

ORDINANCE NO. 2397

AN ORDINANCE TO AMEND CHAPTER 34, ARTICLE V. ASSEMBLIES, PARADES AND PROCESSIONS TO PROVIDE FOR SPECIAL EVENTS; TO AMEND ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF YORK, NEBRASKA:

Section 1. Chapter 34, Article V. Assemblies, Parades and Processions are amended as follows:

1. Sec. 34-142. Enforcement. Repealed.

Section 34-142 is repealed.

2. Sec. 34-143. Permit required. Public event defined.

It shall be unlawful for any person to organize or hold or participate in any public event, meeting, assembly or procession of persons and/or vehicles on the streets, sidewalks, public parking lots, city parking lots and any other property owned by the City unless such activities shall have first been authorized by a written permit.

A public event shall mean an event that is publicized by social media, bulletin, newspaper, flyer, radio, etc., and that is held in a public space accessible to the general public, and is open to the general public.

3. Sec. 34-144. Application for permit.

Any person desiring a permit required by the provisions of this article shall make an application to the city clerk which shall contain the following information:

- (1) The name and address of the applicant.
- (2) The name and address of the responsible party that the applicant represents.
- (3) The time and date of commencement and termination of such parade, event, activity, etc. desired.
- (4) The purpose, location and route of such parade, event, activity, etc.
- (5) The number of persons expected to participate.
- (6) Such other relevant information as may be required to evaluate the issuance of a permit.

4. Sec. 34-145. Exceptions.

A permit shall not be required for assemblies, parades, processions, events and activities in the following situations:

- (1) Such assemblies, parades, processions, events and activities that are expected to have fewer than 20 people participate, and which require 5 or less parking spots to be used for a period of four hours or less.
- (2) Funeral processions.
- (3) Students going to and from school classes or participating in educational activities.
- (4) A governmental agency acting within the scope of its functions.
- (5) A spontaneous event occasioned by news, publicity or a recent occurrence that is held within 10 days of such event, provided that the organizer of such event gives written notice to the city clerk at least 24 hour prior to the event and provides a description of the time, place and purpose of the event, identifies the person responsible for the event, and states the approximate number of persons expected to attend the event.
- (6) A motorcade conducted for the primary purpose of transporting a political or a public figure.

5. Sec. 34-146. Standards for issuance of permit.

The city clerk shall issue a permit as authorized under this section upon a recommendation of the chief of police and director of public works and upon consideration of any other information deemed relevant if the clerk finds that:

- (1) The public facilities in the location proposed for the event are adequate to accommodate the proposed activity.
- (2) The conduct of the proposed activity will not substantially interrupt the safe and orderly movement of other traffic.
- (3) The conduct of the proposed activity will not require the diversion of city police officers and/or public works staff to require overtime wages to be paid.
- (4) The conduct of the proposed activity will not require the diversion of ambulances so as to prevent normal ambulance service to the city.
- (5) The concentration of persons, animals and vehicles at assembly points of the parade or at the site of the proposed activity will not substantially interfere with proper fire, police and ambulance service to the city.
- (6) The conduct of the proposed activity is not likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance.

- (7) The proposed activity is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit.

Applications for permits that do not meet each of the above standards shall be denied by the City Clerk. The administrative denial of an application by the City Clerk may be reviewed by the Council upon written request by the applicant to the City Clerk.

6. Sec. 34-147. Issuance.

The permit required by the provisions of this article shall be issued by the city clerk within 10 business days of the filing of the application; provided, that the permit may be denied within 10 business days of the application if it shall appear that the applicant or the act or activity requested by the application fails to comply with any provision of this code, state law or this article, or fails to meet any of the standards for issuance of a permit under sec. 34-146.

7. Sec. 34-148. Time lapse between application, activity.

It shall be unlawful for any parade, event or activity authorized under this article to commence within 30 days from the application for such parade, event or activity, unless the requirement is waived by the Administrator.

8. Sec. 34-149. Duties of permit holder. Revocation of permit.

- (1) A holder of a permit under this article shall comply with all provisions of the permit and with all applicable laws and ordinances.
- (2) The person responsible for holding the event shall carry the permit upon his or her person during the event, and shall provide the permit upon the request of any law enforcement officer.
- (3) The permit holder shall be responsible for providing, installing and removing any necessary barricades and shall do so with the approval of the director of public works.
- (4) The permit holder shall be responsible for the cleanup of the event location immediately after the conclusion of the event.

Any permit issued under the provisions of this article may be revoked by the city clerk or chief of police or his/her designee for the violation by the permit holder of any applicable provision of this code, state law or this article, or of the terms or conditions of the permit.

9. Sec. 34-151. Dispersal of activity.

Whenever the free passage of any street or sidewalk in the city shall be

the conduct of two or more persons, except as authorized by the permit issued pursuant to this article, the persons comprising said group shall disperse or move when directed to do so by a police officer. It shall be unlawful for any person to refuse the order to disperse.

10. This ordinance shall not apply to any assemblies, parades, processions and special events that have been scheduled with the City staff prior to the effective date of this ordinance.

11. Sec. 34-152. Repealed.

This section is repealed.

Section 2. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance take effect and be in full force and effect from and after its passage, approval, and publication pursuant to law.

PASSED AND APPROVED by the York City Council this 7th day of August, 2025.



Barry Redfern, Mayor

ATTEST:



Amanda Ring, City Clerk



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