

PREPARED BY:
CITY OF LEAD
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LEAD, SD 57754
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ORDINANCE #1100-24

AN ORDINANCE MODIFYING LEAD CITY ORDINANCES TITLE IX, CHAPTER 92, ASSEMBLIES, PARADES, AND PROCESSIONS, BY AMENDING CHAPTER 71.

BE IT ORDAINED by the City Commission of the City of Lead that, pursuant to SDCL 9-19, section of Lead Ordinance Title IX, Chapter 92, Assemblies, Parades, and Processions be amended to read as follows:

§ 92.01 PERMIT REQUIRED.

~~It shall be unlawful for any person to organize or hold or participate in any parade, meeting, assembly or procession of persons and/or vehicles on the streets or sidewalks of this city unless the activity shall have first been authorized by a written permit therefor. It shall be unlawful for any person to organize or hold or participate in any parade, public meeting, assembly, procession, or special event of persons and/or vehicles on the streets, sidewalks, parks or public grounds of this city unless the activity shall have first been authorized by a written permit therefor.~~

(Prior Code, § 9-100) Penalty, see § [10.99](#)

§ 92.02 APPLICATION FOR PERMIT.

~~Any person desiring a permit required by the provisions of this chapter shall make application therefor to the Chief of Police, which application shall contain the following information:~~ Any person desiring a permit required by the provisions of this chapter shall make application therefor to the Chief of Police, or Event Committee which the application shall contain the following information:

- (A) The name and address of the applicant;
- (B) The name and address of the person the applicant represents;
- (C) The exact time and date of commencement and termination of each act or activity desired;
- (D) The purpose, location and route of the act or activity, if applicable;
- (E) The person, group, association or body to be authorized under the permit to do the act or activity and the number of persons to participate; and
- (F) ~~Other relevant information as the Chief of Police may require for the investigation of the applicant.~~ Any person desiring a permit required by the provisions of this chapter shall make application therefor to the Chief of Police, or Event Committee which the application shall contain the following information:

(Prior Code, § 9-101)

§ 92.03 CONTENTS OF PERMIT.

Upon issuance of a permit required by this chapter, the same shall contain therein all information contained in the application therefor and be signed by the Chief of Police, and a signed copy of the same shall be kept with the application, both on file in the office of the Chief of Police.

(Prior Code, § 9-102)

§ 92.04 MATTERS CONSIDERED IN DETERMINING ISSUANCE OF PERMIT.

~~In deciding whether to issue a permit under the provisions of this chapter, the Chief of Police shall consider:~~ In deciding whether to issue a permit under the provisions of this chapter, the Chief of Police and the Events Committee shall consider:

- (A) Number of persons to participate;
- (B) Anticipated traffic conditions at the time and date proposed for the activity;
- (C) Schedule of other similar activities for which permits may have been issued;
- (D) Adequacy of adult supervision for any minors scheduled to participate;
- (E) Availability of city personnel whose presence on duty may be required by the activity and by the necessity to protect the general public; and
- (F) Adequacy of public facilities in the location proposed for the activity to accommodate the proposed activity and the normal public use of public facilities in the proposed location.

(Prior Code, § 9-103)

§ 92.05 ISSUANCE.

The permit required by the provisions of this chapter shall be issued by the Chief of Police upon application therefor; provided, however, that the permit may be denied or refused if it shall appear that the applicant therefor or the act or activity requested by the application shall be in violation of any applicable provision of this code, state law or city ordinance.

(Prior Code, § 9-104)

§ 92.06 TIME LAPSE BETWEEN APPLICATION, ACTIVITY.

~~It shall be unlawful for any activity authorized under this chapter to commence within 24 hours from the date of the application therefor.~~ It shall be unlawful for any activity authorized under this chapter to commence within 30 days from the date of the application therefor, without special permission from the Chief of Police or designee.

(Prior Code, § 9-105) Penalty, see § [10.99](#)

§ 92.07 DEVIATION FROM PERMIT.

It shall be unlawful for any person participating in any act or activity for which a permit has been granted under the provisions of this chapter to deviate from or alter any of the terms or contents of the permit.

(Prior Code, § 9-106) Penalty, see § [10.99](#)

§ 92.08 DISPLAY OF PERMIT.

(A) Every person having a permit issued under the provisions of this chapter shall have the permit in his or her possession during the activity permitted thereby and shall display the permit upon the request of any law enforcement officer.

(B) Failure to display the permit shall be deemed a class 2 misdemeanor.

(Prior Code, § 9-107)

§ 92.09 REVOCATION OF PERMIT.

(A) Whenever the free passage of any street or sidewalk in the city shall be obstructed by a crowd, congregation, parade, meeting, assembly or procession, or the conduct of two or more persons except as authorized by any permit issued pursuant to this chapter, the persons comprising the group shall disperse or move when directed to do so by a police officer.

(B) It shall be unlawful for any person to refuse and the refusal shall be a violation of this chapter.

(Prior Code, § 9-108) Penalty, see § [10.99](#)

§ 92.10 ENFORCEMENT.

Nothing contained in this chapter shall prohibit the authority of any officer to arrest a person engaged in any act or activity granted a permit under this chapter, if the conduct of the person violates the laws of the state, provisions of this code or ordinances of this city, or unreasonably obstructs the public streets and sidewalks of this city, or engages in acts that cause, or would tend to cause, a breach of the peace.

(Prior Code, § 9-110)

§ 92.11 FEE.

A fee shall be paid as determined by resolution of the city.

(Prior Code, § 9-111)

§ 92.12 Hold Harmless.

Upon approval of the application, any permittee shall, with their application, acknowledge a hold harmless clause where the permittee agrees to hold the city harmless from loss.

Those voting aye:

Those voting nay: None

Motion carried.

ATTEST:

Ron Everett

City of Lead, Mayor

(Seal)

John Wainman

City of Lead, Administrator

First Reading: 06/03/2024

Second Reading: 06/17/2024

Published:

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