

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☐ Town ☒ Village
(Select one)

of Rockville Centre

Local Law No. 1 of the year 2019

A local law to amend the Code of the Village of Rockville Centre,
(Insert Title)

in relation to block parties and special events.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

☐ County ☐ City ☐ Town ☒ Village
(Select one)

of Rockville Centre as follows:

Section one. Section 247-6(B) (5) of the Code of the Village of Rockville Centre is hereby REPEALED.

Section two. Chapter 247 of the Code of the Village of Rockville Centre is hereby amended, by adding thereto a new Article, to be Article V to read as follows:

ARTICLE V Block Parties and Special Events

"§247-16. Purpose. The Board of Trustees of the Village of Rockville Centre finds that it is necessary to establish standards for the issuance of a permit for holding a neighborhood block party, celebration, or special event on any street, highway or road located within the Village.

§247-17 Definitions. As used in this Article, the following terms shall have the meanings indicated:

BLOCK PARTY- A gathering on a residential street requiring the closure of a street or a portion thereof to vehicular traffic and the use of the street for festivity or entertainment, including barbecues, picnics, music and games.

SPECIAL EVENT- A pre-planned single entertainment event, including but not limited to carnivals, craft shows, festivals, and street fairs, on any Village street or other Village property, which may obstruct, delay, or interfere with the normal flow of pedestrian or vehicular traffic or use of the street or Village property. A "special event" shall not include any event conducted or sponsored by the Village of Rockville Centre..

§247-18. Permit required. No person or groups of persons shall operate or conduct a block party or special event in the Village without first having obtained and paid for valid special event permit from the Village Clerk. Such permits may be issued only to one or more Village residents. No permit shall be issued by the Village Clerk unless the owners of not less than three-quarters (3/4) of the residential buildings abutting the said block shall have consented in writing to the application. Not more than one (1) block party shall be issued for the same block in any one (1) calendar year, unless a waiver is granted by the Mayor or Village Administrator. As a condition of any special event permit issued, the organizer(s) shall be deemed to have agreed to comply with emergency requests for ingress and egress for residents on the block and for emergency services.

§247-19. Permit application. Not less than thirty (30) days prior to the date requested for the event, the applicant for a block party or special event permit must submit a completed application form to the Village Clerk containing the following information:

- A. Name, address, and contact information of the applicant(s);
- B. Date, description, duration, street location, times of event, and rain date;
- C. Number of persons expected to attend the event;
- D. Affidavit from applicant containing addresses of all affected residences and the names of the last record owner for each residence as contained on the latest assessment roll;
- E. Names, addresses and written consents of not less than three-quarters (3/4) of the owners of residential properties on or abutting the block or property where the event is proposed to be held;
- F. Certification that the applicant has confirmed with the Village Clerk that there are no other special event applications pending or approved for the same date within three (3) blocks of the proposed event;
- G. Name of persons to be responsible for removal of garbage, litter and debris from the block which shall be no later than twenty-four (24) hours after the closing time of the event; and
- H. Any additional information as may reasonably be required by the Village Clerk.

§247-20. Fee. A block party or special event application shall be accompanied by a fee established from time to time by resolution of the Board of Trustees.

§247-21 Approval process.

- A. The Village Police Commissioner and Commissioner of the Department of Public Works will review all block party and special event applications and shall

forward their recommendations to the Village Clerk who, upon receipt, shall make his or her determination within a reasonable time.

B. The Village Clerk may require the applicant to mail notice of the application to all block residents and businesses, and to all property owners within 200 feet of the block to be used, and afford each such business or resident reasonable time, not to exceed 10 days, in which to comment on the application. Proof of such mailing shall be provided to the Village Clerk by affidavit of mailing or other documentation acceptable to the Village Clerk.

C. The Village Clerk may grant, modify, or grant a permit with conditions as necessary or appropriate to protect the public health, safety and welfare and to ensure traffic and pedestrian safety.

D. The Village Clerk shall deny a permit if the Village Clerk, the Police Commissioner or the Commissioner of the Department of Public Works finds any of the following:

1. Blocking the street will unduly interfere with the safe and orderly flow of vehicular and pedestrian traffic on or near the proposed block;
2. any information contained in the application is false;
3. the application is incomplete or untimely submitted;
4. another block party or special event permit application has been received prior in time, or already approved, to hold another event (a) at the same time and place, or (b) within three blocks of the location requested by the applicant;
5. the Village Police are unable to meet the need for police services for the event;
6. the concentration of persons, animals, and vehicles at the event, or assembly and disbanding areas around the event, will prevent proper police, fire or rescue services to areas contiguous to the event;
7. the location of the event will substantially interfere with active or scheduled construction or maintenance work upon or along the requested block;
8. the proposed block party or special event would create, or be expected to create, unreasonable conflicts with other scheduled event(s) or holidays being observed in the Village.

E. The applicant shall be notified in writing of the reasons for denial of the application.

§247-22. Event guidelines.

A. Each applicant for an event permit shall comply with all terms and conditions of the block party or special event permit, and shall ensure that the person in charge of the event carries the permit on his/her person during the

duration of the event;

B. Daily time restriction. The hours of operation for any block party or special event taking place on the streets of the Village shall be between 9:00 a.m. and midnight on any day of the week, unless otherwise limited by the permit.

C. Site maintenance. All areas used must be left in a clean condition.

D. Services available from the Village. The Village will provide certain equipment and materials to facilitate comfort and control over the event, subject to availability and the Village's prior need for such equipment and materials.

(1) Temporary parking signs. All temporary signs for restricting parking must be posted 24 hours in advance and maintained by the sponsor. Requests for the necessary materials should be directed to the Police Department, which shall have responsibility for the initial posting of the temporary signs either through physical placement or directive as to locations. Any usage of temporary signs without the authorization of the Police Commissioner, or his designee, will be neither recognized nor enforced. Upon the event's completion, all signs must be taken down by the sponsor and returned to the Police Department.

(2) Barricades. Moveable barricades shall be delivered to the site where the sponsor or its designated representative shall sign for their receipt. The cost of the replacing lost or damaged barricades lies with the sponsor.

(3) Fees. A fee for providing police officers above the number normally scheduled may be charged. The fee is to be determined by the Police Commissioner and shall not be in excess of the actual cost.

E. A street or portion thereof blocked off for a block party or special event 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. Emergency vehicle access shall be provided for the entire length of any block being used for the event. Private vehicles may not be used to block off any street or portion thereof, unless the operator of the vehicle is present in the vehicle and capable of moving the vehicle upon request.

F. At all times during the event, at least one person identified by the event sponsor as an emergency contact person shall be present at the event, and the contact information for each such person shall be provided to the Police Department prior to the commencement of the event.

§247-23. Termination of permit.

A. The block party or special event permit authorizes the applicant to conduct only such event as is described in the permit and in accordance with the terms and conditions of the permit. It is unlawful for the applicant to willfully violate the terms and conditions of the permit, or for any event participate with the knowledge thereof to willfully violate the terms and conditions of the permit.

B. The Village Police Department, for reasons of just cause, shall have the authority to revoke or suspend any block party or special event permit and to

cause participants to be disbursed.

§247-24. Penalties. Any person who or which shall violate any provision of this chapter shall, upon conviction, be subject to a penalty of not more than \$500, or imprisonment for a term not to exceed 15 days, or both. Each day's continued violation shall constitute a separate offense. "

Section three. If any clause, sentence, paragraph, or section of this local law shall be held invalid by any court of competent jurisdiction, or the application of this local law to any person or set of circumstances shall be held invalid, such invalidity or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or operation of this local law directly involved in the controversy in which the judgment shall have been rendered. To further this end, the provisions of this local law are hereby declared to be severable.

Section four. This local law shall take effect immediately upon adoption and filing pursuant to the Municipal Home Rule Law.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2019 of the ~~(County)~~(City)(Town)(Village) of Rockville Centre was duly passed by the Board of Trustees on January 7, 2019, in accordance with the applicable *(Name of Legislative Body)* provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the ~~(County)~~(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ and was deemed duly adopted *(Elective Chief Executive Officer*)* on _____ 20__ ☐ ☐, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the ~~(County)~~(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20__. *(Elective Chief Executive Officer*)*

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the ~~(County)~~(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20__, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the _____ on _____ 20__. Such local *(Elective Chief Executive Officer*)* law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__, in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20__ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph, 1 above.

~~Clerk of the county legislative body, City, Town or Village Clerk or~~
~~officer designated by local legislative body~~

(Seal)

Date: January 7, 2019