

§ 295-8 Street use permits.

[Added 1-15-2008 by Ord. No. A-387; amended 3-5-2019 by Ord. No. A-530]

A. Purpose. The streets of the City are primarily for the use of the public in the ordinary way. However, under appropriate circumstances, the Common Council may grant a permit for either public or private street use, subject to reasonable municipal regulation and control. Therefore, this section is enacted to regulate and control the use of City street to the end that the health, safety and general welfare of the public and the good order of the City can be protected and maintained.

B. Applications.

- (1) ~~Special event~~Street use permit (~~open to the public use~~). A written application for a public special eventsstreet use permit by persons or groups shall be made on an application ~~provided by the City Clerk and shall be filed with the City Clerk at least 45 days prior to a scheduled event in accordance with Chapter ??? Special Events.~~
- (2) ~~Block party~~Street use permit (private use). A written application for a private street use permit~~block party~~ shall be made with the City Clerk within forty-five~~45~~ days of the event.

~~C(a)~~Application review. Completed applications for a private street use permit will be processed in the order of their receipt. ~~When a complete application has been received by the City Clerk, or designee, the City Clerk will send copies of the application to the following departments for their review and comment: Police, Utilities, Public Works, and Parks. The departments will make recommendations to the City Clerk regarding approval or denial of permit. Such recommendations shall be made to the City Clerk as soon as reasonably practicable.~~

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~~Review by Chief of Police and Director of Operations. A minimum of 45 days prior to a scheduled event, upon receipt of an application, a meeting involving the Chief of Police, the Director of Operations, and the City Clerk shall occur in order to review the permit application for a recommendation to Council. The Director of Operations and Chief of Police may suggest conditions to the Common Council for issuance of a permit. The person or representative of the application shall be present when the Common Council considers the application, in order to offer any necessary information in making a determination.~~

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~~D.(b)~~Mandatory denial of permit.

- ~~(1)~~(1) An application for a permit shall be denied if:
  - ~~(a)~~(a) The proposed event would violate any federal or state law or any ordinance of the City.
  - ~~(b)~~(b) The proposed event will substantially hinder the movement of police, fire or emergency vehicles, constituting an unnecessary risk to persons or property.
  - ~~(c)~~(c) The application does not contain the information required.
- ~~(2)~~(1) The Common Council may deny a permit for any other reason or reasons if it concludes that the health, safety and general welfare of the public cannot adequately be protected and maintained if the permit is granted.

~~E.(c)~~Permit fee. Each application for a permit shall be accompanied by a fee as set forth by resolution on the City Fee Schedule.

~~F.(d)~~Insurance or bond. The applicant for an private street use permit-event may be required to indemnify, defend and hold the City and its employees and agents harmless against all claims, liability, loss,

damage or expense incurred by the City on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, the applicant may be required to furnish a certificate of comprehensive general liability insurance with the City of Lodi. The applicants may be required to furnish a performance bond prior to being granted the permit. The amount of the insurance coverage or bond shall be set by the City Council at the time of issuance of the permit.

G.(e) Termination of a permit. A permit in progress may be terminated by the Police Department if the health, safety and welfare of the public appear to be endangered by activities generated as a result of the event or the event is in violation of any of the conditions of the permits or ordinances of the City of Lodi. The Police Department has the authority to revoke a permit, or terminate an event in progress, if the event organizers fail to comply with any of the regulations in the policy or conditions stated in the permit.

H.(f) Notification. The City Clerk shall send a copy of the issued permit to the Lodi area EMS and Lodi area Fire Department in advance of the effective date of the event.