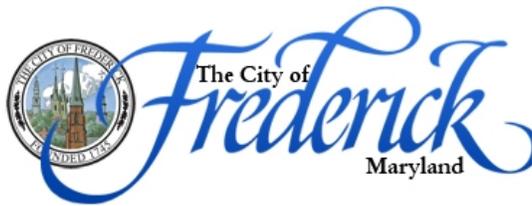


**Department of  
Parks & Recreation**

Date of Application:	
Date Received:	
Time Received:	
Date of Approval:	
Date of Issuance:	



**William R. Talley Rec Center  
121 North Bentz Street  
Frederick MD 21701**

**301-600-1493  
FAX: 301-600-2849  
www.cityoffrederick.com**

The City of Frederick - Parade/Walk/Race Enhancements for 2015  
As of October 31, 2014

The City of Frederick has spent several months reviewing our Parade/Walk/Race process and made some enhancements that are effective immediately. We appreciate everyone's patience while we worked through this process and hope these enhancements will make the process more effective for everyone.

Enhancements are as follows:

- Routes:
  - Baker Route remains the same;
  - Made modifications to the Monocacy and Whittier Routes;
  - Added a new Husky Route;
  - Deleted the Airport and Hillcrest Routes;
  - Special Routes – we encourage use of any of the City Approved Routes, however there may be suggested routes that will be reviewed on a case-by-case basis by the Frederick Police Department. Staff cannot guarantee a Special Route will be approved but will make every effort to work with the Organization/Applicant;
- Course Marshall Assignments:
  - All City Approved Routes now have Course Marshal Assignments that all Organizations must provide for as stated;
- Maps:
  - All maps are being updated and now include turn-by-turn directions for every City Approved Route we offer;
- Races:
  - Only one (1) race event per day will be allowed and must take place in the morning hours;
- Walks:
  - No Frederick Police Department Auxiliary are provided for walk events;
  - Maximum of two (2) walks per day with a buffer of at least two (2) hours between the end of one event and the start of the next will be allowed if no Races are scheduled. If a race is scheduled, Walk will be in the afternoon only;
  - The new Husky Route *cannot* be used for walk events;
  - It is recommended that you have Course Marshals wherever there is a directional change on the course and sign the course appropriately;
  - When using the Baker Route there are enough crosswalks and sidewalks where the event can remain on the sidewalks and utilize the crosswalks/intersections. There is also the option of using the paths entirely within the park as well;
  - The Monocacy and Whittier Routes have separate walk route maps that differ from the 5K map slightly;

- Application and process:
  - The application has been modified somewhat and is required to be completed by the Organization that the event will benefit in addition to an applicant; not just an Applicant with no Organization;
  - A Certificate of Insurance naming 'The City of Frederick Parks & Recreation Department' as the holder with a minimum \$1 million liability is required for all events and must be submitted at time of application;
  - The Ordinances attached are updated to the current Sections of the City Code;
  - Review process remains the same.

Upon reviewing the attached application, Organization/Applicant needs to be aware of the following:

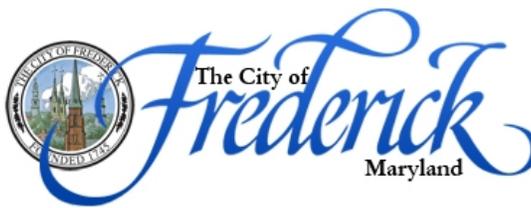
1. All applicants that are planning to hold their event on the same day in 2015 as it was held in 2014 will receive first priority in the review process (i.e. 1<sup>st</sup> Saturday in May);
2. Any applicant wanting to change their day in 2014 to a different day in 2015 will receive second priority in the review process (i.e. 1<sup>st</sup> Saturday in May to 2<sup>nd</sup> Saturday in May);
3. Any new applicant will receive third priority in the review process;
4. On dates when the Frederick Police Department Auxiliary is not available events can still take place as follows:
  - a. Races will be required to hire off-duty officers as well as providing the Course Marshals per the City's Assignment document;
  - b. Walks are recommended to provide Course Marshals per the City's Assignment document;
5. ALL applications REQUIRE a Certificate of Insurance naming 'The City of Frederick Parks & Recreation Department' as the holder with a minimum \$1 million liability for all events and must be submitted at time of application to my attention listed below. This is stated in the header of the Application to Conduct a Parade/Walk/Race;
6. Note that any applications currently in this office will be reviewed as outlined above. If there are any issues and/or concerns, I will be in touch with you shortly.

Attached you will find the new Application to Conduct a Parade/Walk/Race Event for your use/information. All of the maps are in the process of being updated by the City's IT Department and should be available the week of November 3, 2014 upon request. Course Marshal Assignments are currently available upon request.

If you have any questions and/or concerns, please feel free to contact me at [Kristi@cityoffrederick.com](mailto:Kristi@cityoffrederick.com) or 301-600-1493.

**Department of  
Parks & Recreation**

Date of Application:	
Date Received:	
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**William R. Talley Rec Center  
121 North Bentz Street  
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**APPLICATION TO CONDUCT A PARADE / WALK-A-THON / RACE**

*Please read entire document and complete in its entirety.*

**APPLICATIONS MUST BE SUBMITTED NINETY (90) DAYS PRIOR TO DATE OF EVENT.**

*A CERTIFICATE OF INSURANCE Naming 'The City of Frederick' as the holder with a minimum \$1 million liability is required for all events and must be submitted at time of application.*

<b>Requesting Organization:</b>					
Organization Mailing Address:					
City/State/Zipcode:					
Daytime Phone:					
Cell Phone:					
Email Address:					
<b>Applicant Name (F/M/L):</b>					
Applicant Mailing Address:					
City/State/Zipcode:					
Daytime Phone:					
Cell Phone:					
Email Address:					
<b>Requested Date of Event (M/D/Y):</b>				<b>Registration Start Time:</b>	
<b>Requested Day of the Week:</b>				<b>P/W/R Event Start Time:</b>	
<b>Type of Event:</b>		<i>Parade</i>	<i>Walk</i>	<i>Race</i>	<b>P/W/R Event Stop Time:</b>
<b>Name &amp; Purpose of Event:</b> <i>(Certificate of Insurance will be required for all events.)</i>					
Number of Pedestrian Participants:					
Number of Vehicles:					
Number of Animals:					
Number of Animal Drawn Vehicles:					
Number of Bands:					
Number of Floats:					
Description of any unusual vehicles/floats/participants (e.g. large helium balloons, etc.):					
If Walk-A-Thon or Race, describe exact route: <i>*If unapproved City route, provide map &amp; detailed turn-by-turn directions for review by FPD staff. **These routes require additional fees and applications.</i>		<input type="checkbox"/> Baker 5K **		<input type="checkbox"/> Baker Walk Only	
		<input type="checkbox"/> Monocacy 5K**		<input type="checkbox"/> Whittier 5K**	
		<input type="checkbox"/> SPECIAL* – see attached map			
Additional equipment at event (i.e. band, DJ, signage, banners, etc.):					
Special Expenses:		<i>SEE Sec. 18-10 attached.</i>			
Special Traffic Considerations:		<i>SEE Sec. 18-11 attached.</i>			
Name & contact info for two (2) people to act as Event Representatives during the event:		Name:		Phone:	
		Name:		Phone:	
<b>FEE</b> – non-refundable per Sec. 18-6(c): <i>Payment received:</i>		<input type="checkbox"/> Parade = \$200.00		<input type="checkbox"/> Walk-A-Thon = \$50.00	
		<input type="checkbox"/> Race = \$100.00		Date Paid:	
		Method:		Rec'd by:	

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Handwritten Name of Applicant Signature: \_\_\_\_\_

*City of Frederick / Department of Parks & Recreation*  
**PARADE / WALK-A-THON / RACE PERMIT APPLICATION / AGENCY REVIEWS**

**FOR OFFICE USE ONLY**

***FREDERICK POLICE DEPARTMENT***

RECOMMENDATION:    APPROVE    DISAPPROVE  
Number of Parade/Walk-A-Thon/Race Marshals Required: \_\_\_\_\_  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***DEPARTMENT OF PUBLIC WORKS***

RECOMMENDATION:    APPROVE    DISAPPROVE  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***MAYOR'S OFFICE***

RECOMMENDATION:    APPROVE    DISAPPROVE  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***FREDERICK STEEPLECHASERS (if applicable)***

RECOMMENDATION:    APPROVE    DISAPPROVE  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

***OTHER AGENCY HEAD (if applicable)***

RECOMMENDATION:    APPROVE    DISAPPROVE  
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**DATE OF PERMIT ISSUANCE:** \_\_\_\_\_

# PARADE / WALK-A-THON / RACE POLICY

Frederick, Maryland, Code of Ordinances >> PART II - THE CODE >> Chapter 18 – SPECIAL EVENTS >> ARTICLE I. - IN GENERAL >> ARTICLE II. – PARADES, RACES AND WALKATHONS >> ARTICLE V. – VIOLATIONS AND ENFORCEMENT

## ARTICLE I. - IN GENERAL

### **Sec. 18-1. Purpose and Intent.**

The City recognizes and supports the public's right of assembly and free speech and to utilize public rights-of-way for such purposes. At the same time, the City has an important and compelling governmental interest in protecting property, public safety, health, and welfare, and controlling use of streets and other public venues. The City is also concerned about the adverse effects to the public health, safety, and welfare that may result from the gathering of large crowds of people at large events on private property. This chapter seeks to accommodate public rights of speech and assembly, as well as private property rights, while protecting the public health, safety, and welfare by establishing procedures, terms, and conditions for the operation of large events on both public and private property.  
(Ord. No. G-13-12, § 1, 5-2-13)

### **Sec. 18-2. Definitions.**

For the purposes of this chapter, the following terms have the meanings given:

- (a) "*Additional police services*" means policing services above and beyond the level of service that would normally be provided by regular on-duty officers of the Frederick Police Department in the location and at the time of the proposed event.
- (b) "*Block party*" means a temporary gathering held on a public street within a residential neighborhood, requiring the closure of a street or portion of a street.
- (c) "*Dangerous weapon*" means a device designed or capable of being used to inflict serious injury upon a person or property, including, but not limited to, firearms, knives with a blade exceeding three (3) inches in length, razor blades, metallic knuckles, clubs, blackjacks, night sticks, dynamite cartridges, bombs, grenades, mines, and any other explosive or incendiary device.
- (d) "*Large private event*" means any festival, performance, party, or like occurrence that:
  - (1) is held outside in a parking lot, field, lawn, driveway, or like area which is not contained within a permanent improvement having a roof supported by enclosing walls, lattices, or other upright structural configuration; and
  - (2) has or reasonably should be anticipated to have two thousand (2,000) or more individuals in attendance at any one time during the occurrence.
- (e) "*Large private event*" does not include:
  - (1) any event held inside a theater, church, school, assembly hall, arena, governmental council chamber or board meeting room, or like area within a structure and specifically designed to be used as a place for the assemblage of individuals, provided the anticipated attendance does not exceed the established occupant load;
  - (2) a parade, race, walkathon, or other event occurring on public property;
  - (3) events held on the grounds of a school, place of worship, business, or nonprofit corporation and attended primarily by attendees of the school, place of worship, business, or nonprofit corporation;
  - (4) the annual Great Frederick Fair; or
  - (5) family reunions.
- (e) "*Mayor*" means the Mayor of The City of Frederick or the Mayor's designee.
- (f) "*Parade*" means any march, demonstration, procession or motorcade consisting of persons, animals, or vehicles, or a combination thereof, upon the streets, parks or other public grounds within the City with an intent of attracting public attention that affects or may reasonably be expected to affect the normal flow or regulation of vehicular or pedestrian traffic upon the streets, parks or other public grounds.
- (g) "*Permit*" means written permission for an event pursuant to this chapter.

- (h) "Race" means a competitive, athletic event conducted on foot, using bicycles or other mechanical devices, using a street, park, or other public ground of the City as its primary route of travel.
  - (i) "Walkathon" means a procession or march using a sidewalk or shoulder or other portion of a public way, other than the portion of the public way used for vehicular traffic, as its primary route of travel.
- (Ord. No. G-13-12, § 1, 5-2-13)

### **Sec. 18-3. General Provisions.**

- (a) *Administration.* Except as otherwise provided, this chapter shall be administered by the Mayor. The Mayor is hereby authorized to adopt administrative regulations as needed to administer the provisions of this chapter.
- (b) *Content-neutral decision-making.* To achieve the purposes of this chapter without undue interference with protected rights of speech and assembly, decisions to issue, deny, or conditionally approve permits shall not be based on the content of a message associated with the event absent a compelling governmental interest. Notwithstanding that general standard, protections otherwise applicable to speech and assembly are limited and may not extend to speech or assembly that is intended to or has the result of causing public alarm, disruption, falsehood, or other form of expression that is not protected under the laws or constitution of Maryland or the United States. This chapter seeks to impose reasonable time, place and manner controls in an appropriate and limited manner upon events for which permits are required. This chapter will be administered in a manner that seeks to allow for expression in accordance with applicable constitutional and statutory limits and controls. (Ord. No. G-13-12, § 1, 5-2-13)

### **Sec. 18-4. Standard application process.**

- (a) *Application forms.* The Mayor shall create and provide application forms for permits. The information required by the application will be the minimum information that is required of any applicant. The application form will include information designed to allow the Mayor to act on the application in an informed manner to determine if the application meets the requirements of this chapter, including potential adverse effects as stated herein, and to allow the Mayor to determine what requirements, if any, should be imposed as a condition of issuance of the permit.
  - (b) *Filing of written application.* Any person seeking a permit shall file a completed application with the Mayor within the period required by this chapter. The application shall be signed by the applicant or the applicant's duly authorized representative or agent.
  - (c) *Application fees.* A non-refundable application processing fee, as specified by ordinance or resolution, shall be paid to the City by the applicant when the application is filed to cover administrative costs of processing the permit application.
- (Ord. No. G-13-12, § 1, 5-2-13)

### **Sec. 18-5. Participation in events; restrictions.**

- (a) *Participation.* An event that is not organized or operated by the City shall not be deemed state or governmental action. Accordingly, the City shall not compel or otherwise direct the inclusion or exclusion in the event of any group or class of individuals.
  - (b) *Restriction on participation.* An event subject to this chapter may be limited by the permit holder as to the number of participants in the interest of safety, health, public order, and adequacy of facilities and security. The number of participants also may be restricted by order of the Mayor based on considerations of public health, safety or welfare.
- (Ord. No. G-13-12, § 1, 5-2-13)

### **Sec. 18-6. Zoning and other laws.**

Nothing in this chapter shall be construed to waive any requirement imposed by other applicable laws, including but not limited to the City's Land Management Code and the requirement for a zoning permit; the noise ordinance; the building code; the fire code; and the vendor/peddler ordinance. Any permits or approvals required by any other applicable law must be obtained in addition to the permits and approvals required by this chapter. (Ord. No. G-13-12, § 1, 5-2-13)

### **Sec. 18-7. Permits and exemptions.**

In permitting any event under this chapter, the Mayor may impose special conditions as necessary to protect the public health, safety or welfare. (Ord. No. G-13-12, § 1, 5-2-13)

## **Sec. 18-8. Permits and exemptions.**

- (a) *Applicability and permit requirement.* This article applies to parades, races, and walkathons. Except as otherwise provided in subsection (b) of this section, a person shall not engage in or conduct a parade, race, or walkathon unless that person has a current and valid permit issued in accordance with this chapter. An agent or representative of a permittee shall not knowingly fail to comply with any term or condition of the permit.
- (b) *Exemptions.* A permit is not required for:
- (1) a funeral procession;
  - (2) students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate direction and supervision of the proper school authorities;
  - (3) a governmental agency acting within the scope of its functions; or
  - (4) a spontaneous event involving a parade occasioned by news or affairs coming into public knowledge within five (5) days prior to the event, provided that:
    - (A) the event occurs in a public area in a manner that does not unduly disrupt or inconvenience the public in the use of the area; and
    - (B) the organizer or sponsor of the event provides written notice to the Mayor at least twenty-four (24) hours prior to the start of the parade or public assembly, or other prior notice as may be reasonable under the circumstances.
- (c) *Action on applications.*
- (1) *Decision.* Upon consideration of the criteria set forth in subsection (a) of this section, the Mayor shall approve the permit application, approve it with conditions, approve it with modifications; or deny the application.
  - (2) *Timeframes.* Unless otherwise agreed to by the applicant, the Mayor shall act on an application within forty-five (45) days after determining that the application is complete.
  - (3) *Notice.* The Mayor shall notify the applicant of action on the application by personal delivery or first class mail. If the application is approved with conditions, approved with modifications, or denied, the notice shall include a statement of the grounds for such action.

(Ord. No. G-13-12, § 1, 5-2-13)

## **Sec. 18-9. Reserved.**

## **Sec. 18-10. Special expenses.**

- (a) *Police services.*
- (1) *Determination.* During the Mayor's review of a permit application in accordance with [§ 18-9](#) of this chapter, the Mayor shall determine whether the proposed parade, race, or walkathon is likely to require additional police services. In making the determination, the Mayor shall consider the number of people anticipated to attend the event, whether alcohol will be provided as part of the event, and the location, duration, time, and date of the event. The Mayor shall not consider the speech content of the event in determining the amount of police services necessary. If the Mayor determines that additional police services are required, the Mayor will notify the applicant.
  - (2) *Responsibilities of applicant.* An applicant is solely responsible for securing additional police services at such a level as to reasonably allow the event to proceed without compromising public safety or unduly burdening the operations of the Frederick Police Department, as determined by the Mayor. To meet this obligation, the applicant shall either hire private security or contract with the City for the provision of the additional police services by the Frederick Police Department. The applicant is solely responsible for all costs associated with the provision of private security services or, unless otherwise agreed by the City, additional police services by the Frederick Police Department.
- (b) *Public works.*
- (1) *Determination.* In the same manner as is set forth in subsection (a)(1) of this section regarding the use of additional police services, the Mayor shall determine whether an applicant is required to pay for or provide additional public works-related materials or services such as lighting, refuse receptacles and pick-up, sanitary facilities, traffic control signs, devices or personnel. If the Mayor determines that

additional public works-related materials or services are required, the Mayor will notify the applicant.

- (2) *Responsibilities of applicant.* An applicant is responsible for paying for or providing such additional public works-related materials or services, as determined by the Mayor, as are reasonably necessary to allow the event to proceed without unduly burdening City resources or creating a threat to public health, safety or welfare. In addition, a permit holder shall provide, at the permit holder's expense, a reasonably sufficient number of containers for the disposal of recyclable refuse and shall, within twenty-four (24) hours after the conclusion of the event, remove and properly dispose of the contents of the containers.

(Ord. No. G-13-12, § I, 5-2-13)

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## **Sec. 18-11. Traffic.**

A permit applicant proposing to conduct a parade, race, or walkathon that will require the closure of a City street or lane shall make application to the City Engineer for a Temporary Street/Lane/Sidewalk Closure Permit. The Mayor may not issue a permit for an event that requires a street or lane closure until any necessary street closure permit has been issued by the City Engineer. (Ord. No. G-13-12, § I, 5-2-13)

## **Sec. 18-12. Public conduct.**

- (a) *General standard.* In addition to any other prohibition set forth in this chapter, a person shall not unreasonably hamper, obstruct or impede, or interfere with any parade, race, or walkathon or with any person, vehicle or animal participating or used in such an event.
- (b) *Vehicles.* Unless otherwise directed by a member of the Frederick Police Department, the driver of a vehicle may not drive between the vehicles or persons comprising a parade when such vehicles or persons are in motion and are conspicuously designated as a parade or public assembly.
- (c) *Parking.* The City, when reasonably necessary, may prohibit or restrict the parking of vehicles along a street constituting a part of the route of a parade, race, or walkathon, and shall post signs to that effect. Any person who parks or leaves a vehicle unattended in violation of such requirement in a posted area shall be guilty of a parking violation and may be issued a citation or towed in accordance with [Chapter 13](#) of this Code.
- (d) *Signs.* A person may not carry or possess any length of metal, lumber, wood, or similar material for purposes of displaying a sign, poster, plaque or notice, unless such object is one-half (½) inch or less in thickness and two (2) inches or less in width, or if not generally rectangular in shape, such object shall not exceed three-fourths (¾) inch in its thickest dimension. A person may not carry any sign, poster, plaque, or notice, whether or not mounted on a length of material as specified in this subsection, unless such sign, poster, plaque, or notice is constructed or made of cloth, paper, cardboard, vinyl, corrugated plastic, or other material without the apparent potential to cause personal injury or property damage.

(Ord. No. G-13-12, § I, 5-2-13)

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## **Sec. 18-20. Revocation or suspension of permits.**

- (a) *Process.* The Mayor may suspend or revoke any permit issued under this chapter upon finding any violation of this chapter, the terms or conditions imposed in the permit, or for any other action deemed detrimental to public health and safety. Such revocation shall take effect immediately, and the Mayor shall promptly notify the permittee of revocation. After revocation, the permittee may not conduct the event, or if the event has commenced, shall immediately cause the event to be terminated in a safe, proper manner.
- (b) *Public emergencies.* If a public emergency arises where municipal resources required for the emergency are so great that deployment of municipal personnel, equipment or services for an event permitted under this chapter would have an immediate, adverse effect upon welfare and safety of persons or property, the Mayor may suspend or revoke the permit and the permittee shall comply with such directives as the Mayor may impose.

(Ord. No. G-13-12, § I, 5-2-13)

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## **Sec. 18-21. Dangerous weapons.**

Except as otherwise provided in this subsection, a person may not carry a dangerous weapon on any public way, sidewalk, or other public property within five hundred (500) feet of an event permitted pursuant to this chapter. Law enforcement officers, members of the Armed Forces and National Guard, and uniformed members of an honor guard of a recognized civic or fraternal organization may carry

dangerous weapons provided that such persons are acting lawfully. (*Ord. No. G-13-12, § 1, 5-2-13*)

### **Sec. 18-22. Violations.**

Any person who violates any provision of this chapter or the terms or conditions of any permit issued under this chapter is guilty of a municipal infraction punishable by a fine not to exceed one thousand dollars (\$1,000.00). (*Ord. No. G-13-12, § 1, 5-2-13*)

### **Sec. 18-23. Judicial review.**

Any person aggrieved by a decision made by the Mayor under this chapter may, within thirty (30) days after such decision, file a petition for judicial review with the Circuit Court for Frederick County in accordance with the Maryland Rules governing judicial review of administrative agency actions. (*Ord. No. G-13-12, § 1, 5-2-13*)