



PROCEDURES FOR DEMONSTRATION PERMIT

1. Complete application (attached).

Demonstrations - Chapter 98 of the City Code

(To review the City Code on line, enter www.saratoga-springs.org and click on 'Forms & Permits')

[§ 98-1. Compliance with other provisions; definitions; construal of provisions](#)

- A. Demonstration. For the purpose of this chapter, a "demonstration" is a display, by 25 or more persons, in a public place that is intended to attract public attention.
- B. No person, corporation, partnership or other entity shall hold or cause to be held any demonstration without first filing a declaration where required by this chapter. Persons holding a permit for a parade, as that term is defined in Chapter [151](#) of the City Code, shall not be required to file a declaration under this chapter.
- C. Any person, corporation, partnership or other entity filing a declaration under this chapter, may also be required to comply with Chapter [216](#) of the Code of the City of Saratoga Springs entitled "Temporary Structures."
- D. Any person, corporation, partnership or other entity filing a declaration under this chapter, must also comply with Chapter [148](#) of the Code of the City of Saratoga Springs entitled "Noise."
- E. Any person, corporation, partnership or other entity filing a declaration under this chapter, must comply with Chapter [61](#) of the Code of the City of Saratoga Springs entitled "Alcoholic Beverages."
- F. The following definitions shall apply to this chapter:

BANNER

Any sign, as defined herein, hung above a street, from a building, bridge structure or a vehicle or towed by a vehicle, including but not limited to an aircraft, watercraft or trailer.

CITY

The City of Saratoga Springs, New York.

CITY CLERK

The City Clerk of the City of Saratoga Springs, New York.

PARADE

Any procession of any kind on a public street in the City of Saratoga Springs that is intended to attract public attention and that does not comply with normal traffic regulations and control.

PUBLIC PLACE

Any place to which the public has unrestricted access, but "public place" shall not mean the interior floor space of any building or any space covered by part of a building's permanent roof.

SIGNS

Any display of words, symbols or other visual images made of cloth, paper, plastic, cardboard or other material or any combination of such display.

SPECIAL EVENT

Any event, occasion or celebration open to the public and held in or upon any public right-of-way, public street, public park or other public place or conducted in such a manner as to significantly impede public access to any public right-of-way, public street, public park or other public place.

G. Nothing in this chapter shall be construed so as to limit any of the provisions of the New York State Building and Fire Codes.

[§ 98-2. Prohibited items or activities](#)

A. The following items or activities are prohibited:

1. Alcoholic beverages. Alcoholic beverages in any open container cannot be carried or possessed by participants of the demonstration.
2. Banners. Banners, as defined, are prohibited.
3. Explosives, fireworks or pyrotechnics. No person shall carry or possess any kind or mixture of explosives, fireworks or pyrotechnics.
4. Facial coverings. Facial coverings, regardless of the material of which they are made, are not permitted to cover the face from the chin area to the forehead.
5. Fencing material. Materials commonly used for fencing on property, or a safety zone including barricades and which could be used to obstruct governmental administration shall not be carried or possessed unless placed at a demonstration site by governmental agencies to control demonstration participants and continue to allow free access to sidewalks and other public places as allowed by statute, law, code or ordinance.
6. Flammable or combustible liquids or gases. Flammable or combustible liquids, compressed gases or gases cannot be carried or possessed.
7. Gas masks. Gas masks or similar devices designed to filter air breathed and protect the respiratory tract and face against the irritating, noxious or poisonous gases cannot be carried, possessed or worn.
8. Handcuffs. Handcuffs or similar-type restraining devices cannot be carried, possessed or worn.
9. Injury, physical. The conduct of the demonstration is not reasonably likely to cause physical injury to persons or property.
10. Interference with emergency services. The demonstration will not unduly interfere with proper fire and police protection or emergency services to contiguous areas of such assembly areas.
11. Obscene material. No person shall display, carry or possess any obscene material as defined by § 235.20 of the NYS Penal Law.
12. Noxious materials. No person shall use, carry or possess any noxious material of any kind or strength while participating in a demonstration.

13. Obscene material. No person shall display, carry or possess any obscene material as defined by § 235.20 of the NYS Penal Law.
14. Plastic or metal pipe. It is unlawful to carry or possess any length of plastic pipe more than 1/4 inch thick. Any metal pipe, metal angle iron, box steel, flat steel or similar plastic material is not permitted.
15. Projectile launchers. Projectile launchers or other devices commonly used for the purpose of launching, hurling, or throwing any object, liquid, material or substance cannot be carried or possessed.
16. Sidewalks (blocking). No person or group of persons shall block any lawful use of a public sidewalk or any ingress to or egress from any building by standing within 15 feet of said doorway or entrance or any driveway to any building.
17. Signs. No sign or combination of signs shall render impassable any public way or any ingress to or egress from any public way, or render passage to, from or across a public way unreasonably difficult or hazardous. Posters, plaques or notices mounted on a support or hand held, constructed solely of cloth, paper, plastic or cardboard material no greater than 1/4 inch thick are permitted. Signs must be of such size and construction as to be safely carried and displayed.
18. Sirens or air horns. No person shall use, carry or possess any hand carried or vehicle-mounted siren or air horn.
19. Splinter groups. No person or small group is permitted to break off the main group to stage smaller demonstrations or picketing unless a new and separate permit is first obtained.
20. Strong acid or base chemicals in solid, liquid or gas. No persons shall use, carry or possess any acidic or basic chemical regardless of its physical state.
21. Traffic (blocking). No person shall block or otherwise interfere with highway, road or rail traffic to include ingress to or egress from a building or onto property.
22. Wood or wood products. No person shall carry or possess any length of lumber, wood or wood lath unless the wood object is blunted at both ends, is 1/4 inch or less in thickness and two inches or less in width or, if not generally rectangular in shape, does not exceed 3/4 inch at its thickest.

[§ 98-3. Restricted use items or activities](#)

The following items or activities have restricted use:

- A. Flyovers. Flyovers and aircraft trailing banners are not permitted unless requested for in the filing of the declaration in advance. A copy of the FAA authorization permit is required to be filed with the declaration.
- B. Firearms. Firearm use or carry, real or replica, whether for ceremonial use as in a color guard or not, must be approved in advance by the Police Department.
- C. Sound-producing or amplifying devices. The use of any sound producing or amplifying devices is permitted if the sound cannot be amplified so as to be heard at a distance of more than 250 feet from the perimeter of the demonstration. The use of said equipment must also comply with restrictions and limitations contained in the Noise Ordinance of the City of Saratoga Springs. *Editor's Note: See Ch. [148](#), Noise.*
- D. Electricity. Electrical connections are not publicly available from the City. Electrical connections and electrical generators from private property are permitted, provided such

connections shall have been inspected by a certified electrical inspector as to safety and compliance with the National Electrical Code. A copy of the inspection shall be filed with the Commissioner of Accounts prior to said use.

[§ 98-4. Application](#)

- A. Application for a demonstration declaration shall be made to the Commissioner of Accounts on the forms provided by the Commissioner.
- B. Weekly, monthly or yearly declarations for recurring public demonstrations will be issued by the Commissioner of Accounts. Such declaration shall include a schedule for each day of the demonstration, together with any other information the Commissioner of Accounts may deem necessary. All such declarations shall expire at the end of the calendar year in which they are granted.
- C. For any event that will attract 5,000 or more persons, the applicant must obtain a permit from the NYS Department of Health and include it with the declaration. A safety plan, as required by the Department of State, must also be included with the application.

[§ 98-5. Fees](#)

There shall be no fee charged for a demonstration declaration.

[§ 98-6. Responsibility for cleanup](#)

The Commissioner of Public Works shall have the authority, in situations where it is determined that the proposed demonstration is of such magnitude or character that it will generate an excessive or extraordinary amount of debris upon the public ways, to require an agreement from the applicant stating that the applicant shall be responsible for the costs of cleanup of the public ways after the demonstration. The Commissioner may enter into any agreement with the applicant as may be necessary for this purpose.

[§ 98-7. Issuance](#)

If the Commissioner of Accounts finds that all applicable provisions of this chapter have been complied with or will be complied with by the applicant, a declaration shall be issued to hold a demonstration and shall be conditional upon such reasonable limitations and requirements as may be deemed necessary for the protection of the public health, safety and welfare.

[§ 98-8. Alterations](#)

If the Commissioner of Accounts finds that all applicable provisions of this chapter have been complied with or will be complied with by the applicant, a declaration shall be issued to hold a demonstration and shall be conditional upon such reasonable limitations and requirements as may be deemed necessary for the protection of the public health, safety and welfare.

§ 98-9. Notice to officials

Immediately upon the application for a demonstration declaration, the Commissioner of Accounts shall send a copy of the declaration to the following:

- A. Mayor.
- B. Commissioner of Public Works.
- C. Commissioner of Accounts.
- D. Police Chief.
- E. City Attorney.
- F. Commissioner of Finance.
- G. Commissioner of Public Safety.
- H. Fire Chief.
- I. Risk and Safety Manager.

§ 98-10. Contents

Each demonstration declaration shall state the following information:

- A. The starting and ending times.
- B. Location of the demonstration, including the portions of the streets to be traversed.
- C. The name of the responsible party and telephone number.
- D. Such other information as the Commissioner of Accounts shall find necessary to the enforcement of this chapter.

§ 98-11. Duties of declaration holder

- A. The holder of the declaration hereunder shall comply with all directions and conditions and with all applicable laws and ordinances.
- B. Possession of declaration. The demonstration chairperson or the person heading or leading such activity shall be present and carry the demonstration declaration upon his/her person during the conduct of such demonstration.

§ 98-12. Penalties for offenses; when effective.

- A. Any person or other legal entity who violates any of the provisions of this chapter shall be subject to the penalties set forth in Chapter 1, General Provisions, Article III, General Penalty, of this Code. Both the Police Department and Code Administration shall have the authority to enforce the provisions of this chapter and to issue appearance tickets for violations thereof.
- B. This chapter shall take effect the day after publication as provided by the provisions of the City Charter of the City of Saratoga Springs, New York.



CITY OF SARATOGA SPRINGS DECLARATION OF INTENT TO DEMONSTRATE

I, _____, residing at _____
(applicant's name) (street, city, state)
_____ hereby declare my intent to conduct a public demonstration at
the following public place(s):

Date(s): _____

Time(s): _____

Name of Organization (if applicable): _____

Approximate # of persons expected to participate: _____

General Subject matter (Optional - but will be helpful in determining need for public safety services):

Applicant's Phone number: _____

The applicant agrees that the organization/individual will be responsible for cleanup or costs related to the cleanup of the public ways after the demonstration.

I have read Chapter 98 of the City Code entitled "Demonstrations" and I agree to abide by its requirements.

Date: _____

Applicant's Name (please print)

Signature of Applicant



CITY OF SARATOGA SPRINGS CLEANUP STATEMENT

NAME OF BUSINESS/INDIVIDUAL

ADDRESS OF BUSINESS/INDIVIDUAL

I, _____, agree that I will be responsible for any cleanup and/or costs related to cleanup if necessary of the public ways after the special event/parade.

Print Name of Owner/Individual

Date

Signature of Owner/Individual