

Borough of Union Beach

ORDINANCE NO. 2022-320:

MEETING OF NOVEMBER 21, 2022

ORDINANCE ESTABLISHING PERMITTING PROCESS FOR CLOSURE OF MUNICIPAL ROADWAYS FOR SPECIAL EVENTS

WHEREAS, the Borough of Union Beach (the “Borough”) periodically receives requests or experiences situations where local municipal roadways are closed without proper authorization for special events such as street fairs or neighborhood block parties; and

WHEREAS, in order to protect the public health, safety and welfare, the Borough is establishing a permitting process and standards for the closure of municipal roadways for special events.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council in the Borough of Union Beach in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. Street Closings for Special Events. No municipal street, roadway or right of way shall be closed for any special event without first receiving a permit issued by the Borough’s designee. A special event may be a street fair, block party, or any other private or public function that requires the closure of a public street under the Borough’s jurisdiction.

SECTION 2. Application for Street Closing Permit. Applications for street closings for special events may be obtained from the Borough Clerk’s Office, and must be filed at least three (3) full weeks prior to the scheduled event. The application form utilized may be developed and periodically amended by Borough Council in consultation with the Borough Administrator, Borough Clerk, Director of Public Works and Borough Attorney, but must minimally require the following:

- (a) names and contact information of the organizers of the special event, who shall be the responsible parties;
- (b) location of the special event with diagram or sufficient description of area of street to be closed, along with a description of the nature of the event and any equipment or amenities (chairs, tables, grills, tents, stages, bounce houses, etc.) that may be placed within the closed street;
- (c) the proposed times of the special event and time required for the street closure, including set-up and take down (no more than eight (8) hours);
- (d) a representation by the responsible parties that they have or will provide a minimum of three (3) weeks notice to the neighbors immediately affected by the area of the street to be closed, with a copy of such notice being provided with the application.

- (e) If the special event involves any incorporated entity or vendor, a certificate of insurance must be provided naming the Borough as an additional insured in a form satisfactory to the Borough; and
- (f) All organizers of special events seeking a street closing, regardless of whether an incorporated entity or individual(s), must execute a Hold harmless Agreement included with their application.

SECTION 3. Application Approval. Any application may be granted or denied at the discretion of the Borough's designee, based on any number of factors, such as, but not necessarily limited to:

- (a) the impact that the street closure may have on access for emergency services;
- (b) the traffic impacts the street closure may have in the area of the special event;
- (c) significant objections from affected neighbors;
- (d) the public resources required to ensure the safety of the event participants and drivers on municipal roadways; and/or
- (e) failure to agree to any of the conditions imposed upon issuance of a street closing permit by the Borough, Chief of Police or their designee.

SECTION 4. Non-applicability. This ordinance shall not apply to road construction addressed by other ordinances, running or bicycle races, and public marches or protests that are not stationary in nature requiring only temporary street closures.

SECTION 5. Violations. Any person, corporation or other legal entity violating any provisions of this ordinance shall be subject to penalty as stated in Chapter 3, Section 3-1 of the Code of the Borough of Union Beach.

SECTION 6. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Borough of Union Beach inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 7. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 8. Effective Date. This ordinance shall take effect upon its final passage and publication as provided for by law.

Mayor Charles W. Cocuzza

Clerk, Anne Marie Friscia

Introduced: November 21, 2022
Public Hearing: December 15, 2022
Adopted:

I, Hereby certify that the foregoing is a true copy of an Ordinance introduced by the Governing Body of the Borough of Union Beach, New Jersey at a meeting on the 21st day of November 2022 and Adopted on the ___ day of December 2022.

Anne Marie Friscia, RMC