physically interfere with any picket or other person in the lawful use of a sidewalk or to address profane, indecent, abusive or threatening language to or at any such picket or other person which would tend to provoke him or others to a breach of the peace.
- (b) It shall be unlawful for any person at or near a picket line to use any inflammatory words or gestures toward any other person who may be present.

Section 11-16. Preventing ingress to or egress from places of work, etc.

- (a) It shall be unlawful for any person to prevent, by the use of force or threat, any employee or employer from entering or leaving at will any factory, plant, warehouse, store, establishment or other place where such employee or employer is employed or accustomed to work; and it shall be unlawful for any person to prevent by the use of force or threat, any other person not an employee or employer from lawfully entering or leaving at will any factory, plant, warehouse, store, establishment or other place which is being picketed.
- (b) All assemblages or persons for the purpose of preventing, by the use of force or threat, any person from lawfully entering or leaving at will any factory, plant, warehouse, store, establishment or other place which is being picketed are hereby declared to be unlawful, and the Town police shall command all persons comprising such assemblages to forthwith disperse. Any person failing to obey such command shall be subject to immediate arrest, to be dealt with according to law.

Section 11-17. Dispersal of bystanders.

The police officers of the Town, in the event of the assemblage of persons in such numbers as tend to intimidate pickets pursuing their lawful objective through numbers or through use of inflammatory words or gestures, may direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.