



City of Miami Police Department
SPECIAL EVENTS UNIT

444 SW 2nd Avenue, Suite 111 • Miami Florida 33130 • (305) 603-6510

NOTICE OF DEMONSTRATION/PROCESSION

Manuel A. Morales

Chief of Police



Please complete the following application for **50 or more persons** and return it to the Special Events Unit along with proper identification.

Applicant:			Date:		
Person in Charge:					
Name of Organization:					
Address:					
Phone:		Cell:		Email:	
Location:					Date:
Date(s) from:		to:		Time from: to:	
Number of Participants:		Number of Animals/Type:		Number of Vehicles/Description:	
Purpose of Demonstration/Procession:					
SOS Major:			District Major:		
Commander:			SIS Major:		

By filling and signing this application you're hereby abiding by all mandates as listed in THE CITY OF MIAMI CHARTER AND CODE Codified through Ord. No. 12753, enacted Jan. 26, 2008 (Supplement No. 30) – see next page attached.

Additionally, please be aware that the following conditions also apply:

- 1) Any amplified sound is subject to the City of Miami Noise Ordinance.
- 2) Alcohol is strictly prohibited.
- 3) Cancellations must be made 24hrs prior to the event.
- 4) Do Not Block Street/Road or Sidewalk.

A proper form of identification must be provided (FLDL/FLID/Other): _____

All signatures from the proper authorities must be obtained prior to submission of application.

Specific location requested: (Must identify route/submit map):

The Special Events Unit or the on-scene Commander must approve any changes from this notice.

A COPY OF THIS NOTICE MUST REMAIN ON SITE AT ALL TIMES FOR INSPECTIONS.

Processed By:	Approved By:
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CITY OF MIAMI CHARTER AND CODE

Codified through

Ord. No. 12753, enacted Jan. 26, 2008

(Supplement No. 30)

. 54-6.2. - **Permit required for assemblies.** *Scope.* No "assembly" of 50 or more persons, shall occupy out-of-doors, any public right-of-way, any park, any government property, building or grounds, and no "assembly" of any number of persons shall occupy any street, except in accordance with a permit issued by the chief of police, after approval by the department of public works, parks and fire-rescue, and with such other applicable regulations as are set forth in this Code.

b) *Application.* The written application for such permit shall be filed with the chief of police on an approved form not less than five calendar days, or as soon as practicable if the applicant certifies that the assembly is of a spontaneous or urgent nature, or more than 30 calendar days prior to the proposed assembly, so that the city can make any preparations necessary to provide personnel or other city services to minimize the interruption of city services and to otherwise protect the participants and the public. The application shall contain the following:

- 1) The notification name, address and telephone number of the person seeking to conduct the assembly.
- 2) If the assembly is proposed to be conducted for, on behalf of or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorized and responsible heads of this organization.
- 3) The name, address and telephone number of the person who will be the assembly organizer and who will be responsible for its conduct;
- 4) The date when the assembly will occur.
- 5) The approximate number of persons who will constitute the assembly;
- 6) The approximate number of animals and vehicles that will constitute the assembly, the type of animals and a description of the vehicles;
- 7) The times when the assembly will start and end;
- 8) A statement whether the assembly will occupy all or only a portion of the public right-of-way, park, government property, building or grounds, proposed to be used;
- 9) The location of the assembly area;
- 10) The physical boundaries of the assembly area; and
- 11) Reserved.
- 12) If the assembly is designed to be held by and on behalf of, or for, any person other than the applicant, a communication in writing from the person proposing to hold the assembly, authorizing the applicant to apply for the permit on such person's behalf.

c) *Criteria for issuance.* The police chief shall issue a "assembly permit" when, from a consideration of the application and from such other information as may otherwise be obtained, the following criteria, appear to be satisfied. The police chief shall not have the discretion to consider any other matters or criteria, other than those listed herein, in determining whether a permit should be granted or denied.

- 1) The assembly will not substantially interrupt the safe and orderly movement of traffic contiguous to its location;
- 2) The police department can provide police services adjacent to the assembly area to regulate vehicular and pedestrian traffic, with the availability of a sufficient contingent of on-duty personnel to provide such services without diminishing routine service levels to the entire community;
- 3) The concentration of persons and vehicles at the assembly area will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly area;
- 4) The assembly will not interfere with the movement of firefighting equipment en route to a fire;
- 5) A fully executed prior application for the same time and place has been received, and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the proposed assembly location or part thereof;
- 6) The assembly intended by the applicant would conflict with previously planned programs organized and conducted by the city and previously scheduled for the same time and place;
- 7) The proposed use or activity is prohibited by, or inconsistent with, the classifications and uses of the park or part thereof designated pursuant this chapter;
- 8) The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant, or other users of the park, or city employees, or the public;
- 9) The use or activity intended by the applicant is prohibited by law, or by this Code;
- 10) The application for permit contains a material falsehood or misrepresentation;
- 11) The applicant is legally incompetent to contract or to sue and be sued; and
- 12) The applicant, or the person on whose behalf the application for permit was made, has on prior occasions made material misrepresentations regarding the nature or scope of a use or activity previously permitted, or has violated the terms of prior permits issued to or on behalf of the applicant;
- 13) The applicant for permit is not fully completed and executed;
- 14) The applicant, or the person on whose behalf the applicant for permit was made, has on prior occasion damaged city property and has not paid in full for such damage.
- 15) A state of federal, state or local emergency has been declared by lawful authority for the proposed time.

a) *Conditions.* Permits shall set forth conditions reasonably necessary for the protection of the rights, property and personal safety based on the criteria set forth in subsection [54-6.2\(c\)](#). Failure to substantially fulfill the conditions set forth in such permit shall render such permit null and void.

b) *Compliance; possession of permit.*

c) A permittee shall comply with all applicable laws and sections of this Code and other ordinances.

d) The assembly chair or other person heading or leading the assembly shall carry the assembly permit personally, and be in possession thereof at all times, during the conduct of the assembly.

e) *Compliance with conditions.* By applying for and being granted such permit, the applicant shall assume responsibility for compliance with conditions on the face of the permit.

f) *Notice of approval, approval with modifications, or denial.* The police chief shall act upon the application for a permit, and give the applicant notice of approval, approval with conditions, or denial, within three business days after the filing of the application, except that if the applicant has certified that the assembly is of a spontaneous or urgent nature, within four hours after the filing the application. If the police chief denies the application such notice will state the reasons for denial of the permit.

g) *Fees.* No fee shall be required for the issuance of an assembly permit.

h) *Appeal of denial.* Any applicant shall have the right to appeal the denial of an assembly permit to the city manager. The appeal shall be filed with the city manager within two business days after the notice of denial is received. The city manager, or designee, shall act in writing upon the appeal within one day after the filing of the appeal, except that if the applicant has certified that the assembly is of a spontaneous or urgent nature, within four hours after the filing of the appeal. Any applicant aggrieved by the decision of the city manager may seek immediate judicial review.

i) *Alternate date, time, location or route.* The police chief, in denying an application for an assembly permit, shall be empowered to authorize the conduct of the assembly on a date, at a time or over a route or location different from that named by the applicant. An applicant may propose and provide for the on-duty police officers to be supplemented by the number of off-duty officers providing special police service as required to maintain adequate routine service levels pursuant to [chapter 42](#) of this Code. An applicant desiring to accept an alternate permit shall, within five days after notice of the action of the police chief, file a written notice of acceptance with the police chief. An alternate date assembly permit shall conform to the requirements of and shall have the effect of a assembly permit under this article.

j) *Revocation.* The police chief shall only have the authority to revoke an "assembly permit" issued under this section upon finding that the criteria for issuance as set forth in this section no longer exist. A permittee may seek immediate judicial review of any decision to revoke an "assembly permit."

(Ord. No. 12505, § 3, 3-25-04; Ord. No. 12545, § 2, 6-10-04; Ord. No. 12584, § 2, 9-9-04; Ord. No. 12639, § 2, 1-13-05)