



Legislation Text

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Int. No. 166

By Council Members Yassky, Perkins, Barron, Brewer, Comrie, Foster, Gerson, Jackson, Martinez, Monserrate, Seabrook, Quinn and Liu

A Local Law to amend the administrative code of the city of New York, in relation to parade permit procedures.

Be it enacted by the Council as follows:

Section 1. Paragraph 3 of subdivision a of section 10-110 of the administrative code of the city of New York is hereby amended to read as follows:

3. Each such permit shall designate specifically the route through which the procession, parade or race shall move, and shall provide information as to potential available points of entry, subject to change at the discretion of the commissioner, by which participants may access the route, and it may also specify the width of the roadway to be used, and may include such rules and regulations as the police commissioner may deem necessary;

§2. The two paragraphs lettered subdivision c of section 10-110 of such code are hereby amended to read as follows:

c. Violations. Every person participating in any procession, parade or race, for which a permit has not been issued when required by this section, shall, upon conviction thereof, be punished by a fine of not more than twenty-five dollars, or by imprisonment for not exceeding ten days, or by both such fine and imprisonment.

[c. Violations.] Every person participating in any procession, parade or race, for which a permit has not been issued when required by this section, shall be liable for a civil penalty in an amount not to exceed twenty-five (\$25) for each violation, which may be recovered in a proceeding before the environmental control board. Such proceeding shall be commenced by the service of a notice of violation returnable before such board. Any such person who refuses to comply with a lawful order of the police to disperse shall, in addition, be liable for a misdemeanor.

§3. Section 10-110 of such code is hereby amended by adding a new paragraph d to read as follows:

d. Denial. The department shall not issue any policy pre-empting the possibility of attaining a parade permit or a particular route without regard to the facts of each application. No application for a permit or request for a particular route shall be denied without review, consideration and investigation of each application. In the event that either an application for a permit or a request for

a particular route is denied, the commissioner shall provide the applicant with a written explanation stating the facts and conclusions which form the basis for denial. The applicant shall be notified of such denial in accordance with the regulations of the Department.

§4. This local law shall take effect ninety days after its enactment into law.