

ORDINANCE NO. _____

**ORDINANCE AMENDING TITLE 12, STREETS AN PUBLIC ASSEMBLIES
SO AS TO SPECIFY AND AMEND THE TIMEFRAME FOR SUBMISSION
OF PERMITS THAT INVOLVE THE ERECTION OR PLACEMENT OF ANY
STRUCTURE, WHETHER PERMANENT OR TEMPORARY, ON A CITY
STREET, SIDEWALK OR RIGHT-OF-WAY**

WHEREAS, persons seeking a parade permit or public assembly must file an application with the City Permits Office on forms provided by such officer; and

WHEREAS, City Council approval is required for parades or public assemblies that involve the erection or placement of any structure, whether permanent or temporary, on a city street, sidewalk or right-of-way;

WHEREAS, the current process for timely submission and approval by City Council requires presentment in advance of fourteen days; and

WHEREAS, the current process fails to allow for sufficient time for consideration of such application.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MEMPHIS:

Section 1. That Section 12-52-4 Application for permit, Subsection B is hereby deleted in its entirety and shall be amended to read as follows:

B. The application for a parade or public assembly permit shall be submitted as follows:

1. For parades or public assemblies that do not involve the erection or placement of any structure, whether permanent or temporary, on a city street, sidewalk or right-of-way, an application for a permit shall be filed with the permit office at least fourteen (14) business days and not more than one hundred eighty (180) calendar days before the parade or public assembly is proposed to commence. The director of police may waive the minimum fourteen (14) business day filing period and accept an application filed within a shorter period if, after due consideration of the date, time, place and nature of the parade or public assembly, the anticipated number of participants, and the city services required in connection with the event, the director of police determines that the waiver will not present a hazard to public safety, health and welfare.

2. For parades or public assemblies that involve the erection or placement of any structure, whether permanent or temporary, on a city street, sidewalk or right-of-way, an application for a permit shall be filed with the permit office no less than ninety (90) calendar days and not more than one hundred eighty (180) calendar days before the parade or public assembly is proposed to commence. The director of police may waive the minimum ninety (90) calendar day filing period and accept an application filed within a shorter period only upon extraordinary circumstances following due consideration of the date, time, place and nature of the parade or public assembly, the anticipated number of participants, and the city services required in connection with the event.

Section 2. BE IT FURTHER ORDAINED, That should any section, subsection, paragraph or provision of this Joint Ordinance be held invalid or unenforceable by a court of competent jurisdiction, such decision shall in no way affect the validity of any other provision of this Ordinance, it being the intention of the City Council of the City of Memphis to adopt each and every provision of this Ordinance separately.