



City of Rochester

City Clerks Office

Certified Ordinance

Rochester, N.Y., _____

TO WHOM IT MAY CONCERN:

I hereby certify that the following is a true copy of an ordinance which was duly passed by the Council of the City of Rochester on **December 18, 2012** and **Approved** by the Mayor of the City of Rochester, and was deemed duly adopted on **December 20, 2012** in accordance with the applicable provisions of law.

Ordinance No. 2012-444

**Amending Chapter 111 Of The Municipal Code,
Traffic Code, With Respect To Street Closings For
Special Events, As Amended**

BE IT ORDAINED, by the Council of the City of Rochester as follows:

Section 1. There is hereby added to the Municipal Code the following new
Section 111-54.1:

Section 111-54.1. Street closings for special events.

- A. Policy and Intent.** It is the policy of the City of Rochester to encourage the occurrence of special events that enhance quality of life, provide entertainment and other leisure activities, promote local economic health, attract visitors, and contribute to the dynamic atmosphere of the community. It is the City's intent to offer applicants support in planning a variety of safe and successful events that will serve diverse audiences and will create minimal disruption to surrounding areas.
- B.** No special event requiring a street closing shall be conducted except in accordance with a permit issued by the Director of Communications.

- C. Applications for permits for special events shall be made to the Director of Communications, who shall be the issuing authority for such applications. Applications shall be submitted in accordance with time periods approved by the Director of Communications. Such applications shall be referred to the Chief of Police and the Fire Chief for a review of public safety concerns. Applications shall be accompanied by a nonrefundable application fee, determined by the type of event, as approved through adoption of the annual City budget. Fees may also be required for additional City services or the use of City facilities or equipment, and the applicant may be responsible for reimbursing the City for lost revenues.
- D. Applicants for permits shall submit a Special Event Permit Application, which shall include, but not be limited to, the following information. Additional information may be required by the Director of Communications in order for the application to be considered complete and ready for review.
- (1) The name, address and telephone number of the person or organization seeking to conduct such event.
 - (2) The name, address and telephone number of the person who will be the event chairperson and who will be responsible for its conduct.
 - (3) The proposed date(s) when the event is to be conducted.
 - (4) The type of event and a full description of the activities to be conducted. Activities to be specifically described shall include, but not be limited to, cooking, vending, sale of alcoholic beverages, entertainment, athletic events, fireworks, and the use of bouncehouses or animals.
 - (5) A detailed site plan including, but not limited to, the location or route of the activities to be conducted, including the part of street to be closed and the method of closure and any entrances or exits; the location of parking, bathrooms or other facilities; and the location where any activities listed above are to be conducted.
 - (6) If the event includes a moving closure of streets, as in a race, walk, or other athletic event, a written route and map must be included, as well as an estimation of the time period of the closures.

- (7) General liability insurance, if required.
- (8) Documentation of all related and necessary licenses or permits from the state or other municipalities or agencies.
- (9) Whether alcoholic beverages are to be sold and, if so, documentation of necessary permits and insurance.
- (10) The estimated attendance at the event.
- (11) The impact of the event on local residents and businesses, which shall include local notifications and responses.
- (12) The proposed hours when such event will start and terminate.
- (13) The security plan for the event, and the name of the licensed security agency to be used, when required.
- (14) The plan for litter and trash removal and sanitary facilities.
- (15) The plan for emergency medical services.
- (16) The parking and transportation plan for the event, both for residents of the affected area and for event participants and attendees.
- (17) The City support services requested for the event, including fee-based services and including but not limited to police and fire services, street barriers, use of City facilities, trash and litter collection, and street sweeping.
- (18) The applicant's history in providing similar events and obtaining and abiding by the terms of necessary licenses and permits.

E. The following factors shall be taken into consideration when determining said applications, and may provide the basis for denial of an application:

- (1) Whether the application is complete or contains a material misrepresentation;
- (2) The maintenance of safety of all persons throughout the event;

- (3) The provision of safe and orderly movement of pedestrian and vehicular traffic at and contiguous to the event;
- (4) The area affected by the event;
- (5) The length of the event and hours of operation;
- (6) The noise to be produced by the event;
- (7) The availability of necessary parking and transportation for the event;
- (8) The support of, and potential impact of the event on, local residents and businesses, and the community in general, as demonstrated by documentation from the applicant and/or from public input received by direction of the Director of Communications;
- (9) The public and community purposes served by the event and the manner in which the event promotes the City and its cultural diversity;
- (10) The type of activities and facilities to be located in the street;
- (11) The economic impact of the event;
- (12) The provision of litter and trash removal and sanitary services;
- (13) The availability of police, fire and other necessary City services, and emergency medical services;
- (14) The existence of competing requests for use of the City streets;
- (15) The applicant's history of providing similar events and abiding by the terms of necessary licenses and permits.

F. The Director of Communications, in denying an application for a permit, may condition approval of the event on a date, at a time or at a location different from that named by the applicant, in the interest of facilitating crowd control, relieving congestion, promoting public safety, lessening the impact of the event on local residents and businesses, or to further any of the other factors identified in Subsection E.

G. No person shall be charged to enter a street which is closed to permit the special event. This section shall not apply to entry fees for athletic events held on City streets, nor to fees charged to vendors participating in the event. The Director of Communications may grant an exception from this section for an event that is held only one time per year, and for one day only, upon finding that the applicant will provide reasonable free pedestrian access through the street closure area and reasonable free pedestrian access to homes and businesses in the area of the street closure.

H. (1) For purposes of this Section, a "special event" shall mean:

(a) an event which requires the closure of a public street, or the usage or closure of another public place or park, and which involves:

- [1] public entry; or
- [2] vending of food, drink or merchandise;
- [3] public entertainment; or
- [4] a moving athletic event like a race or walk; or

(b) an outdoor event on private property which is open to the public and due to its size and activities:

- [1] has a significant impact on the surrounding streets and neighborhoods; or
- [2] requires special police or fire attention or the use of other special City services or facilities.

(2) (a) Applicants for permits for block parties shall submit a Special Event Permit Application containing so much of the information on the application as may be required by the Director of Communications, along with a Street Closing Petition with signatures of support from at least 60% of residents on the block proposed for closure. Such applications may be approved or denied by the Director of Communications based on the general factors applying to special events, and compliance with the specific block party requirements set forth herein.

(b) A "block party" shall mean an event which requires the closure of one block, from intersection to intersection, of a

street in a residential area, through the use of barricades, at the request of and for the benefit of the immediate residents of the neighborhood.

(c) Attendance at block parties shall be limited to residents of the neighborhood of the block being closed, and there shall be no charge to attend. No vending or amplified entertainment shall be allowed at a block party. A block party permit shall be limited to 6 hours in duration and shall not extend beyond dusk.

(3) A parade permit shall be governed by Section 111-28 of the Municipal Code.

I. The Director of Communications is authorized to adopt such procedures and to require such additional information as he or she deems appropriate, to allow for the full assessment and consideration of permit applications and for the smooth and safe operation of special events in the City. Such procedures may include requiring the event sponsor to provide notification through various means to affected residents and businesses as part of the planning for and consideration of an application for a special event, and before and during the special event.

Section 2. This ordinance shall take effect on January 1, 2013.

Underlined material added.

Passed by the following vote:

Ayes - President Warren, Councilmembers Conklin, Haag, McFadden, Miller, Ortiz, Palumbo, Scott, Spaul - 9.

Nays - None - 0.

Attest



City Clerk