



STATE OF ARKANSAS  
*City of Brookland*

**ORDINANCE NO. 2013-08**

**AN ORDINANCE REGULATING ANY MASS DEMONSTRATION, PARADE, PROTEST OR COLLECTION OF INDIVIDUALS ON CITY PROPERTY IN BROOKLAND, ARKANSAS.**

**WHEREAS**, the Brookland City Council has determined the need to maintain rules and regulations to protect the orderly operation and use of city streets, alleys, byways and property;

**WHEREAS**, it is necessary for the City to be notified in advance of any mass demonstration, parade, protest or collection of individuals that could interfere with the public use of streets, alleys or byways;

**NOW, THEREFORE**, the City Council of the City of Brookland does hereby ordain as follows:

**SECTION 1. Roadblocks for solicitations.**

a. Except as provided below, no person shall enter into, extend any device into, or otherwise encroach upon any public right-of-way within the corporate limits of the city for the purpose of soliciting a contribution, offering a gift of any item or offering the sale of any item to any pedestrian or occupant of any motor vehicle being operated on such public right-of-way, unless a permit has been obtained from the city.

b. The city shall issue a permit to solicit contributions in the public right-of-way or sidewalk to organizations that are valid 501(c) charitable organizations under the Internal Revenue Service Code. Proof of the valid 501(c) status must be provided with the application for a permit, to the city.

c. Permit applications must be accompanied by a fee of \$25.00 and the Mayor has the discretion to require a certificate of insurance signed by an agent authorized to bind coverage indicating that the applicant has obtained, at their sole expense, insurance coverage covering said solicitation.

d. Permits issued under this section shall only be issued for the days of Friday and/or Saturday. And for no hours other than those between 9:00 a.m. and one hour before sunset. Only one permit shall be issued by the city for any particular two-day period. Permits may be issued to no organization more than twice per calendar year. Permits may be issued for a maximum of four separate locations under one permit. An additional permit will be issued if a scheduled event is rained out. Permit applications must be received at least 30 days and no more than 180 days prior to any date in which the applicant is applying to solicit in the right-of-way or sidewalk.

e. The city may only issue 12 total permits a year on a first come basis. If a permit has to be reissued due to inclement weather it will still be considered as the original permit but this permit will not be issued for a time period that has already been assigned to another applicant.

f. Any person who is soliciting contributions from a motor vehicle while in the roadway must be 21 years of age or older and must wear a fluorescent orange or chartreuse visibility vest. No solicitor shall impede traffic or make physical contact with any motor vehicle (such as tapping on the window or door).

g. The organization obtaining a permit shall provide at minimum an eight square foot sign, posted at least 100 feet and not more than 300 feet from the point of solicitation, which states the name of the organization which is soliciting contributions. The signs shall be on both sides of the street and all approaches the intersection from which solicitation is being conducted. These signs must be placed where they do not impede traffic. These signs must be in place only during the times of active solicitation and must be removed during non-solicitation times of the permit period.

h. Any violation of this section shall be punishable by a fine of \$50.00. Failure to follow the guidelines of this section will result in a permit not being issued or a permit being revoked.

## **Section 2. Objects blocking streets and view; storm debris.**

a. It shall be unlawful for any person to place or allow to remain within a street right-of-way located within the municipal boundaries of the city as they now exist or may later be extended, any signs, motor vehicles, disabled vehicles, vehicles whether motorized or not, shrubs, bushes, trees, fences, trash, or other obstructions to vision that could interfere with the public use or cause a safety hazard.

b. Obstruction to vision shall be defined as any object which impedes a normal person's sight.

c. Any violation of this section shall be punishable by a fine of \$50.00.

## **Section 3. Special event permit.**

a. Permit. Prior to any mass demonstration, parade, protest or collection of individuals whose use of the streets of the city, or of the alleys and byways, could interfere with the public use of said streets, alleys or byways, a permit must be obtained from the City of Brookland through the city clerk.

b. Time limits. Such permit shall be required to be obtained at least ten (10) days prior to the date of the demonstration, parade, protest or other use of the streets, alleys and byways of the city.

c. Definition of group. Such permit must be obtained by any group regardless of size. This ordinance shall apply to any demonstration, protest, parade or other mass use of the streets, alleys and byways of the city if the group contains two or more individuals.

d. Permit fee. A permit fee of \$50.00 shall be charged and paid at the time the permit is issued. Said fee may be waived by the office of the Mayor of the City of Brookland upon proper application for cause. The Mayor has the discretion to require a certificate of insurance signed by an agent authorized to bind coverage indicating that the applicant has obtained, at their sole expense, insurance coverage covering said special event.

e. Parade route. A parade route shall be filed, or demonstration or protest area designated, at the time of the filing of the application for permit, and said permit may issue only after approval of the route, areas, and date by the police chief.

f. Violation. Any violation of this section shall be punishable by a fine of \$50.00. Failure to follow the guidelines of this section will result in a permit not being issued or a permit being revoked.

**Section 4. Temporary restrictions.** The director of the street department, fire chief or police chief are authorized to temporarily prohibit parking, stopping, or standing on driveways, streets, alleys, and parking lots and may cause traffic to be restricted or rerouted as necessitated by construction, emergency situations, or special events on public streets. When time permits notice of such restrictions shall be given by the posting of temporary signs or barriers by any designated city official. It shall be prohibited to violate such regulations.



**Section 5. Roller skates (or roller blades), skateboards, and scooters.** Unless otherwise designated for such, it is prohibited to operate roller skates, skateboards, or scooters on any public property not designated for such purpose. This includes, but is not limited to: streets, alleys, drives, sidewalks, walkways, patios, plazas, parking lots and garages, steps of buildings, and rock walls. This shall also include operation of such conveyances on private property without the consent of the property owner or proprietor. Any violation of this section shall be punishable by a fine of \$50.00.

**Section 6. Utilizing city street for a play area.** Unless previously authorized by special permit or with special permission as part of a block party or similar event, no city street shall be utilized as a play area. Additionally, residents shall not place basketball goals or other game and play equipment within 15 feet of the travelled portion of the roadway. Any violation of this section shall be punishable by a fine of \$50.00.

**READING REQUIRMENT.** In accordance with Arkansas Code Annotated Section 14-55-202, all ordinances of a general or permanent nature shall be fully and distinctly read on three (3) different days unless two-thirds (2/3) of the members composing the municipal council shall dispense with the rule. It is hereby found and declared by the City Council of the City of Brookland, Arkansas, that two-thirds (2/3) of the members composing the municipal council dispose of the three readings and this ordinance is effective immediately.

PASSED AND ADOPTED this 11 day of June, 2013.

Kenneth Jones  
KENNETH JONES, MAYOR

ATTEST:

Jimmie Foster  
CITY CLERK



April 9, 2013 1st Reading  
May 7, 2013 2nd Reading  
June 11, 2013 3rd Reading