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## CHAPTER 141

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### CLOSING PUBLIC THOROUGHFARES

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141.01 Purpose	141.04 Consent of Neighbors
141.02 Street Closures	141.05 Barricades Required
141.03 Neighborhood Block Party	141.06 Assumption of Risk
	141.07 Violations

#### **141.01 PURPOSE.**

The purpose of this chapter is to regulate and provide for the temporary closing and use of streets, thoroughfares, and public ways for not-for-profit groups within the City.

#### **141.02 STREET CLOSURES.**

1. Any not-for-profit organization desiring to exclusively use a major collector street including, but not limited to North Avenue, Main Street, Lakewood Drive, Wakonda Drive, Wright Road, Cherry Street/Parkway, Lexington Drive, Colonial Parkway, and Colonial Circle, shall first make application to the City by completing a Street Closure Permit application and submitting the application to the City Clerk's office at least thirty (30) days prior to the event.

2. The application must include a map of the specific area to be used and blocked off from, unless otherwise agreed to by the City, cross intersection to cross intersection. Upon submission, the application shall be brought before the City Council for final determination regarding the granting or denial of the permit. The Council may also place additional conditions upon the granting of a permit to address security, sanitation or other concerns. With the exception of certain extraordinary community events, no individual or organization shall be allowed to make more than two applications for a street closure in any 12-month period.

3. A fee, as established in Chapter 177 of this Code of Ordinances, shall be submitted with each street closure permit application.

4. Street closures are limited to six (6) hours; between nine o'clock (9:00) a.m. and eleven o'clock (11:00) p.m. Sunday through Thursday, or between nine o'clock (9:00) a.m. and twelve-thirty o'clock (12:30) a.m. Friday and Saturday. The applicant must comply with all Federal, State, County and City laws, ordinances and regulations, including all regulations adopted and established by the City.

5. The applicant for a street closure permit shall submit an insurance plan with the application and a certificate of insurance shall be submitted to the City Clerk. The certificate of insurance will show one million dollars (\$1,000,000.00) in liability coverage with the City named as an additional insured.

*(Ord. 19-21 – Jan. 20 Supp.)*

6. While the granting of a street closure permit does not grant the right to the applicant to serve beer or other alcoholic beverages upon public streets or property, if permission is granted to the applicant, the applicant shall also submit a separate liquor liability insurance, with a maximum of \$1,000,000 per occurrence, at any time alcoholic beverages are sold or dispensed at an event.

#### **141.03 NEIGHBORHOOD BLOCK PARTY.**

1. For the purpose of this section "neighborhood block party" means an event open to a specific, defined neighborhood or area where no admission fee is charged for attendance; where alcoholic beverages are not sold; where a street is not closed more than six (6) hours; where the use of kybos/porta potties is not necessary; and where no street closure permit is needed.

2. Any organization, private or public, or individual desiring to exclusively use a street or part thereof for a neighborhood block party shall complete a block party application and submit the same to the City Clerk's office at least thirty (30) days prior to the event. The application must include a map of the specific area to be used and blocked off and shall, unless otherwise directed by the City, be from cross intersection to cross intersection so that no traffic can turn onto the closed street.

*(Ord. 19-21 – Jan. 20 Supp.)*

#### **141.04 CONSENT OF NEIGHBORS.**

The application for street closures and block parties shall be accompanied by a petition designating the proposed areas of the street to be used and the time of the proposed use. The petition shall be signed by owners representing not less than seventy-five percent (75%) of the affected properties (commercial and residential) abutting the area of the street to be closed. The applicants shall provide at least 72-hour notice of the event to all residents and commercial tenants, owners, and lessees and provide a copy to the City Clerk's office.

#### **141.05 BARRICADES REQUIRED.**

Standard, orange and white, safety barricades are required to be erected for both street closures and neighborhood block parties. The barricades must be sufficient so as to completely close the street. A minimum of two per traffic lane, evenly spaced so that vehicles are not able to detour around the closed street segment, shall be used. Saw horses, ropes, and flags and other homemade barricades are not permitted as alternatives. It is strongly encouraged that someone in the group

be responsible for always maintaining the proper position of the barricades, as their mobility is a risk. For additional safety, it is also recommended that the block party be held no less than one hundred (100) feet inside the barricaded area. Following the event, the barricades will be removed from the roadway or street by the applicant and the area shall be cleared of all debris. The City can provide barricades if available. Arrangements must be made with the Community Services Department for pickup and return of the barricades. City staff will determine if special services are required such as police coverage, sanitation requirements (dumpsters, porta-potties), and other equipment.

#### **141.06 ASSUMPTION OF RISK.**

The applicant, for both street closures and neighborhood block parties, shall exclusively assume the risk of all uses authorized by said permit including the establishment of barricades, restoration of streets or property used, policing of said property, injuries, medical insurance and all matters that may arise directly or indirectly with reference to the aforesaid uses and shall hold the City harmless from any claims, causes of action commenced or alleged by reason of any of the activities of the applicant or permit holder as the case may be.

#### **141.07 VIOLATIONS.**

In the event of the violation of the terms or a condition of the permit herein authorized, the City of Norwalk, Iowa, through its authorized agent, may terminate said event without notice and cancel future events with reference to said activities, and this chapter shall not in any way be construed to authorize interference with the enforcement of State statutes, or ordinances, rules and regulations of the City of Norwalk, Iowa, through its authorized personnel. The City shall not be held accountable or liable for any of its acts with reference to enforcement or attempted enforcement of this chapter.