

March 31, 1975

District of Columbia Register

RULES AND REGULATIONS

METROPOLITAN POLICE DEPARTMENT

Proposed regulations for the issuance of a permit to conduct a parade pursuant to Section 107, Highway and Traffic Regulations, were published in the December 30, 1974, District of Columbia Register. Comments have been received and changes to the proposed regulations have been made pursuant to these comments.

The regulation is in final form and is now in effect. The list of changes to the proposed regulation is also attached.

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The following amendment to Title 35, D. C. Rules and Regulations, is adopted.

CHAPTER IPermits

PART IParades

AUTHORITY: Provisions of this Part I issued under Section 107, Highway and Traffic Regulations.

Section 1.1 Definition

- (a) A "parade" is any formation, march, or procession consisting of persons, animals, vehicles or any combination thereof, traveling in unison and with a common purpose upon any public street, highway, alley, sidewalk, or other public way, within the territorial jurisdiction of the Metropolitan Police Department, in a manner which would normally be in violation of any District of Columbia Highway and Traffic Regulation or other applicable law or regulation.

Section 1.2 Application for Permit

- (a) Any person seeking issuance of a parade permit shall file an application on a form issued by the Chief of Police, personally or by mail with the Chief of Police, Metropolitan Police Department, 300 Indiana Avenue, N. W., Washington, D. C. 20001.

(1) Filing Period:

An application for a parade permit shall be filed for not less than fifteen days before the date on which it is proposed to conduct the parade. Applications filed less than 15 days prior to the proposed date of the parade will receive favorable action only if there is sufficient time to review the application and to coordinate with the parade organizers to resolve questions or problems concerning the application or the conduct of the parade.

(2) Application Content:

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

- (A) The name, address and telephone number of the sponsoring organization, if any, and its chief officer, and the name, address and telephone number of the applicant and that person or persons who are chiefly responsible for the conduct of the parade, if other than the applicant. If none of the above are located within the Washington Metropolitan area, the name, address and telephone number of a local representative should be included, if possible.
- (B) The purpose of the parade, the date when the parade is to be conducted, the approximate times when the parade is to begin and end, and the approximate times when assembly for, and disbanding of, the parade are to take place.
- (C) Locations of the assembly area, the specific proposed route, reviewing stands, and the disbanding area, for the parade.
- (D) The approximate number of persons, animals and vehicles which will constitute the parade, the type of animals, a description of the types of vehicles to be used, the number of bands, other musical units, and sound trucks to be used, and the number, type and size of banners, placards and signs to be used.
- (E) The number of persons who will be designated to monitor the parade and the name of the parade marshal in charge.

(3) Standards for Issuance of Permits:

A permit shall be issued as provided for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, it appears that:

- (J) The parade does not create a substantial possibility of violent disorderly conduct likely to endanger public safety or to result in significant property damage.

Section 1.3 Action on Permit

- (a) Action shall be taken upon an application for a parade permit within five days after its filing.
- (b) Final action on applications shall consist of the following:
 - (1) Issuance of a permit in accordance with the terms of the application, or;
 - (2) Issuance of a permit in accordance with the terms of the application, as modified by mutual agreement between the Chief of Police and the parade organizers, or;
 - (3) Rejection of the application by the Chief of Police.
- (c) In the event an application is rejected, the applicant will be served with a written notice of rejection at least seven days prior to the proposed date of the parade. Specific reasons for rejection shall be set forth in the notice of rejection. Service of the notice of rejection shall be personal or by certified mail. In the event that the late filing of an application or ongoing negotiations concerning the terms of a permit make it impractical to issue a written notice of rejection at least seven days prior to the proposed date of the parade, every effort will be made to promptly notify the organizers of a parade once a decision to reject the application has been made, and a written notice of rejection shall be served as soon as reasonably possible. Notwithstanding failure of an applicant to receive notice of rejection, no parade shall be conducted without issuance of a permit.

Section 1.4 Contents of the Permit

- (a) Parade permits shall contain the following information as relevant:
 - (1) The date, assembly area, time for assembly, and starting time of the parade.
 - (2) The specific route plan of the parade.

- (3) The number of monitors to be furnished by the parade organizers.
- (4) The number and types of animals and vehicles, and the number of bands, other musical units, and sound trucks, if any.
- (5) The portion of the street, sidewalk or other public way that is to be occupied by the parade, and the location of reviewing stands, if any.
- (6) The number and size of banners, placards or other devices, consistent with the information filed on the application, and any restrictions concerning the number and size of banners, placards, or other devices.
- (7) The disbanding area and time for disbanding.
- (8) Such other information as is reasonably necessary for the conduct of the parade and the enforcement of this regulation.

Section 1.5 Revocation of Permit

- (a) A parade permit shall be revoked if it is determined that the parade is being conducted in violation of the standards for issuance, as set forth in Section 2(a) (3) herein. If time permits, notices of revocation shall be in writing, with the reasons for revocation specifically set forth. A copy of the notice of revocation shall be served personally, or by certified mail, return receipt requested, if time permits. If, due to exigent circumstances it is necessary to revoke a parade permit immediately prior to or during a parade, notice of such revocation may be made orally by the Metropolitan Police Department official responsible for monitoring the parade.

Section 1.6 Penalty

- (a) Any person who violates Section 107 of the Highway and Traffic Regulations, Part I, Rules of the Road, shall, upon conviction therefor, be punished by a fine of not more than \$300, or imprisonment for not more than ten (10) days, or both. (Highway and Traffic Regulations, Part I, Rules of the Road, §158).

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Changes from Proposed Rulemaking Published December 30, 1974.

1. Section 1.2(a) - Applications to be filed with the Chief of Police, rather than the Director of the Field Operations Bureau.
2. Section 1.2(a)(1) - Applications must be filed not less than 15 days prior to date of parade, rather than 30 days. Requirement that applications be filed not more than 90 days prior to date of parade deleted.
3. Section 1.2(a)(2) - The application shall set forth the purpose of the parade [1.2(a)(2)(B)] and the name of the parade marshal in charge [1.2(a)(2)(E)]. Previous Section B(2)(f) deleted.
4. Section 1.2(a)(3)(F) - Substitute "Chief of Police" for "department". Delete previous Section C-11.
5. Section 1.3 - New section replacing previous sections D and E.
6. Section 1.4 - Section 1.4(a)(6) replaces previous section F-10. Previous sections F 3,5,6 deleted.
7. Section 1.5 - Last sentence added.