

## Chapter 66

### **STREETS, SIDEWALKS AND OTHER PUBLIC PLACES\***

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**\*Cross references**—Any ordinance establishing, dedicating, accepting the dedication of, naming, establishing, grading, naming, improving, altering, locating, opening, paving, widening, vacating, etc., any street, alley, sidewalk, public way, public park or public grounds in the village saved from repeal, § 1-19(a)(4); any ordinance levying or imposing taxes or special assessments, or authorizing tax fund transfers, not inconsistent with this Code saved from repeal, § 1-19(a)(6); any ordinance providing for local improvements and assessing taxes for such improvements saved from repeal, § 1-19(a)(9); buildings and building regulations, ch. 18; street obstructions for fire prevention, § 34-5; loafing on street corners, public places, § 46-33; peddlers and solicitors, ch. 50; peddling, hawking, or soliciting on streets, § 50-38; planning, ch. 54; refuse in streets and alleys, § 62-4; subdivisions, ch. 70; design standards for streets in subdivisions, § 70-231 et seq.; required facilities and landscaping for sidewalks in subdivisions, § 70-401; required facilities and landscaping for street trees in subdivisions, § 70-402; engineering specifications for streets in subdivisions, § 70-451 et seq.; traffic and vehicles, ch. 78; operation of vehicles on through streets and stop intersections, § 78-61; one-way streets and alleys, § 78-69; utilities, ch. 82; vegetation, ch. 86; interference or obstruction of vegetation to streets, sidewalks or public places, § 86-33; zoning, ch. 94.

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**ARTICLE I. IN GENERAL**

**Sec. 66-1. Obstructing or altering drains and ditches.**

No person shall alter or obstruct any drain, ditch, gutter, or culvert in any public street or alley without a permit from the director of public works.

(Code 1977, § 5.20)

**Sec. 66-2. Drainage onto streets or sidewalks.**

It shall be unlawful to construct or permit the construction of any stormwater drain or air conditioner drain which discharges water onto any sidewalk in the village. It shall be unlawful to construct or permit the maintenance of any such drain which discharges into any public street or alley at a height greater than 18 inches above the ground or pavement.

(Code 1977, § 5.21)

**Secs. 66-3—66-30. Reserved.**

**ARTICLE II. STREETS**

**DIVISION 1. GENERALLY**

**Sec. 66-31. General supervision.**

All public streets, alleys, sidewalks and other public ways shall be under the supervision of the director of public works. The director of public works shall have supervision over all work thereon, and the cleaning thereof, and shall be charged with the enforcement of all ordinance provisions relating to such public places, except traffic ordinances, and is hereby authorized to exercise such authority.

(Code 1977, § 5.01)

**Sec. 66-32. Acceptance of streets.**

(a) The board of trustees prior to accepting any street or alley for care, maintenance and control thereof by the village, shall obtain a recommendation from the village engineer regarding construction and conditions of such street or alley as to whether such street or alley was constructed

according to approved plans and specifications and also conforms to the village codes and design criteria as set by the board of trustees from time to time.

(b) If the recommendation from the village engineer is favorable, the board of trustees shall then act on the acceptance thereof, as in their discretion they see fit. Interested parties shall be notified of the action of the board within ten days of the meeting.

(c) If the board of trustees shall fail to accept the street or alley, a report thereof with the requirements and conditions to be complied with shall be furnished in writing to the interested parties within ten days from the board meeting.

(d) If the village engineer shall fail to act or cannot agree on a recommendation, the board of trustees may make their own investigation and act thereon accordingly.

(Code 1977, § 5.02)

**Sec. 66-33. Names of streets.**

All streets of the village shall be known and designated by the names applied hereto, respectively, on the map of the village kept on file in the office of the village engineer, and the street names designated on such map shall continue to be the names of streets unless and until changed by ordinance of the board of trustees. Generally, all east-west roads shall be designated avenues, and north-south roads shall be designated streets.

(Code 1977, § 5.04)

**Sec. 66-34. Numbering buildings.**

All buildings on streets of the village shall be numbered by the village engineer in accordance with the village map prepared by the village engineer, which map shall be kept on file in the office of the village clerk.

(Code 1977, § 5.05)

**Cross reference**—Buildings and building regulations, ch. 18.

**Sec. 66-35. Encroachments on streets.**

(a) No person shall erect or maintain any structure or thing on, over or under any street, alley, sidewalk or public way except by permit

from the board of trustees. Application for such permit shall describe the nature of the encroachment in such detail as the board of trustees shall require. The board in its discretion may issue or deny the permit, and may impose any conditions to such permit as it deems appropriate.

(b) Awnings made of pliable substance attached to a building and extending not less than eight feet above the surface of the sidewalk may be erected and maintained without a permit.

(c) Any encroachment on any street, alley, sidewalk, or public way shall be maintained so that it does not endanger or obstruct the public.

(d) Any encroachment maintained in violation of this section is declared a nuisance and may be abated by the village.  
(Code 1977, § 5.07)

**Sec. 66-36. Obstructing streets.**

(a) No person shall obstruct or endanger the free passage or proper use of the public on any street, sidewalk, alley or public place.

(b) No person shall shovel, plow or otherwise place snow or cause or permit the shoveling, plowing, or placing of snow, from a private driveway, parking lot, or other private property upon any highway, street or sidewalk so as to hinder, obstruct, impede or otherwise interfere in any way with the movement of traffic upon such street, highway, or sidewalk.

(c) If such snow is not immediately moved or removed by the owner, occupant or agent so placing it on the street, highway or sidewalk after being advised by an authorized official or police officer to do so, then the village may charge the owner, occupant or agent with any expenses which may be incurred by the village in the removal thereof. Such expenses shall be collected by the village in addition to a fine or penalty as set forth in this Code.

(d) Any person found in violation of this section shall be fined not less than \$25.00 nor more than as provided in section 1-11. Each day such offense shall continue shall constitute a distinct and separate offense.  
(Code 1977, § 5.08)

**Sec. 66-37. Merchandise on streets.**

(a) No person shall use any street, sidewalk or other public place as space for the display of goods or merchandise for sale without a permit from the zoning administrator.

(b) Goods, wares and merchandise may be placed on sidewalks for such reasonable time as may be necessary while loading and unloading, provided pedestrian traffic is not totally obstructed.  
(Code 1977, § 5.09)

**Sec. 66-38. Construction materials in streets.**

No person shall place any construction materials on or over any street, sidewalk or public place without a permit therefor from the village engineer. The permittee shall conform to all conditions the village may impose upon granting of the permit.  
(Code 1977, § 5.10)

**Sec. 66-39. Advertising on streets.**

No person shall paint or post any signs or bills on any streets, poles or other structures in any street or on the surface of any street or sidewalk.  
(Code 1977, § 5.11)

**Sec. 66-40. Debris in streets.**

(a) No person shall litter or deposit any foreign matter on any street, alley, sidewalk, park or public place, except construction materials and merchandise as permitted under this chapter, or as may be permitted by the director of public works.

(b) Any person violating this section shall be liable for the cost of removal of the foreign matter in addition to the penalty provided for violation of this Code.  
(Code 1977, § 5.12)

**Sec. 66-41. Protection of work in streets; permit for barricades.**

(a) Any person constructing or repairing, or making any excavation in or tunnel under, or placing any material on or over any street, sidewalk or other public place shall maintain suitable

barricades and other protective devices as shall properly prevent injury to any person or property. Suitable lights shall be maintained during the nighttime to warn the public. No unauthorized person shall interfere with or disturb any such protective devices.

(b) A permit shall be secured from the village engineer 24 hours in advance of placing any barricades in any street.  
(Code 1977, § 5.14)

**Sec. 66-42. Encroachments on state right-of-way.**

(a) No person, firm, corporation or other entity shall install, place, maintain or construct any structure that encroaches upon a State of Illinois right-of-way within the village.

(b) Any encroachment maintained in violation of this section is declared a nuisance and may be abated by the village.  
(Ord. No. 2008-65, § I, 9-8-2008)

**Secs. 66-43—66-60. Reserved.**

DIVISION 2. CONSTRUCTION

**Sec. 66-61. Design criteria.**

All pavement, street, sidewalk and alley construction and design criteria within the village shall conform to the requirements outlined in the village subdivision ordinance or specifications and guidelines from time to time approved and adopted by resolution of the board of trustees.  
(Code 1977, § 5.03(a))

**Sec. 66-62. Supervision of work.**

Repair work on pavements and new construction, whether done by the village or the abutting owner, shall be under the supervision of the village engineer or director of public works.  
(Code 1977, § 5.03(b))

**Sec. 66-63. Permit.**

It shall be unlawful to construct or lay any pavement on any public street, sidewalk, alley or

other public way, or to repair such street, sidewalk, alley or other public way, without having first secured a permit therefor.  
(Code 1977, § 5.03(c))

**Sec. 66-64. Application for permit.**

Applications for permits required by this division shall be made to the village engineer and shall state the location of the intended pavement or repair, the extent thereof, and the person who is to do the actual construction work, and shall be accompanied by a permit fee of \$25.00.  
(Code 1977, § 5.03(d))

**Sec. 66-65. Approval of permit.**

No permit required by this division shall be issued except on order of the village engineer.  
(Code 1977, § 5.03(e))

**Sec. 66-66. Bond and insurance.**

Each applicant for a permit required by this section shall file a certificate of insurance, listing the village as the certificate holder and additional insured, and bond with the permit application with the following minimum amounts:

Under General liability:

Each occurrence	\$1,000,000.00
General aggregate	\$2,000,000.00

Under workers compensation

\$ 500,000.00

License and/or permit bond

(Indemnity/Surety) \$ 10,000.00

(Code 1977, § 5.03(f); Ord. No. 2000-58, § 1(5.03(f)), 5-1-2000)

**Secs. 66-67—66-85. Reserved.**

DIVISION 3. EXCAVATIONS

**Sec. 66-86. Permit required.**

No person shall excavate in or tunnel under any street, alley, sidewalk or other public place in

the village without first securing a permit at least 24 hours in advance of such work from the village engineer.  
(Code 1977, § 5.13(a))

**Sec. 66-87. Deposit.**

No permit required by this division shall be issued unless the applicant files with the village clerk a cash deposit or bond in an amount not less than \$100,000.00 to ensure that the surface of such public place shall be restored to its original condition upon completion of the work. The deposit or bond shall be held by the clerk until the village engineer certifies to him that the street has been properly repaired.  
(Code 1977, § 5.13(b))

**Sec. 66-88. Bond and insurance.**

No permit shall be issued for making any excavation or tunneling in, on, or under any public way, unless there shall be filed with the permit application a certificate of insurance, listing the village as the certificate holder and additional insured, and bond in the following minimum amounts:

Under General liability:	
Each occurrence	\$1,000,000.00
General aggregate	\$2,000,000.00

Under workers compensation	\$ 500,000.00
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License and/or permit bond (Indemnity/Surety)	\$ 10,000.00
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(Code 1977, § 5.13(c); Ord. No. 2000-58, § 1(5.13(c)), 5-1-2000)

**Sec. 66-89. Restoring surface.**

The person securing such permit shall restore the surface of the street to its original condition as soon as possible under such direction as the village may issue, but shall be made within 30 days after completing the work for which the excavation was made. Upon restoration of the surface to its former condition the village clerk shall return the cash deposit or bond to the permit holder less \$25.00 which shall be retained by the village as a permit fee. If the permit holder

does not restore the street to its original condition within the time specified above, the village shall have such work done and retain the cost thereof out of the deposit.  
(Code 1977, § 5.13(d))

**Sec. 66-90. Continuous bond.**

Any public utility or other person may deposit a standing bond with the village to insure the proper repair of village streets whenever work is done in the village, but shall secure a permit as required by this division.  
(Code 1977, § 5.13(e))

**Secs. 66-91—66-105. Reserved.**

DIVISION 4. MOVING STRUCTURES

**Sec. 66-106. Moving structures.**

No person shall move any building or structure on any street without a permit from the building commissioner. The building commissioner may impose such conditions as he deems appropriate to protect the village and the public, upon granting such permit. The applicant for such permit shall deposit \$500.00 in cash with the village clerk as security for the protection of the streets and other village property.  
(Code 1977, § 5.15)

**Secs. 66-107—66-130. Reserved.**

ARTICLE III. DRIVEWAYS

**Sec. 66-131. Definitions.**

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

*Driveway* means a place improved for vehicular traffic on street right-of-way which connects the traveled portion of the street with the lot or parcel of land adjacent thereto.

*Driveway, nonresidential*, means a driveway serving property used in whole or in part for other than residence purposes.

*Driveway, residential*, means a driveway serving property used exclusively for residence purposes.

*Sidewalk* means that portion of the street right-of-way between the curblines or lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

(Code 1977, § 5.18(a))

**Cross reference**—Definitions generally, § 1-2.

**Sec. 66-132. Permit.**

No person shall construct, build, establish or alter any driveway over, across, or upon any public sidewalk or parkway without first obtaining a permit to do so from the village engineer who shall issue it after approval of the application and the fee has been paid.

(Code 1977, § 5.18(b))

**Sec. 66-133. Application for permit.**

Any person desiring to construct, build, establish or alter a driveway upon or along existing village right-of-way shall make application to the village engineer for a permit. Such application shall contain the name and address of the person making the application and the location and dimensions of the proposed driveway the use to which it is to be devoted, and shall state whether in the building thereof, it will be necessary to cut down or otherwise alter a street curb or to elevate or depress the existing grade of the walk or parkway.

(Code 1977, § 5.18(c))



**Sec. 66-134. Fee.**

A driveway permit shall be issued upon the payment of a fee of \$25.00 per driveway to the village treasurer, provided that the proposed drive-

way is constructed in conformance to the following limitations and all other applicable requirements of this section.  
(Code 1977, § 5.18(d))

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**Sec. 66-135. Construction requirements.**

Driveways shall conform to the following:

	<i>Residential</i> (see Note)	<i>Nonresidential</i> (see Note)
(1) Width at property line		
Two-way	12-foot minimum 24 foot maximum	20-foot minimum 34-foot maximum
One-way	14-foot minimum 16-foot maximum	14-foot minimum 16-foot maximum
(2) Radii/flare	five-foot minimum 15-foot maximum	Ten-foot minimum 40-foot maximum
(3) Angle of drive	90 degrees	90 degrees or parallel to property line
(4) Grade	Ten percent maximum	Eight percent maximum
(5) Number of drives per property	One per 65 feet of frontage measured at property line	One per 65 feet of frontage measured at property line two-way; two plus one service drive one-way; four plus one service drive
(6) Separation between properties	Ten-foot minimum	Ten-foot minimum
(7) Distance between drive and nearest public intersection	50-foot minimum	100-foot minimum
(8) Materials	Eight-inch aggregate w/two-inch bituminous surface or six-inch PCC-6 bag mix, air entrained	eight-inch aggregate base w/two-inch bituminous surface or six-inch bag mix, air entrained
(9) Where curb has to be removed, the curb and gutter must be removed and a depressed curb put back in its place, or the curb may be sawed with a horizontal saw to the depressed curb dimensions. The work shall be done in conformance with state department of transportation requirements and specifications and shall be approved by the village engineer. The cost of the removal of the old curb and construction of the depressed curb shall be paid by the applicant.		

*Note:* Driveways serving office space, drive-in service establishments, outdoor theaters, service stations, industrial property, shopping centers and similar developments that generate high traffic volumes or heavy traffic during peak hours may be required to submit a detailed traffic analysis including anticipated flows to the village engineer for review. Based on information submitted, the above requirements may be modified.

(Code 1977, § 5.18(e))

**Sec. 66-136. Culverts.**

(a) No person shall install or maintain any driveway anywhere in the village without installing, under the driveway, a culvert of adequate size to permit complete stormwater drainage. No culvert shall be required where a concrete or other hard surface curb and gutter in the street provides adequate stormwater drainage.

(b) The village engineer shall determine the diameter of culvert, if any, required to provide adequate drainage.

(c) Culverts shall not be less than 20 feet in length nor less than 12 inches in diameter. The diameter may be reduced by the village engineer provided the drainage area indicates a smaller diameter pipe will carry the anticipated storm flows. In no case shall the diameter be reduced to less than eight inches.

(d) The person applying for a driveway permit, prior to commencing any construction on the culvert or driveway shall notify the village engineer a minimum of 24 hours in advance of such construction. The village engineer or his representative shall mark the location and elevation of the culvert in cooperation with the permittee. The permittee shall construct the culvert to the lines and grades established by the village engineer.

(e) Material specifications shall be in accordance with Section 511, Pipe Culverts or Section 603, Storm Sewers of the state department of transportation, Standard Specifications for Road and Bridge Construction in Illinois as amended and revised.

(Code 1977, § 5.18(f))

**Sec. 66-137. Duty to remove obstructions, keep in repair.**

It shall be the duty of the person maintaining any driveway to keep the driveway free from any obstruction and to keep the driveway in good repair including that portion of the driveway constructed as sidewalk.

(Code 1977, § 5.18(g))

**Sec. 66-138. Graded surfaces.**

No driveway shall be so constructed or graded as to leave a step, sharp depression or other

obstruction on the sidewalk. The grade shall be as nearly as possible the same as that of the adjoining sidewalk. It shall be unlawful to have the surface finish of any driveway where the driveway crosses the sidewalk constructed of such materials as to render it slippery or hazardous to pedestrians, or to have the grade of such portion vary from the grade of the sidewalk, or be other than level.

(Code 1977, § 5.18(h))

**Sec. 66-139. Driveways, Illinois Route 132.**

No new driveways or new entrances shall be constructed within the village on F.A.S. Route 3 (Illinois Route 132) from Orchard Ferndale Street east to the east limits of the village shall be constructed without the consent of the highway department of the state. The remaining portion of F.A.S. Route 3 (Illinois Route 132) lying within the village and east of the Des Plaines River was previously designated as a freeway by resolution adopted by the board of supervisors of the county on October 8, 1958, and approved by the state division of highways on October 28, 1958.

(Code 1977, § 5.19)

**Secs. 66-140—66-160. Reserved.**

**ARTICLE IV. PARADES AND MOTORCADES**

**Sec. 66-161. Definitions.**

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

*Motorcade* means an organized procession containing 25 or more vehicles, except funeral processions, upon any public street, sidewalk or alley.

*Parade* means any march or procession consisting of people, animals or vehicles or a combination thereof, except funeral processions, upon any public street, sidewalk or alley, which does not comply with normal and usual traffic regulations or controls.

(Code 1977, § 5.22(a))

**Cross reference**—Definitions generally, § 1-2.

**Sec. 66-162. Permit required.**

It shall be unlawful for any person to conduct a parade or motorcade in or upon any public street or sidewalk in the village, or knowingly participate in any such parade unless and until a permit to conduct such a parade or motorcade has been obtained from the village administrator, or, as provided in this article, from the president and board of trustees of the village.

(Code 1977, § 5.22(b))

**Sec. 66-163. Parade or motorcade for commercial purpose prohibited.**

No permit shall be issued authorizing the conduct of a parade or motorcade which is to be held for the sole purpose of advertising any product, goods, wares, merchandise and is designed to be held purely for private profit.

(Code 1977, § 5.22(c))

**Sec. 66-164. Interference with parade or motorcade.**

No person shall knowingly join or participate in any parade or motorcade conducted under permit from the village in violation of any of the terms of such permit or knowingly join or participate in any permitted parade or motorcade without the consent and over the objection of the permittee, nor in any manner interfere with its progress or orderly conduct.

(Code 1977, § 5.22(d))

**Sec. 66-165. Application for permit.**

Any person who desires to conduct a parade or motorcade shall apply to the village administrator for a permit at least 30 days in advance of the date of the proposed parade or motorcade. The application for such permit shall be in writing on a form approved by the president and board of trustees of the village or in a form acceptable to the village administrator. The village administrator may waive the 30-day requirement if he finds unusual circumstances. In order that adequate arrangements may be made for the proper policing of the parade or motorcade, the application shall contain the following information:

- (1) The name of the applicant, the sponsoring organization, the parade or motorcade chairman and co-chairman, and the addresses and telephone numbers of each.

- (2) The nature of the parade or motorcade, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, route to be traveled and the approximate time when the parade or motorcade will assemble, start and terminate.
- (3) A general description and approximate number of the units to be used.
- (4) The interval of space to be maintained between units of the parade.
- (5) The village administrator shall immediately forward a copy of the application to the chief of police for his review.

(Code 1977, § 5.22(e))

**Sec. 66-166. Issuance or denial of permit.**

(a) *Standards of issuance.* The village administrator shall issue a parade or motorcade permit conditioned upon the applicant's written agreement to comply with the contents of such a permit as specified in this section, unless it is found that:

- (1) The time, route and size of the parade or motorcade will disrupt to an unreasonable extent the movement of other traffic.
- (2) The parade or motorcade is of a size or nature that requires the diversion of so great a number of police officers of the village to properly police the line of movement and the areas contiguous thereto that allowing the parade or motorcade would deny reasonable police protection to the village.
- (3) Such parade or motorcade will interfere with another parade or motorcade for which a permit has been issued.

(b) *Standards for denial.* The village administrator shall deny an application for a parade or motorcade permit and notify the applicant of such denial where:

- (1) The village administrator makes any finding contrary to the findings required to be made for the issuance of a permit as specified in subsection (a) of this section.

- (2) The information contained in the application is found to be false or nonexistent in any material detail.
- (3) The applicant refuses to agree to abide by or comply with all the contents of the permit.

(c) *Time for issuance or denial.* The applicant shall be informed of the issuance or denial of the permit within 25 days of the filing of the application for the permit.  
(Code 1977, § 5.22(f))

**Sec. 66-167. Contents of permit.**

In each permit, the following shall be specified:

- (1) The assembly area and time therefor.
- (2) The starting time.
- (3) The minimum and maximum speeds of any motor vehicles.
- (4) The route of the parade or motorcade.
- (5) What portions of streets to be traversed may be occupied by such parade or motorcade.
- (6) The maximum length of such parade or motorcade in miles or fractions thereof.
- (7) The disbanding area and disbanding time.
- (8) That the throwing, tossing, dropping or any other method used to distribute hand-outs, flags and/or candy, other than by hand to hand, is forbidden.
- (9) The permittee shall advise all participants in the parade or motorcade, either orally or by written notice, of the terms and conditions of the permit prior to the commencement of such parade or motorcade.
- (10) That the parade or motorcade continue to move at a fixed rate of speed and that any willful delay or willful stopping of such parade or motorcade, except that which is reasonably required for the safe and orderly conduct of the parade or motorcade, shall constitute a violation of the permit, all conditions of the permit shall be complied with so far as reasonably practical.

- (11) Any other applicable rule deemed necessary by the village administrator to protect the health, safety and welfare of the parade participants and/or citizens of the village.  
(Code 1977, § 5.22(g))

**Sec. 66-168. Appeal procedure.**

Upon a denial by the village administrator of an application made pursuant to section 66-165 and the administrator denies a waiver, the applicant may appeal from the determination of the village administrator within five days thereafter to the village president and board of trustees by filing a written notice of appeal at its next meeting. Upon such appeal, the president and board of trustees may reverse, affirm or modify in any regard the determination of the village administrator. In the event that application is not filed within the required time as specified in section 66-165, the applicant may request a waiver of such requirement by the president and board of trustees at its next regular meeting, or at a special meeting which may be called prior thereto by the president and board of trustees to consider such a matter. The president and board of trustees, if they find unusual circumstances and in the exercise of their sound discretion, may waive such requirement.  
(Code 1977, § 5.22(h))

**Sec. 66-169. Official to be notified.**

Immediately upon the granting of a permit for a parade or motorcade, the village administrator shall send a copy thereof to the:

- (1) President and board of trustees.
  - (2) Chief of police.
  - (3) Fire chief.
  - (4) Director of public works.
- (Code 1977, § 5.22(i))