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**AN ORDINANCE AUTHORIZING AND REGULATING THE
TEMPORARY STREET CLOSING FOR THE PURPOSE OF A
COMMUNITY FUNCTION SUCH AS A BLOCK PARTY OR
NEIGHBORHOOD FESTIVAL.**

WHEREAS, the Township Council of the Township of Deptford in the County of Gloucester and State of New Jersey desire to establish and otherwise regulate the ability of its citizens to petition for a temporary street closing so as to allow community functions such as block parties and/or neighborhood festivals; and

WHEREAS, the Township Manager, Chief of Police or designee of the Township of Deptford has determined to permit temporary street closings for the purpose of aforesaid community functions;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP
COUNCIL OF THE TOWNSHIP OF DEPTFORD**

SECTION 1. DEFINITION

The following term shall have the meanings indicated:

BLOCK - A designated area within which the public streets shall be closed for a neighborhood party.

PARTY - A neighborhood block party, celebration or event, but shall not include a garage sale, yard sale, bazaar, rummage sale or other similar activity having the principal purpose as fundraising for an individual or organization, nor shall it include a political meeting or rally, carnival or theatrical or musical performance such as rock concerts or similar events.

STREET - A Township street, highway or road.

**SECTION 2. AUTHORIZATION TO ISSUE PERMIT;
APPLICATION.**

- A. The Township Manager, Chief of Police or designee shall be authorized to issue a permit for the temporary blocking of a street for the purpose of holding a party or festival. At least 21 - 30 days before the commencement of such party, an

application for such permit shall be filed by a bona fide resident of the street to be blocked, who is over the age of 18, and such application shall contact at least the following information:

(1) Letter to all residents in neighborhood providing notification of the planned event

(2) Information submission to Chief of Police:

Letter should include:

- a. Notification letter signed by as many residents as possible with all notified addresses listed
- b. Assure complete accessibility to area (roadways, etc.) for emergency vehicles
- c. Determination will be made by Deptford Police Department Traffic Safety Unit
- d. Date and hours of operation and rain date (if applicable)
- e. Serving of alcoholic beverages
- f. Copy of Tax Map showing street location and surrounding cross street(s) to be temporarily barricaded

(3) Notification to Public Works at least 72 hours prior to event to drop-off barricades based upon availability (A \$50.00 refundable deposit will be required)

(4) Notification to Public Works on next business day to request pick-up of barricades

B. The application may require such additional information as the Township Council prescribed by resolution.

SECTION 3. FEE AND DETERMINATION OF APPROVAL OR DISAPPROVAL OF APPLICATION.

The application shall be accompanied by a fee in the amount of \$25.00. Such fee shall be refundable in the event that the permit is denied. The permit shall be granted by the Township Manager, Chief of Police or designee upon determining that the party is authorized and responsible. The permit shall be denied if the Township Manager, Chief

of Police or designee finds that blocking the street or portion thereof on the date requested in the application will unduly interfere with the flow of vehicular traffic or upon determining that the party is not authorized. The Township Manager, Chief of Police or designee shall advise the Applicant, in writing, of the reason for the denial of the application.

SECTION 4. VALIDITY OF PERMIT.

A permit issued pursuant to this Ordinance shall be valid only for the date and the hours specified thereon, which shall not be before 8:00AM or after 11:00PM.

SECTION 5. CLEAN-UP AFTER BLOCK PARTIES.

The Applicant shall be responsible for removal of litter, debris and other materials from the street or portion thereof used for the party, which is attributable to or caused by the party.

SECTION 6. OBSTACLES BLOCKING STREETS TO BE MOVABLE.

A street or portion thereof blocked off for a party shall not be obstructed by obstacles which cannot be readily moved to allow emergency and hazard vehicles to enter it in response to an emergency.

SECTION 7. LIMIT ON NUMBER OF PERMITS.

No more than two permits shall be granted by the Township Manager, Chief of Police or designee in any calendar year for the same block or blocks.

SECTION 8. LIABILITY.

The persons, organization or association to whom the permit is issued shall be liable for all losses, damages or injuries sustained by any person, whether a participant or spectator at the block party or recreational event, whether or not said losses, damages or injuries arise by reason of the negligence of the person, persons or organization to whom such permit shall have been issued. The Township Manager, Chief

of Police or designee shall require the Applicant to enter into a Hold Harmless Agreement, which agreement shall provide that the Applicant shall agree to save and hold the Township of Deptford harmless of and from any and all obligations and liabilities which may arise from the temporary street closing which represents the subject matter of the application. The Applicant shall further agree as part of these provisions to hold harmless the Township of Deptford and to defend at his own cost and expenses any claims or lawsuits instituted by third parties, which obligations or liabilities might otherwise exist or be asserted against the Township of Deptford. The Township Manager, Chief of Police or designee shall further have the option to require that, prior to the issuance of a permit or commencement of the temporary street closing, the Applicant submit evidence of liability insurance covering damages to property and injuries to members of the general public arising out of the temporary street closing in such amounts as may be determined by the Township Manager, Chief of Police or designee.

SECTION 9. PENALTIES FOR OFFENSES.

Any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction, be subject to a penalty of not more than \$1,000.00, or imprisonment for a term not to exceed ten days, or both. Each day of violation shall constitute a separate offense.

SECTION 10.

All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

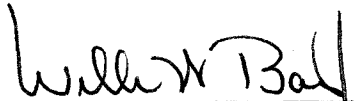
SECTION 11.

Should any section, clause, sentence, phrase provision or application of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such a decision shall not affect the remaining portions of this Ordinance.

SECTION 12. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its final passage and publication as provided by law.

TOWNSHIP OF DEPTFORD



WILLIAM W. BAIN, JR. MAYOR

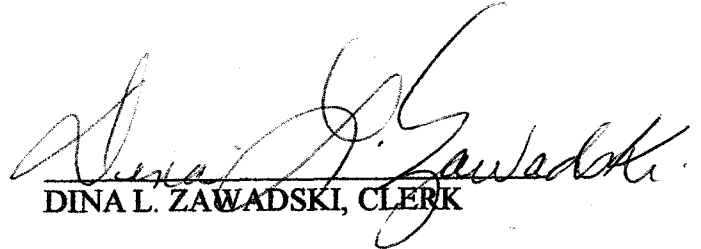
ATTEST:



DINA L. ZAWADSKI, CLERK

CERTIFICATION

The above Ordinance was introduced and passed upon first reading at a meeting of the Township Council of the Township of Deptford held on the 1st day of November 2005 and will be taken up for final consideration and passage at the Regular meeting of Mayor and Council of the Township of Deptford to be held at the Municipal Building, 1011 Cooper Street, Deptford, NJ, Gloucester County, on the 5th day of December 2005 at 7:30 P.M. or as soon thereafter as the matter can be reached at which time any person interested shall be given an opportunity to be heard.


DINA L. ZAWADSKI, CLERK