

3 AN ORDINANCE FOR THE
4 TEMPORARY CLOSURE OF STREET
5 FOR BLOCK PARTY

6 The City of Keizer ordains as follows:

7 Section 1. TEMPORARY CLOSURE OF STREETS.

8 A. The manager of public works may issue a permit to
9 temporarily close to vehicular or pedestrian traffic any
10 street upon application by a person or organization to hold
11 a block party in a street right-of-way.

12 B. In issuing such permit, the public works manager shall
13 set forth the time allowed for the street closure and any
14 other conditions deemed necessary for the safety and
15 protection of the public. All applications for a permit
16 for street closures shall be accompanied by an application
17 fee of \$ 25.00.

18 C. The applying person or organization shall be
19 responsible for placing, maintaining and removal of any
20 barricades and signs deemed necessary by the manager of
21 public works during such temporary closure.

22 Section 2 APPLICATION FOR PERMIT. An application for a permit
23 required by Section 1, shall be made upon a form provided by the
24 public works manager and shall contain all of the following
25 information:

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1 a) The name, residence and business address and phone
2 number of each person and organization sponsoring the temporary
3 street closure. If an organization, the application shall
4 contain the names, residence and business addresses, and phone
5 numbers of the resident or chairman thereof, and all other
6 persons, 1) having an interest or position of management or
7 control in such organization; 2) who are or will be engaged in
8 organizing, promoting, controlling, managing or soliciting
9 participation in such temporary street closure;

10 b) The date, or dates, and beginning and ending hours of
11 such temporary street closure;

12 c) The block or intersection in which such closure will
13 occur;

14 d) The estimated number of persons who will participate;

15 e) The purpose of the temporary street closure;

16 f) Whether or not charity, gratuity, or offerings will
17 be solicited or accepted, or sales of food, beverages, or other
18 merchandise will occur;

19 g) Whether any sound amplification equipment is proposed
20 to be used, and if so, information describing such sound
21 amplification equipment;

22 h) Whether parking is requested to be restricted or
23 prohibited during such closure;

24 i) Whether such temporary street closure will occupy all
25 or only a portion of the street or intersection involved;

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1 j) Such other information as the public works manager
2 deems reasonably necessary in order to carry out his duties
3 under this article.

4 Section 3. HOLD HARMLESS. Applicants shall agree in writing
5 to assume the defense of and indemnify and save harmless, the City,
6 its councilors, boards, commissions, officers, employees and agents,
7 for all suits, actions, damages, or claims to which the City may be
8 subjected of any kind or nature whatsoever, resulting from, caused
9 by, arising out of or as a consequence of such temporary street
10 closure and the activities permitted in connection therewith.

11 Section 4. PERSONNEL COST. Applicants shall pay to the City
12 the cost of City personnel who are required by the City to work
13 overtime hours, or other than regular shift or perform duties during
14 or as a result of such temporary street closure. Applicant shall
15 deposit with the City a sum in the amount estimated by the public
16 works manager prior to the permit being issued.

17 Section 5 CONDITIONS IN PERMITS. Any permit granted under this
18 ordinance may contain conditions reasonably calculated to reduce or
19 minimize the dangers of hazards to vehicular or pedestrian traffic
20 and the public health, safety, tranquility, morals or welfare,
21 including, but not limited to, changes in time, duration, number of
22 participants, or noise levels.

23 Section 6. STANDARDS OF ISSUANCE. A permit shall be issued by
24 the Manager of Public Works, when, from a consideration of the
25 application, and from such other information as may otherwise be
26 obtained, he finds that all the following circumstances exist:

1 a) The applicant has not knowingly and within intent to
2 deceive, made any false, misleading or fraudulent statements of
3 material fact in the application for a permit or any other
4 document required pursuant to this Ordinance.

5 b) The applicant has met the standards in this article,
6 and paid in advance any fee required and agrees to such
7 conditions as are imposed in the permit;

8 c) The time, duration and size of the temporary street
9 closure will not substantially disrupt the orderly and safe
10 movement of other traffic;

11 d) The temporary street closure is of a size or nature
12 such that it will not require the diversion of so great a number
13 of police officers of the City as to prevent the normal police
14 protection to the City;

15 e) The concentration of persons will not unduly interfere
16 with the proper fire and police protection of, or ambulance
17 service to, areas contiguous to such street closure.

18 f) The temporary street closure will not unduly interfere
19 with the movement of fire fighting equipment on the way to a
20 fire;

21 g) The temporary street closure will not unduly interfere
22 with the orderly operation of parks, hospitals, churches,
23 schools or other public, or quasi public institutions in this
24 City;

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1 h) The applicant has provided reasonable means for
2 informing all persons listed in Section 2., paragraph a) of this
3 ordinance, and all other persons participating in the temporary
4 street closure of the terms and conditions of such permit and
5 the applicable laws.

6 Section 7. REVOCATION OF PERMIT. Any permit for a temporary
7 street closure issued pursuant to this article may be revoked by the
8 public works manager or chief of police at any time by reason of
9 emergency, disaster, calamity, disorder, riot, extreme traffic
10 conditions, violation of this article or of any permit conditions,
11 or undue burden on public service, the public works manager or chief
12 of police determines that the health, safety, tranquility, morals or
13 welfare of the public or the safety of any property requires such
14 revocation. Notice of revocation of a permit shall be delivered in
15 writing to at least one person named on the permit by personal
16 service or by certified mail, or if the closure was commenced,
17 orally, or in writing, by personal contact or service, or by
18 telephone. Continuance of a temporary street closure after such
19 notice has been delivered is an infraction.

20 Section 8. APPEAL. Any person aggrieved by the administrative
21 action taken under section (1) of this ordinance may appeal the
22 action to the City Council. The Council shall hear the appeal
23 promptly and affirm, modify, or repeal the administrative action of
24 the manager of public works.

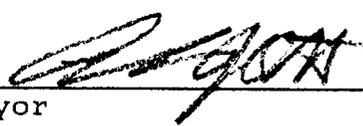
25 Section 9. DEFINITIONS. For the purpose of this ordinance,
26 "Block party" is an activity conducted within an area not exceeding

1 one city block or one intersection, which is sponsored solely by the
2 owners, residents or tenants in the area, or their organization and
3 is not for commercial advertising purposes or profit.

4 PASSED this 18th day of June, 1990.

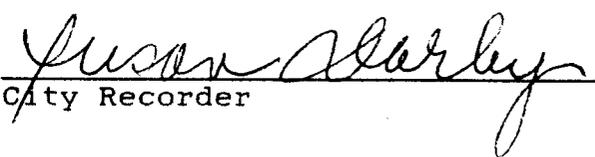
5 SIGNED this 21st day of June, 1990.

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Mayor

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City Recorder

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