

**ORDINANCE NO. 2, SERIES 2025
TOWN OF KIOWA, COLORADO**

**AN ORDINANCE OF THE TOWN OF KIOWA, COLORADO, AMENDING THE TOWN OF
KIOWA ZONING CODE, CHAPTER 16, STREETS, SIDEWALKS AND PUBLIC PLACES,
PARADES, RALLIES, BLOCK PARTIES AND SPECIAL EVENTS, TOWN OF KIOWA,
COLORADO**

WHEREAS, Colorado Revised Statutes (C.R.S.) 31-15-101, et seq., authorizes a municipality to enact regulations that promote the health, safety, and welfare, and improve order, comfort, and convenience of the municipality and inhabitants thereof; and

WHEREAS, C.R.S. 31-23-303 declares that such regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Town; and

WHEREAS, the Board of Trustees of the Town of Kiowa, Colorado, found that such regulations promote the health, safety, morals, and the general welfare of the community as stated herein; and

WHEREAS, the Board of Trustees and the Planning Commission of the Town of Kiowa, Colorado received public comments requesting some modifications, clarifications and revisions to Article IV, Supplemental Regulations for Parades, Rallies, Block Parties and Special Events and directed the Planning Commission of the Town of Kiowa make recommendations for these revisions; and

WHEREAS, the Planning Commission held several meetings commencing in October, 2024 and has made recommendations that have been received by the Board of Trustees; and

WHEREAS, the Board of Trustees wishes to amend Article IV, Supplemental Regulations to reflect the needs of the community to provide for Parades, Rallies, Block Parties and Special Events in the Town of Kiowa, Colorado

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF KIOWA, COLORADO THAT THE TOWN OF KIOWA, COLORADO CLARIFICATIONS TO ARTICLE VI, TABLE OF NON-RESIDENTIAL SHALL BE APPROVED AS FOLLOWS:

Chapter 11, Streets, Sidewalks and Public Property Parades, Rallies, Block Parties and Special Events

Definitions.

As used in this Article, the following terms shall have the following meanings:

Block party means the gathering of any group of ten (10) or more persons in the public right-of-way in any residential neighborhood for the purposes of holding a picnic, party, celebration or other event for which the safety of the participants can be protected by the placement of barricades or other street-closure apparatus.

Parade means any march or procession consisting of people, animals or vehicles, or any combination thereof, except funeral processions and/or motorcades of the United States Armed Services, Colorado Armed Forces, Town police, and Kiowa Fire Protection District, upon any public street, highway, sidewalk, alley or public right-of-way which does not comply with normal and usual traffic regulations or controls.

Person means every natural person, firm, partnership, association or corporation.

Rally means the gathering of ten (10) or more natural persons in a single location on a public street, sidewalk, alley, right-of-way, or park for the purpose of expressing speech protected by the First Amendment of the United States Constitution.

Special event means the gathering or planned gathering of ten (10) or more natural persons in or upon any public right-of-way, public facility, or other property owned by the Town, or upon any privately owned property, where such event is likely to impact the normal flow of pedestrian or vehicular traffic on a public right-of-way.

Permits required.

It shall be unlawful for any person to conduct a parade, block party, rally, or special event or to knowingly participate in any such parade, block party, rally, or special event unless and until a permit to conduct such parade, block party, rally or special event has been obtained from the Town Clerk.

Parade for commercial purposes prohibited.

No permit shall be issued authorizing the conduct of a parade which the Town Clerk finds is proposed to be held for the sole purpose of advertising any product, goods, wares, merchandise, or event, and is designed to be held purely for private profit. A school, governmental agency, civic or social organization, or other similar entity, is the only entity that shall be considered for a parade permit.

Interference with parade, rally or special event.

No person shall knowingly join or participate in any parade, rally, or special event conducted under a permit in violation of any of the terms of said permit, nor knowingly join or participate in any permitted parade, rally, or special event without the consent or over the objection of the permittee, nor in any manner that interferes with or obstructs its progress or conduct.

Application for permit.

- a) Any person who wishes to conduct a parade or rally, or hold or sponsor a block party or special event shall apply to the Town Clerk for a permit within the following time limitations:
 1. For a rally, such application shall be submitted at least two (2) working days in advance of the date of the proposed event. For purposes of this Subsection (a)(1), a "working day" shall be

defined as any given twenty-four (24) hour period, excluding weekends and holidays upon which the Town of Kiowa is closed for business;

2. For a block party, such application shall be submitted at least seven (7) calendar days in advance of the date of the proposed event;
3. For a special event not requiring a liquor license, such application shall be submitted at least fifteen (15) calendar days in advance of the proposed event;
4. The applicant should meet with representatives of the Town at least thirty (30) calendar days in advance of the proposed event. For a parade, a complete application shall be submitted at least fifteen (15) calendar days in advance of the proposed event; and
5. For a special event requiring a liquor license, such application shall be submitted at least sixty (60) calendar days in advance of the proposed event.

Application for Special Events Permit Matrix	
Special Event Type	Time Needed
Rally	2 days - completed application
Block Party	7 days - completed application
Special Event (excluding liquor)	15 days - completed application
Parade	15 days - completed application 30 days - meet with necessary staff
Special Event (including liquor)	60 days - completed application

- b) The application for such permit shall be made in writing upon the form approved by the Town Administrator. The application shall be accompanied by the current permit fee, and contains the following information:
1. The name of the applicant, the sponsoring organization, the parade/rally chairman, or the person sponsoring the block party or special event, and the addresses and telephone numbers of such person(s).
 2. For a parade or rally: The purpose of the proposed event, the date when it is proposed to be conducted, the location of the assembly area, the location of the disbanding area, the route to be traveled, and the approximate times when the parade/rally will assemble, start and terminate.

3. For a block party: The date when it is proposed to be conducted, the location of the area in which the block party shall be confined, and the start and termination times of the block party.
 4. For a parade or a special event, the applicant shall provide proof of comprehensive liability insurance acceptable to the Town in an amount commensurate with the limitations on judgments contained in the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq., as the same may be amended from time to time, and shall provide proof of the ability to provide a certificate of insurance listing the Town as an additional insured prior to the parade or special event.
 5. For any type of special event (parade, rally or special event), an estimate of the number of persons, floats, marching units, vehicles and bands, and a detailed description of any sound amplification equipment to be used.
 6. For a block party, the application must be accompanied by the signatures from persons directly being affected by the road blockage within the proposed area in which the block party is to be confined, acquiescing to the holding of the proposed block party on the date and time indicated in the application.
 7. For any event closing a public street to traffic, signatures from directly being affected by the road blockage within the area contemplated to be closed consenting to the proposed street closure.
 8. Such other information as the Town Administrator may deem reasonable and necessary.
- c) No permit issued under this Chapter shall extend beyond December 31 of the year in which it is issued unless the application therefore is submitted no later than thirty (30) days before the date of the proposed event.

Issuance or denial of a permit application.

- a) Standards for issuance of parade/rally/special event permits. The Town Clerk shall issue a parade, rally, or special event permit, with the approval of the Town Administrator, conditioned upon the applicant's written agreement to comply with the terms of such permit and this Article unless the Town Clerk finds the following:
1. The time, route, or size of the parade, rally, or special event will disrupt to an unreasonable extent the movement of other traffic;
 2. The parade, rally or special event is of a size or nature that requires the diversion of so great a number by entity providing law enforcement services to the Town to properly control the line of movement and the area contiguous thereto that allowing the parade, rally or special event would deny reasonable police protection to the Town; or
 3. Such parade, rally or special event will interfere with another parade, rally or special event for which a permit has previously been issued.
- b) Standards for issuance of block party permit. The Town Clerk shall issue a block party permit conditioned upon the applicant's written agreement to comply with the terms of such permit and this Article, unless the Town Clerk finds the following:
1. The time or size of the block party will disrupt to an unreasonable amount the traffic through main arterial or collector streets;
 2. The block party is of a size or nature that requires the diversion of so great a number of by entity providing law enforcement services to the Town to properly control the block party that allowing the block party to proceed would deny reasonable police protection to the Town; or
 3. A permit for a block party in the same or contiguous street or right-of-way has already been issued for the same date and time.

- c) Imposition of reasonable conditions. The Town Clerk is authorized to impose reasonable conditions upon the issuance of a permit under this Article, including requiring a deposit to offset any actual costs incurred by the Town in administering the event, including but not limited to providing any additional law enforcement services and providing any additional public works services.
- d) Standards for denial. The Town Administrator shall deny any application for a permit available under this Article and notify the applicant of such denial if the Town Administrator finds the following:
 - 1. The Town Administrator makes any finding contrary to the findings required to be made for the issuance of a permit set forth in Subsection (a) above;
 - 2. The information contained in the application is found to be false or nonexistent in any substantive or material detail; or
 - 3. The applicant refuses to agree to abide by or comply with all conditions of the permit or this Article.

Contents of permit.

- a) In each permit the Town Clerk shall specify:
 - 1. The assembly area and time therefore;
 - 2. The starting time;
 - 3. The route of the parade or description of the location of the rally, special event, or block party, including whether barricades will be used, and a description of how the rally, special event, or block party will be barricaded, if necessary;
 - 4. The disbanding area and time therefore;
 - 5. The nature of the police protection, or a finding that no police protection is necessary; and
 - 6. Such other requirements as are found by the Town Clerk to be reasonably necessary for the protection of persons or property.
- b) All conditions of the permit shall be complied with so far as reasonably practicable.

Appeal procedure.

Upon denial by the Town Administrator of an application made pursuant to this Article, the applicant may file a written notice of appeal from the determination of the Town Administrator with the Town Clerk within five (5) days thereafter. Such appeal shall be heard before the Board of Trustees. Upon such appeal, the Board of Trustees may reverse, affirm or modify in any regard the determination of the Town Clerk. Pursuit of an appeal under this Section is a prerequisite to seeking judicial relief.

Officials to receive notice.

Immediately upon the granting of a permit for a parade, block party, special event, or rally, the Town Administrator shall send a copy thereof to the following persons:

- 1. The Board of Trustees;
- 2. The Fire Chief for the Kiowa Fire Protection District;
- 3. The Town contracted law enforcement;
- 4. The Public Works Director; and
- 5. The Town Administrator.

Revocation of permit and reinstatement.

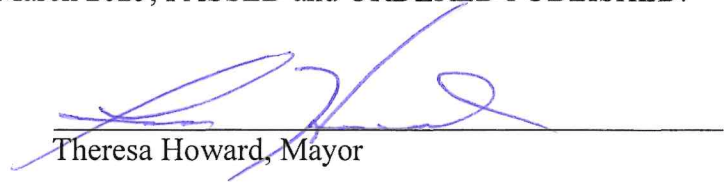
Any permit for a parade issued pursuant to this Article may be summarily revoked by the Town Administrator at any time when by reason of disaster, public calamity, riot or other emergency, the Town Administrator determines that the safety of the public or property requires such revocation. Notice of such revocation shall be delivered in writing to the permittee by personal service or by certified mail, return


receipt requested. Any permit revoked pursuant to this Section may be reinstated if the basis for the revocation no longer exists.

Responsibilities of special event/block party sponsor.

The sponsor of the application for a special event or block party shall be responsible for coordinating with Town contracted law enforcement for the barricading or blocking of the right-of-way, where applicable, to prevent the travel of motor vehicles through the special event or block party site, and shall be responsible for paying the costs of any barricades and additional police protection, if such barricades or additional police protection are deemed necessary by the Town

INTRODUCED and READ this 11TH day of March 2025, PASSED and ORDERED PUBLISHED.


Theresa Howard, Mayor

ATTEST: 
Sasha Davidson, Town Clerk