



# THE COMMISSIONERS OF THURMONT

615 East Main Street  
P.O. Box 17  
Thurmont, Maryland 21788  
301-271-7313  
Fax: 301-271-2155

## ORDINANCE 2020-06

**AN ORDINANCE TO ADOPT CHAPTER 89 TO  
THE CODE OF THE TOWN OF THURMONT, MARYLAND,  
ENTITLED "PARADES AND PUBLIC ASSEMBLIES"**

**WHEREAS**, the Charter of the Town of Thurmont requires any new Ordinance to the Code of the Town of Thurmont be adopted in the form of an ordinance;

**NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE TOWN OF THURMONT, MARYLAND, THAT**

**CHAPTER 89 be added to The Code of The Town of Thurmont as follows:**

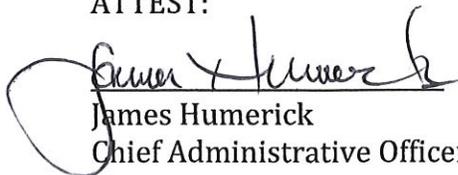
See attached Exhibit "A"

**BE IT FURTHER ENACTED AND ORDAINED** that this Ordinance shall take effect on September 8, 2020.

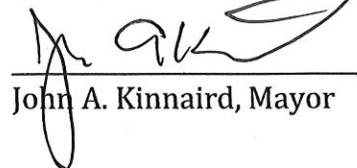
The undersigned hereby certifies that this Ordinance was approved and adopted on the 1<sup>ST</sup> day of September, 2020.

Introduced: 8/25/2020  
Adopted: 9/1/2020  
Effective: 9/8/2020

ATTEST:

  
James Humerick  
Chief Administrative Officer

THE COMMISSIONERS OF THURMONT

  
John A. Kinnaird, Mayor

## PARADES AND PUBLIC ASSEMBLIES

### Chapter 89

**Purpose:** The Town recognizes and supports the public's right of assembly and free speech and to utilize public streets, sidewalks, and ways for such purposes. The Town also recognizes the significant government interest in protecting public safety, health and welfare and controlling the use of streets and other public ways. This chapter seeks to accommodate public rights of assembly and speech while protecting the public health, safety, and welfare by establishing procedures for the operation of parades and assemblies which impede the normal movement of vehicular and/or pedestrian traffic through and along the public streets, sidewalks, and ways.

#### **Permit Required:**

It shall be unlawful for any organization or persons to parade or assemble in a manner that impedes the normal movement of vehicular and/or pedestrian traffic through and along the public streets, sidewalks, and ways, without having obtained a permit from the Town of Thurmont.

The chapter shall not apply to:

1. Funeral processions
2. Motorcades
3. Governmental agencies acting within the scope of their functions

#### **Application for Permit:**

No permit shall be issued by the Town of Thurmont until proper application has been made in writing and signed by the person responsible for the parade or assemblage at least thirty (30) days prior to the event.

Each application shall contain the following information, if applicable:

1. Name, address and phone number of applicant.
2. Name of organization, name and address of Officers and/or authorized representatives.
3. Date, time, and route of parade, including location of formation and termination areas or date, time, and place of assemblage.
4. Estimated number of attendees.
5. Location of reviewing stand, if applicable.

#### **Review of Permit Application:**

The Chief Administrative Officer and the Chief of Police will review each application and may grant, grant with conditions, or deny the application.

The Chief Administrative Officer and the Chief of Police shall grant an application upon finding that:

1. The application is complete and sets forth accurately and in sufficient detail the information required by this chapter;
2. The parade or assembly will not substantially interfere with either the public in using the streets, sidewalks and ways of the Town or the Town in conducting government operations;
3. The parade or assembly will not have an adverse impact on the Thurmont Police Department's ability to provide normal police protection for the Town;
4. No event scheduled at the same time in the Town will require municipal resources such that holding both events at the same time would have an immediate and adverse effect upon the welfare and safety of persons and property;
5. The parade or assembly will not interfere with proper fire protection or ambulance service to the immediately surrounding area.

The Chief Administrative Officer and the Chief of Police may conditionally grant an application subject to reasonable time place and manner restrictions.

No grant or denial of an application shall be based on the content of the beliefs expressed or anticipated to expressed during the parade or assembly.

The Chief Administrative Officer and the Chief of Police shall act upon an application within fifteen (15) days of determining that the application is complete.

#### **Traffic Control:**

During review of the application, the Chief of Police shall determine whether the proposed parade or assembly requires additional police services for traffic control. The Chief of Police shall consider the number of people anticipated to attend, the location, duration, time and date of the event and whether entire or partial road closure is required. Under no circumstances will the content of the speech expressed or anticipated to be expressed at the parade or assembly be considered in determining whether additional police services are necessary.

In the event it is determined that additional police services are required, the applicant is responsible for paying for those services as estimated by the Chief of Police. Under no circumstances will the costs include any amounts for police protection of public safety.

#### **Revocation or Suspension of Permits:**

*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 that the parade or assembly will substantially interfere with the Town's ability to maintain public safety. Such revocation shall take effect immediately, and the Mayor shall promptly notify the permittee of the revocation. After revocation, the permittee may not conduct the event, or if the event is commenced, shall immediately cause the event to be terminated in a safe a proper manner.

*Public emergencies:* If a public emergency arises where 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, substantial adverse effect upon the 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.

**Violation and Penalties:**

A violation of this Chapter is deemed to be a Municipal Infraction and a fine of \$250.00 per day.

**Severability:**

Each provision of this chapter shall be considered severable from every other provision, and the invalidity of any section, clause, provision, or part thereof, shall not effect the validity of any other sections, clause, provision, or part thereof.