

TOWN OF MIDDLETOWN PARADE GUIDELINES

PREAMBLE

- A. The Town of Middletown/Mayor & Council of Middletown (hereinafter “the Town”) does not, nor has it ever, sponsored a parade in the Town. Parades are conducted by private individuals and/or groups.
- B. As such, by issuing a parade permit to an individual or group, the Town does not, either by express or implied means, endorse, adopt, condemn nor condone any particular expression of free speech by any parade applicant or participant. The Town cannot, and will not, attempt to unlawfully regulate the exercise of free speech.
- C. The United States Supreme Court has long recognized that parades are a form of expression and such activities thus reflect an exercise of basic Constitutional rights in their most pristine and classic form. In conjunction therewith, the Supreme Court has recognized that the First Amendment shields certain acts, some of which may be deemed as offensive or inappropriate. The First Amendment does not erect a shield against merely private conduct.
- D. The Town, as a municipal corporation of the State of Delaware, is dedicated to the protection of all rights secured by The United States and Delaware Constitutions --- among them the First Amendment which prohibits laws limiting freedom of speech or peaceable assembly.
- E. Against this background, the Town does have a legitimate municipal interest in ensuring that parades conducted within the municipal limits are in compliance with applicable Federal, State and Municipal laws and also an interest in preserving order and public safety. To this end, the Town hereby adopts the following Parade Guidelines:

GUIDELINES

1. Any individual or group wishing to hold a parade in the Town shall first complete a Parade Permit Application on a form provided by the Town. A copy of the current Parade Permit Application is attached hereto. This form may be amended from time to time by the Mayor and Council. Incomplete submissions will not be acted upon.
2. All applicants must submit their parade request in sufficient time to ensure that police coordination is/can be arranged and that all required Delaware Department of Transportation Permits are secured prior to the parade. Failure to do so may result in the denial of a Parade Permit.
3. Once a Parade Permit is issued by the Town, the Parade Applicant shall be solely responsible for all aspects of the parade--including necessary rules and operating procedures to ensure that the Parade is conducted in a safe and lawful manner. These obligations include,

but are not limited to, informing parade participants of the parade route, all eligibility requirements and clean up immediately after the parade.

4. All persons operating a vehicle in the parade must have a valid driver's license and insurance and must otherwise comply with applicable laws pertaining to the operation of vehicles on public roadways.
5. All persons riding on floats or vehicles shall do so in a safe and lawful manner.
6. Barricades and traffic control devices must be set, moved and removed only by State or Town Officials.
7. Only members of the Middletown Police Department or other authorized personnel will be permitted to direct traffic.
8. Strict adherence to start and stop times will be enforced.
9. No paint, spray chalk or any other substance that will remain visible for more than 48 hours will be applied to any street or right of way or public property.
10. All parade participants will be expected to comply with all applicable Federal and State laws and Town of Middletown Ordinances and these laws will be enforced by the Town of Middletown Police Department and other authorized law enforcement agencies.
11. When considering the issuance of Parade Permits, the Town reserves the right to hold certain dates and times for parades traditionally held in the Town.
12. Recognizing that the issuance of a Parade Permit by the Town does not endorse, adopt, condemn nor condone any particular expression of free speech, it is the Town's hope and desire that all parade activities are conducted in such a way as to preserve recognized First Amendment rights while, concomitantly, recognizing the rights of others in attendance, and in such a manner so as not to incite violence or other unlawful behavior, so that the right to peaceable assembly is preserved.
13. These guidelines shall be effective upon adoption by Mayor and Council and shall control all parade permits issued hereafter.

Adopted this ____ day of _____, 2019.

MAYOR KENNETH L. BRANNER, JR.
for the Mayor and Council of the
Town of Middletown

ATTEST:

TOWN CLERK

Parade Permit Application



The Mayor & Council of Middletown
19 West Green Street
Middletown, DE 19709
PHONE: (302) 378-2711
FAX: (302) 378-5672
www.middletown.delaware.gov

Applicant Information:

Full Name of Individual / Organization Applying for Permit: _____

Physical Address of Applicant: _____

City _____ State _____ Zip _____

Authorized Person Applying: _____

Phone # _____ Email Address: _____

Parade Information:

Date of Parade: _____ Time of Start: _____ Time of Finish: _____

Starting Point: _____

Finishing Point: _____

Parade Route: _____

Parade Requirements:

1. Please contact Town Hall to make sure your planned parade date does not conflict with another Town event.
2. Police are required for all parades to provide necessary traffic and safety services for all parties involved and in attendance. (A Middletown Police extra-duty contract is required for all parades and must be submitted to the Police Department in addition to the Town of Middletown and DeIDOT permits.)
3. A DeIDOT Special Event permit is required for parades on State of Delaware maintained roads (Broad Street, Main Street, U.S. 301) and must be submitted at the same time as the Town of Middletown permit. Visit https://www.deldot.gov/Business/planned_spec_events/index.shtml for more information about the DeIDOT permit.
4. All drivers must possess a valid driver's license and insurance.
5. The parade permit will not be forwarded to Town of Middletown officials for approval until the aforementioned documents are received. Incomplete applications will not be acted upon.
6. I have read, understand, and agree to comply with the Parade Guidelines, which shall be considered part of this application. In the event that any parade applicant fails to abide by these guidelines, the Mayor and Council may consider appropriate sanctions up to, and including the denial of future parade applications.

Signature of Applicant

FOR OFFICE USE ONLY:

- POLICE CONTRACT
- DELDOT PERMIT
- SIGNED PARADE GUIDELINES

Town Official Approval: _____