

BOROUGH OF LONGPORT

COUNTY OF ATLANTIC

ORDINANCE #2021-15

**AN ORDINANCE ADDING ARTICLE X – STREET CLOSURES TO CHAPTER 161 – VEHICLES AND TRAFFIC OF
THE CODE OF THE BOROUGH OF LONGPORT**

ARTICLE X

Street Closures

§ 161-22 Authority Chief of Police to close streets; penalty.

The Chief of Police, or in his absence, disability, or inability to act, then the Chief's designee, is hereby authorized to provide by directive for the closing of any street or portion thereof to motor vehicle traffic on any day or days or during specified hours during any day or days whenever he finds that such closing is necessary for the preservation of the public safety, health or welfare.

§ 161-23 Authorizing and Regulating the Temporary Street Closing for the Purpose of a Block Party.

WHEREAS, the Borough of Longport in the County of Atlantic 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 Governing Body has determined in may be appropriate in limited circumstances to permit the temporary street closings for the purpose of aforesaid community functions;

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH OF LONGPORT

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 – Any highway, road or public alley in the Borough of Longport.

SECTION 2. AUTHORIZATION TO ISSUE PERMIT;

A. The 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 30 days before the commencement of such party, a request for such permit shall be filed with the Police Department by a bona fide resident of the street to be blocked, who is over the age of 18, and such request shall contain at least the following information:

1. Copy of a letter sent or dropped off to all residents of the street providing notification of the planned event with a representation of service. Letter must inform the resident that they may object to the event by notice to The Police Chief.
2. Exact date and time of event.
3. Estimated amount of people to attend event.
4. Assure complete accessibility to area (roadways, etc.) for emergency vehicles.

B. If a permit is issued, notification by the Police Department shall be made to Public Works at least 72 hours prior to event to drop-off barricades based upon availability.

C. The application may require such additional information as the Borough Commissioners may prescribe by Resolution.

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

The permit shall be granted by the Chief of Police or designee upon determining that the party is requesting the same has complied with all requirements of this code and the event will not impact public health and/or safety. The permit may be denied at the sole discretion of The Chief of Police or designee for any reason whatsoever. The Chief of Police may consult with the Fire Chief, Public Works and the Administrator for input regarding any request.

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 10:00PM.

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. 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 Chief of Police or designee shall require the Applicant to enter into a Hold Harmless Agreement.

SECTION 8. 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

SECTION 9.

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.

1 ST READING / INTRODUCTION: 7/7/2021 PUBLICATION: 7/10/2021						
OFFICIAL RECORD OF GOVERNING BODY VOTING ON FINAL PASSAGE						
COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo			X			
Leeds	X		X			
Lawler		X	X			
X-indicates vote NV-not voting AB. – Absent						

2ND READING/PUBLIC HEARING: 7/21/2021 PUBLICATION: 7/24/2021

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COMMISSIONERS	MOTION	SECOND	AYE	NAY	NV	AB
Russo	X		X			
Leeds		X	X			
Lawler						X
X-indicates vote	NV-not voting	AB. – Absent				

This is a Certified True Copy of the Original Ordinance on file in the Municipal Clerk's Office.

Monica Kyle, Municipal Clerk

SIGNATURE PAGE FOR ORDINANCE 2021-15

1st Reading/Introduction: 7/7/2021

Publication: 7/10/2021

2nd Reading/Public Hearing: 7/21/2021

Publication: 7/24/2021

Monica Kyle, RMC, Municipal Clerk

MAYOR NICHOLAS M. RUSSO

COMMISSIONER JAMES P. LEEDS, Sr.

COMMISSIONER DANIEL J. LAWLER