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1 upon the streets, parks or other public grounds within the city that could
2 interfere with the normal flow or regulation of traffic upon the streets, parks or
3 other public grounds.

4 **PARADE OR PUBLIC ASSEMBLY PERMIT.** A permit as required by this
5 article.

6 **PERSON.** Any person, firm, partnership, association, corporation,
7 company or organization of any kind.

8 **PROCESSION.** Any assembly of three or more persons whose gathering is
9 for the purpose of parading from one location to any other.

10 **PUBLIC ASSEMBLY.** Any meeting, demonstration, picket line, rally or
11 gathering of more than 25 persons for a common purpose as a result of prior
12 planning that interferes with the normal flow or regulation of vehicular traffic
13 or occupies any public area in a place open to the general public.

14 **SIDEWALK.** Any area or way set aside or open to the general public for
15 purposes of pedestrian traffic.

16 **STREET.** Any place or way set aside or open to the general public for
17 purposes of vehicular traffic, including any berm or shoulder parkway, right-
18 of-way, or median strip thereof.

19 **TRADITIONAL PUBLIC FORUM.** Public places historically associated with
20 the free exercise of expressive activities including but not limited to streets,
21 sidewalks and parks.”

22 **SECTION 2.** Section 10-1-1-1 ROA 1994 is amended to read as follows:
23 “§ 10-1-1-1 **DEFINITIONS.**

24 For the purpose of §§ 10-1-1-1 et seq., the following definitions shall apply
25 unless the context clearly indicates or requires a different meaning.

26 **ANIMAL.** Any vertebrate member of the animal kingdom other than
27 humans.

28 **CIVIC PLAZA.** The park more particularly described as the city property
29 within the area bounded on the east by Third Street, on the north by Marquette
30 Avenue, on the west by Fifth Street, and on the south by Tijeras Avenue.

31 **MAYOR.** The Mayor or his duly designated representative or agent.

32 **PARK.** Any area of land so designated and maintained by the city as a
33 place of beauty or recreation or both.

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1 **SPECIAL EVENT.** Any privately or publicly sponsored advertised activity at
2 a city park or other facility operated by the Parks and Recreation Department,
3 to which the general public is invited for the purpose of recreation, culture or
4 entertainment, and at which food or beverages may be available.”

5 **SECTION 3.** Section 10-1-1-5 ROA 1994 is amended to read as follows:
6 “§ 10-1-1-5 **ANIMALS PROHIBITED IN CIVIC PLAZA DURING A SPECIAL**
7 **EVENT.**

8 **(A)** No person shall cause or allow any animal to enter onto the Civic
9 Plaza during a special event.

10 **(B)** This section shall not apply to any service animal which is being
11 used to assist a blind, deaf; or mobility-impaired person, provided that the
12 service animal has adequate identification that it is a service animal, as
13 defined by §§ 9-2-1-1 et seq., Humane and Ethical Animal Rules and
14 Treatment. Further, this section shall not apply to any animal used by the city
15 or its agents, or any animals specifically allowed by the Mayor.”

16 **SECTION 4. SEVERABILITY CLAUSE.** If any section, paragraph, sentence,
17 clause, word or phrase of this ordinance is for any reason held to be invalid or
18 unenforceable by any court of competent jurisdiction, such decision shall not
19 affect the validity of the remaining provisions of this ordinance. The Council
20 hereby declares that it would have passed this ordinance and each section,
21 paragraph, sentence, clause, word or phrase thereof irrespective of any
22 provision being declared unconstitutional or otherwise invalid.

23 **SECTION 5. COMPILATION.** This ordinance shall be incorporated in and
24 made part of the Revised Ordinances of Albuquerque, New Mexico, 1994.

25 **SECTION 6. EFFECTIVE DATE.** This ordinance shall take effect five days
26 after publication by title and general summary.

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