

STATE OF GEORGIA  
COUNTY OF FULTON

**AN ORDINANCE TO ADOPT AND APPROVE AN ORDINANCE RELATING TO ASSEMBLAGE IN PUBLIC PLACES AND PROVIDING FOR INCLUSION AND IDENTIFICATION IN THE CODE OF ORDINANCES FOR THE CITY OF SANDY SPRINGS, GA TO BE REFERENCED IN THE FUTURE AS CHAPTER 18 (ASSEMBLAGE IN PUBLIC PLACES) AS ATTACHED HERETO AND INCORPORATED HEREIN**

BE IT ORDAINED by the City Council of the City of Sandy Springs, GA while in regular session on October 17, 2006 at 7:00 p.m. as follows:

SECTION 1. That the Ordinance relating to Assemblage in Public Places is hereby adopted and approved; and is attached hereto as if fully set forth herein; and,

SECTION 2. That this Ordinance shall be designated as Chapter 18 of the Code of Ordinances of the City of Sandy Springs, GA; and,

SECTION 3. This Ordinance is effective October 17, 2006; and,

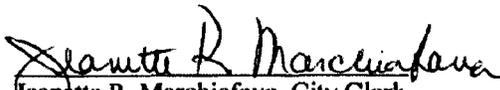
SECTION 4. That this Ordinance shall become effective upon its adoption.

ORDAINED this the 17<sup>th</sup> day of October, 2006.

Approved:

  
Eva Galambos, Mayor

Attest:

  
Jeanette R. Marchiafava, City Clerk

(Seal)



## **Chapter 18: Assemblages in Public Places**

### **Article 1: Definitions**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*City* means the City of Sandy Springs, Georgia.

*City Manager* means the City Manager of the City of Sandy Springs, Georgia. The City Manager may delegate his/her authority or be assisted by other employees of the City as required.

*Event* means any march, meeting, demonstration, picket line, procession, motorcade, rally, or gathering for a common purpose, consisting of persons, animals, or vehicles or a combination thereof upon or in the streets, parks, or other public grounds within the City that interferes with or has a tendency to interfere with the normal flow or regulation of pedestrian or vehicular traffic or that endangers or has the possibility of endangering the public's health, safety, or welfare.

*Person* means an individual, firm, partnership, association, corporation, company, or group of any kind.

*Organization or group of private persons* means a group of three or more persons, or their representatives, acting as a unit.

*Private purpose* means any purpose not commanded or directed by law, statute, ordinance, or regulation to be performed.

### **Article 2: When Permit Required**

#### **Section 1: Permit Required**

Every person, organization, or group of private persons wishing to use public property or public roads in the City for an event is required to obtain a permit from the City for the privilege of engaging in the event within the City, unless such permit is prohibited under state law or the event is otherwise protected from this requirement by federal or state law.

#### **Section 2: Exceptions**

This ordinance shall specifically not apply to funeral processions; neighborhood parades, provided activities remain solely within the boundaries of such neighborhood; sporting events; school students going to or from classes or participating in properly supervised and sponsored activities; governmental entities acting within the scope of their functions; and other activities as provided for by law or regulation.

### **Article 3: Application and Permit**

#### **Section 1: Application**

Every person, organization, or group of private persons required to procure a permit under the provisions of this chapter shall submit an application for the permit to the City Manager, which application shall conform to the requirements of this article in addition to the following:

(a) Unless otherwise provided herein, each application shall be a written statement upon forms provided by the City and submitted to the City Manager within a reasonable time prior to the planned event for security purposes, verifications, and arrangements. A "reasonable time" shall in this instance be construed to mean a time of at least fifteen (15) but no more than sixty (60) days prior to the planned event. The City Manager shall act upon the application within ten (10) days of the receipt of a completed application. A person may make an emergency application to the Mayor's office if an unforeseen circumstance arises requiring a response within less than ten (10) days. The City Manager shall have discretion to determine if an emergency exists and, subject to this ordinance, grant or deny such permit.

(b) Each application shall set forth the following information:

1. Name, address, and telephone number of the person, if the applicant is an individual, or the name, address, and telephone number of an applicant corporation, partnership, organization, or group;
2. Date, time, and location where the proposed event is to take place, including proposed routes of travel on public streets to be used for the event;
3. Description of activity involved with the event;
4. An approximate number of persons, animals, and vehicles which will be involved with the event;
5. Names, home addresses, and telephone numbers of individuals involved with the applicant, if not an individual, who have oversight responsibility for the organization and conduct of the event on behalf of applicant;
6. A description of any recording equipment, sound amplification equipment, signs, or other attention getting devices proposed to be used during the event;
7. Plans for disposal of trash and clean up of event area; first aid provisions; vehicle and trailer storage provisions; and toilet facilities available to event participants; and
8. Any additional information which the City Manager may find reasonably necessary to the fair administration of this chapter which may include a complete record of all arrests and convictions against the applicant and every partner, officer or director of the applicant for violations of any and all laws and ordinances of the city, county, state, or federal government, other than minor traffic violations.

(c) The application shall be signed and sworn to by the applicant if an individual, or by a partner, if a partnership, or by an officer, if a corporation.

(d) All information furnished or secured under the authority of this article shall be kept and maintained by the City and shall be utilized only by the officials of the City responsible for administering these provisions.

(e) Any false statement in an application for a permit may be grounds for revocation or denial of the permit application.

#### **Article 4: Administration**

##### **Section 1: Duties of City Manager**

The City Manager shall have the following duties:

(a) To prepare and provide the necessary forms for the application of a permit and for the submission of any required information needed to review an application, administer, and enforce this chapter.

(b) To review an application submitted for completeness and to collect a permit licensing fee in the amount to be determined by resolution of the Mayor and Council which shall be equal to the administrative costs of processing the application plus the costs for the use of City services or property, unless the activity is conducted for the sole purpose of public issue speech protected under the First Amendment for which no costs shall be assessed for City services and property.

(c) To designate or coordinate sites and set time schedules; to coordinate with county authorities; and, where appropriate, to receive the approval of the State Department of Transportation, Fulton County Sheriff, or other necessary public officials.

(d) To issue a permit within ten days of receipt of an acceptable and complete application.

(e) To deny a permit within ten days of receipt of an application if the application is not complete or if any of the circumstances described in Section 2 hereafter are found to be existing.

##### **Section 2: Procedure for Application Review**

(a) Upon receipt of a complete application for permit, the City manager shall have it reviewed by the City Departments, the services of which may be impacted by the event.

(b) Upon receiving reports from the City Departments, the City Manager shall consider the impact of the event as whether it will unreasonably disrupt and obstruct the necessary flow of pedestrian or vehicular traffic or endanger the public's health, safety, or welfare.

(c) As part of the City Manager's review, conditions may be made for alternate routes and locations of the event to ameliorate issues of traffic flow and public safety, which conditions shall attach to the permit, if issued.

- (d) The City Manager shall also review an applicant's plans for:
- (1) Trash clean up and disposal provision;
  - (2) First aid provision;
  - (3) Vehicle and trailer storage provision; and
  - (4) Toilet facilities available to participants.

Should the City Manger determine an applicant's plans presented for these services to be inadequate, the application may be denied.

(e) Upon completion of the review of the application, the City Manager shall issue a permit for the event, including its proposed routes of travel, if the City Manager finds the event can occur without unreasonably impacting upon the use of the public streets, public property, and resources of the City and without endangering the public's health, safety, and welfare.

(f) Any person whose application under this Ordinance is denied by the City Manager may appeal such denial within three (3) business days after the denial to the Mayor and City Council of Sandy Springs, which shall consider such appeal at the next regularly scheduled meeting following the filing of the appeal.

(g) The Mayor and Council in considering the appeal shall determine if good cause exists for denial of the permit and after hearing and receiving all evidence, shall either uphold the decision of the City Manager or reverse the decision and grant a permit. In reversing, the Mayor and Council may attach any requirements deemed necessary to the permit, as conditions to its issuance for protection of the public health and safety.

(h) The City of Sandy Springs City Hall grounds may not be used for holding a parade, assembly, demonstration, or other event on any weekday prior to 8:00 a.m. or after 5:00 p.m. or on any Sunday prior to 1:00 p.m. or after 5:00 p.m.

#### **Article 5: Violations and Penalties**

(a) **Criminal Penalties.** Any person who violates, or fails to comply with, any provision of this Ordinance may be punished as provided under Article 12 of the Sandy Springs Code of Ordinances.

(b) **Civil Remedy for Damages.** Any person issued a permit under this chapter shall be responsible and liable for any damages caused by the event to public or private property and for injury caused to persons by the event.