

Town of Lorraine

Local Law #1 of 2013

Authorization to Block a Local Highway

**TOWN OF LORRAINE
LOCAL LAW NO. 1 FOR THE YEAR 2013**

A local law authorizing the Superintendent of Highways to issue a permit for temporary blocking of a Town highway.

Reference Chapter 844 of the Laws of 1982, subdivision 10-b, section 64 of the NYS Town Law

Section 1. Definitions.

As used in this local law:

- A. The term "event" shall mean a neighborhood block party, celebration or event as provided in Town Law, §64 (10-b), but shall not include a garage sale, yard sale, bazaar, rummage sale, or other similar activity having the principal purpose of fund raising for an individual or an organization, nor shall it include a political meeting or rally, carnival, theatrical or musical performances such as rock concerts or similar events
- B. The term "street" shall mean a town street, highway or road.
- C. The term "applicant" shall mean the event sponsor who must be at least eighteen (18) years of age.

Section 2. Application: The Lorraine Highway Superintendent shall be authorized to issue a permit for the temporary blocking of a street for the purpose of holding a party. An application or such permit shall be filed with the Town Clerk at least ten days before the proposed date of such event.

Such application shall contain at least the following information:

- 1. Name and address of the applicant;
- 2. Name of the street or streets where event will be held;
- 3. Description/sketch of the portions of street to be blocked, including house numbers, side streets, the various intersections, intersections controlled by traffic lights or traffic signs, and the nearest fire department and ambulance bay;
- 4. Intersection where barricades are to be placed;
- 5. Description of the specific event to be held;
- 6. Date and hours of the event;
- 7. Rain date if any;
- 8. At least two emergency contacts must available prior to and during the event (including day and evening phone numbers);
- 9. Sponsor Affidavit(See Lorraine Form #21);
- 10. The application may require such additional information as the Town Board shall prescribe by resolution.

Section 3. Permit Fee; Insurance Requirements.

- A. Fees for permits required hereunder shall be as established by resolution at the January organizational meeting of the Town Board.

1 B. LIABILITY INSURANCE

2 **Commercial General Liability** - \$1,000,000 each occurrence and \$2,000,000 for the
3 general and products/completed operations aggregates. Coverage for explosion,
4 collapse & underground perils are needed by the type of event.

5 **Commercial Excess Liability** - \$1,000,000 each occurrence and aggregate.
6 Coverage must be on a follow-form basis.

7 The Town of Lorraine shall be an additional insured on both liability policies, with ISO
8 additional insured endorsement CG 20 10 11 85 or equivalent.

9 A certificate of insurance, naming the Town of Lorraine as additional insured, is required
10 prior to the time the permit is issued. Failure to provide the certificate of insurance is
11 basis for denial of the permit. Insurance may be obtained through a rider with the event
12 sponsor.

13 C. A refundable security deposit in the amount of \$1,000 shall be submitted with said
14 application to cover the cost of any cleanup performed by the Town.

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17 **Section 4. Action on Permit.**

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19 The permit shall be issued by the Town Clerk upon determination by the Town Highway
20 Superintendent that the party is authorized by Town Law, §64 (10-b) and this local law. The
21 permit shall be denied if the Town Highway Superintendent finds that blocking the street or
22 portion thereof on the date requested in the application will unduly interfere with the flow of
23 vehicular traffic, the access to property or may constitute a threat to public safety and welfare or
24 upon determining that the party is not authorized pursuant to Town Law, §64 (10-b) and the
25 Town Code. A permit may also be revoked by the Highway Superintendent if the event violates
26 the conditions set forth in this law.

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28 The Town Highway Superintendent shall advise the applicant in writing the reason for denial of
29 the application.

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32 **Section 5. Permit Validity.**

33 A permit issued pursuant to this local law shall be valid only for the date and the hours specified
34 thereon, which hours shall not be before 07:00 a.m. or after 10:00 p.m.

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37 **Section 6. Cleanup.**

38 The applicant shall be responsible for any damage to the town street ~~highway~~ or right-of-way.
39 The applicant shall also be responsible for removal of litter, debris and other materials from the
40 street or portion thereof used for the party that are attributable to or caused by the event.

1 **Section 7. Blocking of Roads.**

- 2 A. Prior to the commencement of the time for which the road is to be blocked, the Town
3 Highway Superintendent shall cause the street or portion thereof to be blocked by
4 devices of his choice to motor vehicles, except authorized emergency or hazard
5 vehicles, as the same are defined in the Vehicle and Traffic Law, and to provide detour
6 signs for vehicular traffic. No other person shall in any manner block or place barricades
7 in the street.
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- 9 B. A street or portion thereof blocked off for an event shall not be obstructed by picnic
10 tables, or by other obstacles that cannot be readily moved to allow emergency or hazard
11 vehicles to enter in response to an emergency.
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- 13 C. The Town Highway Superintendent shall notify Local and State Policing agencies (Town
14 Police, County Sheriff's Department, New York State Troopers) and appropriate Fire
15 Companies, Rescue Squads and Ambulance Companies of the date, time and location
16 of the road blockage at the time the permit is issued, by telephone and in writing.
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20 **Section 8. Neighbor Notification.**

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22 The applicant must notify all residents (tenants & property owners) at least five days before the
23 event.
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26 **Section 9. Compliance with State & Local Laws & Regulations.**

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28 The applicant is required to comply with all State and Local laws and regulations, including but
29 not limited to: noise, alcohol, public decency and charitable gaming.
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32 **Section 10. Effective Date.**

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34 This local law shall take effect immediately upon filing in the office of the Secretary of State.