

ORDINANCE NO. 2019 - 26

**AN ORDINANCE AMENDING TITLE 10 OF THE STREATOR MUNICIPAL CODE
CONCERNING “VEHICLES AND TRAFFIC” TO ADD
CHAPTER 10.30 REGULATING BLOCK PARTIES**

Recitals

A. Pursuant to Section 11-208 of the Illinois Vehicle Code, 625 ILCS 5/11-208, the City Council of the City of Streator (the “City”) has the authority to regulate streets and highways under its jurisdiction and within the reasonable exercise of the City’s police powers.

B. The City Council desires to adopt regulations concerning block parties for the protection of public safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Streator, LaSalle and Livingston Counties, Illinois as follows herein.

Section 1: RECITALS. The City Council hereby finds the Recitals contained in the preambles are true and correct and incorporate them into this Ordinance by this reference.

Section 2: ADOPTION OF REGULATIONS CONCERNING BLOCK PARTIES. Title 10 of the Streator Municipal Code is hereby amended by adding a new Chapter 10.30 as follows herein.

Chapter 10.30

BLOCK PARTIES

Sections:

- 10.30.010 Permit Required.**
- 10.30.020 Application for Permit.**
- 10.30.030 Review of Application; Approval or Denial of Permit.**
- 10.30.040 Restrictions and Exemptions.**
- 10.30.050 Violations.**

10.30.010 Permit Required.

It shall be unlawful to conduct or attend any social gathering of persons which disrupts or blocks pedestrian or vehicular traffic on any street or public right of way (hereafter referred to as a “block party”) unless a permit has been issued for such block party in accordance with this Chapter.

A block party may only be held on a minor residential street, provided that the street to be blocked extends from an intersecting street on one end to an intersecting street on the other end to allow vehicles to detour around the block party. Blocking only a portion of the street is not permitted.

10.30.020 Application for Permit.

- A. Any person desiring a block party permit shall file a written application in the form provided by the City with the City Clerk. Each application shall contain the following information:
1. the date of the proposed block party and an alternate date in case of weather or other conditions;
 2. the City street(s) and rights of way to be affected by the proposed block party;
 3. the hours of the proposed block party;
 4. a description and location of any barricades or other traffic control devices to be used at the perimeter of the proposed block party;
 5. the name, address, and telephone number of persons over the age of eighteen (18) years to be designated as a sponsor or cosponsors of the proposed block party, including a cellular telephone number of a sponsor serving as an emergency contact who can be reached at the cellular telephone number provided at all times during the proposed block party; and
 6. written consent of at least fifty one percent (51%) of the households within the area designated for the street closure for the proposed block party.
- B. Applications shall be submitted to the City Clerk not less than fourteen (14) calendar days prior to the date of the proposed block party.

10.30.030 Review of Application; Approval or Denial of Permit.  

- A. No permit shall be issued for any block party which is proposed to be held on any public street other than a minor residential street, or which may endanger the public health, welfare and safety, or will unduly interfere with the flow of traffic.
- B. Applications shall be reviewed by the City Manager or the City Manager's designee and the City Manager (or the designee) shall notify an applicant in writing if an application is approved or denied and, if denied, the reasons therefor. Upon approval, the City Manager will notify the Mayor and City Council, police department, fire department, public works department, and the City's Liquor Control Commissioner of the block party and scheduled closure.
- C. The denial of an application may be appealed in writing to the City Council within seven (7) calendar days from the notice of denial. The City Council shall hold a public hearing at which the affected applicant may appear, present witnesses and evidence, and be represented by an attorney. The City Council shall uphold the denial if it determines by a preponderance of the evidence that the insufficiency which was the basis for the denial occurred.

10.30.040 Restrictions and Exemptions.

Any permit issued pursuant to this Chapter shall be subject to the following restrictions and exemptions:

- A. No block party shall begin prior to ten o'clock (10:00) A.M. or extend beyond the ending time stated in the permit or ten o'clock (10:00) P.M. (whichever time is earlier) upon any portion of a public street or rights of way. The sponsor(s) shall ensure that the barricades are removed and the public street and rights of way are clear for full access by pedestrians or traffic at the ending time stated in the permit or ten o'clock (10:00) P.M. (whichever time is earlier).
- B. No public rights of way shall be completely blocked by any party, but rather, access must be available for emergency vehicles operated by any public authority, official vehicles of the City, pedestrians, and vehicles operated by those persons who live on the affected portion of the street or public right of way (whose operation shall be limited to ingress and egress from their respective properties). Fire hydrants shall not be obstructed.
- C. No alcoholic liquor shall be sold at any block party.
- D. No admission charge is to be collected for entertainment, food, products, or amusements.
- E. The sponsor(s) shall be responsible for the removal of all litter, refuse, or materials deposited in the public street or rights of way as a result of the block party at the end of such block party or by ten o'clock (10:00) P.M.
- F. No person attending any block party in the public right of way shall make any loud noise or disturbance, including, but not limited to, the use of fireworks, which may create a nuisance or disturb the peace of persons not attending the block party.
- G. No portion of the public street or right of way for which a block party permit has been issued shall be considered a street, highway, public sidewalk or public place for purposes of Section 4.16.020 (entitled "Drinking on a Public Way") and Section 4.16.030 (entitled "Carrying and/or Possession on a Public Way") of this Code for the duration of the block party. Furthermore, the issuance of a permit under this Chapter shall constitute authorization to temporarily obstruct a public street for the duration of the block party under Section 12.12.010 (entitled "Obstructions") of this Code. Notwithstanding the foregoing, the issuance of a block party permit shall not be construed to permit or authorize public intoxication.
- H. No block party shall be permitted to create or cause a breach of the peace. In the event a block party creates or causes a breach of the peace, as determined by any sworn law enforcement officer, such block party shall be immediately terminated.

10.30.050 Violations.

Any person violating any of the provisions of this Chapter is subject to a fine of not less than \$100.00 nor more than \$750.00, plus court costs.

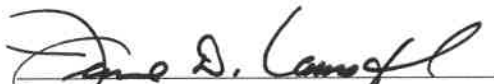
Section 3: SEVERABILITY. Each section, paragraph, sentence, or clause and provision of this Ordinance is separable and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of this Ordinance nor any part thereof, other than that part affected by such decision.

Section 4: PROVISIONS IN EFFECT. Except as to the amendments heretofore mentioned, all articles, chapters and sections of the Streator Municipal Code shall remain in full force and effect.

Section 5: EFFECTIVE DATE AND PUBLICATION. This Ordinance shall be published in pamphlet form and shall take effect immediately upon publication and shall be incorporated into the Streator Municipal Code.


Passed by the Mayor and City Council of the City of Streator, LaSalle and Livingston Counties, Illinois at a meeting thereof held on August 21, 2019 and approved by me as Mayor on the same day.

APPROVED:



Jimmie D. Lansford, Mayor

RECORD OF THE VOTE	Yes	No	Abstain	Absent
Mayor Jimmie D. Lansford	√			
Councilwoman Bedei	√			
Councilman Brozak	√			
Councilman Crouch	√			
Councilman Scarbeary	√			

ATTEST:


Patricia L. Henderson, City Clerk

MEMORANDUM

TO Mayor Lansford and City Council
FROM David S. Plyman, City Manager 
DATE August 15, 2019
SUBJECT Block Party Ordinance

ISSUE

Consider an ordinance permitting and regulating Block Parties.

BACKGROUND

At the July and August Committee of the Whole meetings, the City Council discussed staff's recommendation for establishing a formal procedure for regulating block parties. The City should support residents who want to hold block parties because they are great opportunities for neighbors to get to know each other better. They also provide occasions for positive interactions with city staff.

With our city attorney's assistance, I have prepared a draft ordinance (attached) modeled on a similar ordinance from a Chicago suburb. The draft ordinance permits minor residential streets to be closed to traffic for block parties between the hours of 10 a.m. to 10 p.m.. Sponsors will need to have the support of more than half of their neighbors and submit their requests at least two weeks prior to the scheduled event. The proposed ordinance does not impose a fee. Upon approval and the issuance of a permit, the Public Works Department will arrange to drop off barricades for the event to be installed and removed by the sponsors. The Police and Fire departments will also be notified of the event and encouraged to visit if they can. The ordinance permits the consumption, but not the sale, of alcohol. The event sponsor is responsible for clean-up.

RECOMMENDATION

Approve an ordinance amending Title 10 of the Streator Municipal Code concerning "Vehicles and Traffic" to add Chapter 10.30, regulating "Block Parties".