

Chapter 133

BLOCK PARTIES

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[HISTORY: Adopted by the Village Board of the Village of Pleasant Prairie 4-18-2005 by Ord. No. 05-14. Amendments noted where applicable.]

GENERAL REFERENCES

Mass public assemblies — See Ch. 125.

Peace and good order — See Ch. 250.

§ 133-1. Purpose.

The streets in the possession of the Village are primarily for the use of the public in the ordinary way. However, under proper circumstances, the Village Clerk may grant a permit for street use, subject to reasonable municipal regulation and control. Therefore, this chapter is enacted to regulate and control the use of streets pursuant to a block party permit, to the end that the health, safety and general welfare of the public and the good order of the Village can be protected and maintained.

§ 133-2. Definitions.

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

BLOCK PARTY — A gathering in a residential district only of abutting neighbors and their relatives and friends within the Village street right-of-way or other public thoroughfare which has been temporarily closed for the occasion. Block party permits will only be issued during the period of May 1 through September 30.

§ 133-3. Prohibition.

No person shall encroach upon, occupy, obstruct or encumber any public street or highway, or part thereof, for the purpose of participating in a block party unless authorized to do so in accordance with this chapter.

§ 133-4. Application for permit.

- A. A written application for a block party permit by persons or groups desiring the same shall be made on a form provided by the Village Clerk and shall be filed with the Village Clerk at least 15 days before an event.
- B. The application shall set forth the following information regarding the proposed street use:
- (1) The name, address and telephone number of the applicant or applicants. Applicant must be a Village resident.
 - (2) If the proposed street use is to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorizing responsible heads of such organization.
 - (3) The name, address and telephone number of the person or persons who will be responsible for conducting the proposed use of the street.
 - (4) The date and duration of time for which the requested use of the street is proposed to occur. A block party permit will only be issued for one day and shall not start earlier than 10:00 a.m. and end no later than 9:00 p.m.
 - (5) An accurate description of that portion of the street proposed to be used.
 - (6) The approximate number of persons for whom use of the proposed street area is requested and a list of block party participants on the form provided. The list of participants must be signed by not less than 75% of the residents over 18 years of age residing along that portion of the street designed for the proposed use.
 - (7) The proposed use, described in detail, for which the block party permit is requested.

§ 133-5. Review by Chief of Police and Superintendent of Streets and Parks.

Before any application for a block party permit is considered by the Village Clerk, the application shall be reviewed by the Chief of Police and the Superintendent of Streets and Parks for their recommendation as to the effect that the temporary closing of the street will have on the public safety and traffic movement in the area during the time the street may be closed.

§ 133-6. Mandatory denial of street use permit.

- A. An application for a block party permit shall be denied if:
- (1) The proposed street use is primarily for private or commercial gain.
 - (2) The proposed street use would violate any federal or state law or any ordinance of the Village.

- (3) The proposed street use will substantially hinder the movement of police, fire or emergency vehicles, constituting a risk to persons or property. Permits will only be granted to close non-through streets such as cul-de-sacs and dead-end streets. A permit will not be granted to close a main thoroughfare in the Village.
 - (4) The application for a block party permit does not contain the information required above.
 - (5) The application requests a period for the use of the street that would last later than 9:00 p.m.
 - (6) The proposed use could equally be held in a public park or other location.
- B. In addition to the requirement that the application for a block party permit shall be denied, as hereinabove set forth, the Village Clerk, in consultation with the Chief of Police and Superintendent of Streets and Parks, may deny a permit for any other reason or reasons it is determined that the health, safety and general welfare of the public cannot adequately be protected and maintained if the permit is granted.

§ 133-7. Permit fee.

Each application for a block party permit shall be accompanied by a fee of \$45.

§ 133-8. Responsibilities of applicant.

- A. Acceptance of a permit shall make the applicant primarily liable for damages to persons or property caused by reason of the closing. The applicant further agrees to pay an amount sufficient to reimburse the Village for any damages done to the street surface, right-of-way or any other cleanup required after the event. The street surface shall not be altered in any manner (i.e., tent stakes, line markings, etc.). The Village shall not be liable for any damage caused by a street closing.
- B. The applicant shall be responsible for procurement, placement and maintenance of barricades used to barricade streets under this division. No block party shall commence or continue unless barricades are properly placed and maintained. The applicant acknowledges that under no circumstances will the street or right-of-way be blocked that would prohibit access for emergency vehicles. If a permit is granted, the Department of Public Works will deliver a sufficient number of marked barricades to the address of the applicant. The barricades shall be returned to the point of delivery for pickup by the Village on the next working day.
- C. Music or noise must be kept at a reasonable level so as not to disturb others. Amplified noise or music is prohibited at such block parties.
- D. The applicant shall be responsible for clearing litter and debris from the street after the conclusion of the event.
- E. any damages associated with a block party permit will be invoiced to the applicant and, if not paid, will be assessed against the applicant's property.

§ 133-9. Prohibiting drinking on public streets.

Alcohol cannot be served, consumed or transported in open containers on any public property, i.e., streets, sidewalks and alleys.

§ 133-10. Termination of block party permit.

A block party permit for an event in progress may be terminated by the Police Department if the health, safety and welfare of the public appears to be endangered by activities generated as a result of the event or the event is in violation of any of the conditions of the permits or ordinances of the Village of Pleasant Prairie. If police officers are dispatched or needed at the location of this event because of problems being created, the officers have the authority to order the street opened and, if appropriate, shall enforce the Noise Ordinance if the noise being produced is determined to be unreasonable.

§ 133-11. Violations and penalties.

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in Chapter 1, Article I, of this Code.