

## **Orillia Police Services Board**

### **Bylaw Number 1/2001**

Being a bylaw to replace Bylaw 1984-1, being a bylaw to regulate parades, processions, runs, races and public demonstrations on roadways in the City of Orillia

WHEREAS it is deemed expedient that the following bylaw replace Bylaw Number 1984-1.

NOW THEREFORE the Orillia Police Services Board enacts as follows:

1. That By-law Number 1984-1 be repealed
2. That this Bylaw come into effect upon the final reading thereof.

Bylaw read a first, second and third time and finally passed on this \_\_\_\_\_22nd\_\_\_\_ day of  
\_\_January\_\_ 2001.

Orillia Police Services Board

*Gerry Smith*

\_\_\_\_\_  
Chairman

*Sandra Kirkwood-Esyea*

\_\_\_\_\_  
Secretary

Parade Bylaw 1/2001  
Orillia Police Services Board

1. For the purpose of this Bylaw;
  - i) “Applicant” means any person applying to the Board under this Bylaw for permission to hold a parade, procession, run, or race;
  - ii) “Board” means the Orillia Police Services Board;
  - iii) “Chair” means the Chair of the Orillia Police Services Board.;
  - iv) “Detachment Commander” means the Detachment Commander of the Ontario Provincial Police, Orillia Detachment or any officer designated by him or her to exercise the functions conferred on the Detachment Commander under this Bylaw’
  - v) “Roadway” means any highway or street within the City of Orillia and includes a sidewalk or boulevard;
  - vi) “Parade” includes a procession, run, race;
  - vii) “Police Service” means the Ontario Provincial Police, Orillia Detachment.
  
2. Any person wishing to hold a parade on a roadway shall, before doing so and as a condition of being allowed to do so, submit a written application to the Board on behalf of himself/herself or the group or organization intending to hold such parade, in Form Number OPSB 1 attached hereto. Such application shall be signed by the applicant and shall be submitted and filed with the Board at least fourteen (14) clear days prior to the date on which it is proposed to hold such parade. No person shall hold or participate in a parade unless permission for such parade has been granted in accordance with this Bylaw.
  
3. Such applications shall include the following particulars:
  - i) date and hour of start of parade;
  - ii) place and time of assembly for start of parade, destination point and how it will disseminate;
  - iii) proposed assembly procedure, parade route and duration of parade, with accompanying sketch, showing by name all roadways intended to be used as the route of the parade
  - iv) estimate of the approximate number of participants, to include the number of persons on foot, number of automobiles, trucks, floats and all other vehicles whether motorized or non motorized, number of riders on horseback, number and kind of other animals, if any.
  - v) how the parade will be managed and controlled to ensure minimal disruption to all concerned

Parade Bylaw 1/2001  
Orillia Police Services Board

4. All applicants, as a condition of being able to hold a parade, shall before such parade is held, deliver to the Board and agree to be bound by the terms of an agreement in Form OPSB Number 2 attached to this bylaw, by which agreement the applicant shall agree to assume complete legal liability and responsibility for the conduct of the parade, and in addition, to indemnify the City of Orillia, the Board, the Detachment Commander, and the Ontario Provincial Police including Auxiliary Police Officers, for all claims, actions, lawsuits and legal proceedings of any kind or any other kind or nature arising out of resulting from or in any way connected with such parade; and further, to assume at the expense of the applicant, the entire costs, including legal expenses, related to any such legal proceedings. This indemnity shall not apply to intentional wrongful acts, or negligent acts of omission or commission by the persons indemnified by this agreement. The applicant shall provide proof of liability insurance coverage upon submission of the application form.

5. As a further term and condition of being granted permission to hold a parade, the applicant shall be responsible for posting, publishing and communicating to all prospective participants in the parade, the terms and conditions of the permit which apply during and throughout the course of the parade.

6. The criteria applicable to granting permission to hold a parade shall be the following:

- i) that a proper application, under Section 1 and an indemnification form under Section 2 of this bylaw have been completed and delivered to the Service;
- ii) that the proposed route, place assembly, destination, date and time of such parade are not likely:
  - a) to result in unreasonable interference with normal street traffic or unreasonable disruption of normal business and mercantile operations along or in the vicinity of the proposed parade route;
  - b) to conflict with any other parade for which permission had been previously given;
- iii) that the applicant has not, within the previous two years of the application, been found guilty of an offence under this bylaw;
- iv) that adequate police personnel and facilities are, in the opinion of the Detachment Commander available for the proposed parade to ensure proper crowd control, the orderly movement of the parade and other traffic with a minimum of conflict between them, the maintenance of civil order and the prevention of disturbances of the peace and property damage.

Parade Bylaw 1/2001  
Orillia Police Services Board

7. All applications for permission to hold a parade shall be reviewed by the Supervisor of the City of Orillia Municipal Bylaw Office to ensure the proposed parade does not conflict with any City of Orillia bylaws.
8. All applications for permission to hold a parade shall be considered by the Detachment Commander who may grant permission for the parade in the terms requested by the applicant if in his/her opinion the above noted criteria are adequately met.
9. In the event that after receipt and consideration of the application the Detachment Commander is of the opinion that there may be difficulty in complying with the aforesaid criteria, the Detachment Commander shall promptly meet with the applicant to outline the difficulties and discuss alternatives to satisfy the above noted criteria.
10. The Detachment Commander may after due consideration refuse to grant the applicant permission to hold a parade.
11. In the event that the Detachment Commander refuses to grant permission to an application to hold a parade, the applicant may appeal the decision of the Detachment Commander to the Board. The Board shall not refuse permission for the parade without first affording the applicant a reasonable opportunity to be heard, and shall, in regard to any such hearing, comply with the provisions of the Statutory Powers Procedures Act.
12. Permission to hold a parade shall be in accordance with Form Number OPSB 1 of this bylaw.
13. No person shall take part in any public meeting or demonstration on any highway which interferes with the normal flow of traffic upon such roadway; and in the event of any such roadway being obstructed as to impede the normal flow of traffic thereon, during the holding of any such public meeting or demonstration, every person taking part therein shall, upon request by a police officer, forthwith disperse; and upon failure to do so, shall be liable to the penalties provided for by this bylaw.
14. When permission has been issued to any person, organization or group of persons for the holding of a parade, no other organization, group or person shall interfere with such parade or procession, by joining in or taking part in it, without the permission of its organizers, or in any other way.

Parade Bylaw 1/2001  
Orillia Police Services Board

15. The person to whom permission to hold a parade has been given, under this Bylaw shall be responsible for the strict observance of all rules and regulations included in this bylaw and the written permission issued in Form OPSB 1.
16. In order to minimize interference with normal traffic on the roadways during any parade, and in furtherance of the maintenance of public order on the highways, no person shall in any such parade carry or display on the highway any banner, placard, flag, insignia, or other similar device or a character or nature calculated or tending to engender disorder or strife or to defame any person or persons.
17. At and during any parade, every police officer is authorized and required to take, or resort to , any or all lawful means at his or her disposal, as may be required, to keep or maintain order, prevent obstruction of traffic, and exercise any other duty imposed on him or her by law.
18. All persons taking part in any parade shall obey the directions of a police officer given for the purpose of regulating traffic or maintaining order.
19. Should viewing stands be required, the applicable road occupancy permits/or building permits, as required, must be obtained from the City of Orillia.
20. Nothing in the bylaw shall be construed to prohibit any person from attending at, or listening to, meetings authorized by law so long as the proceedings are peaceful and orderly, and sufficient space is left on the sidewalks and roadways for the normal use thereof.
21. Every person who contravenes any of the provisions of this bylaw is guilty of an offence and on conviction thereof, is liable to a fine not exceeding five thousand dollars (\$5,000.00).