

**MONTAGE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

ORDINANCE 2024-06

**AN ORDINANCE OF THE TOWNSHIP OF MONTAGUE, COUNTY OF SUSSEX,
STATE OF NEW JERSEY, ESTABLISHING A NEW CHAPTER 46 IN THE
GENERAL LEGISLATION SECTION OF THE TOWNSHIP CODE OF THE
TOWNSHIP OF MONTAGUE ENTITLED “NEIGHBORHOOD BLOCK
PARTIES; PERMIT REQUIRED”**

WHEREAS, the Township Committee of the Township of Montague in the County of Sussex and the State of New Jersey desire to establish and otherwise regulate the ability of its citizens to petition for a temporary street closing to allow community functions such as neighborhood block parties; and

NOW THEREFORE BE IT RESOLVED the Mayor and Committee of the Township of Montague does hereby Ordain that Chapter 46 in the General Legislation of the Township Code of the Township of Montague entitled “Neighborhood Block Parties; Permit Required” is hereby created to read as follows:

SECTION 1

That a new Chapter 46 in the General Legislation of the Township Code of the Township of Montague entitled “Neighborhood Block Parties; Permit Required” shall be added **thus**:

§46-1 NEIGHBORHOOD BLOCK PARTIES; PERMIT REQUIRED

§46-2 Definitions

For the purposes of this section the following terms, words, and phrases shall be interpreted as follows:

NEIGHBORHOOD BLOCK PARTY – A public event in which residents who live on a residential street in the Township congregate for mutual enjoyment on a portion of the residential street sought to be closed. The block party must be open to all residents of the street where the event is being proposed. It does not include private parties, such as a birthday party or reception where invitations do not include all members of the neighborhood affected by the block party event or where the majority of invitees are from areas outside of the subject neighborhood, nor does it include garage sales, yard sales, bazaars, rummage sales or other similar activities.

PERMITTEE – Includes the Neighborhood Block Party contact person, the applicant of the permit, and the participants.

§46-3 Authorization to Issue Permit

- A. Application. Residents may obtain an application from the Municipal Clerk's Office for the temporary closing of a street for the purpose of a Neighborhood Block Party. Completed applications shall be submitted no less than 14 calendar days before the commencement of such party. The application shall be accompanied by a fee in the amount of \$25.00. Applications shall not be accepted that are not submitted 14 calendar days or more before the party.
- B. The Municipal Clerk shall issue or deny the permit within 7 calendar days of receipt of the completed application and fee.
- C. The Municipal Clerk shall review the application for completeness and forward said application to the State Police and Montague Volunteer Fire Department for review.

§46-4 Permit Regulations

- A. The applicant must have a plan to control event parking. Parking must not create a hazard near the neighborhood block party site.
- B. A street or portion thereof closed to regular vehicle traffic for a neighborhood block party shall not be obstructed by obstacles which would block access to emergency vehicles required to enter the street during the neighborhood block party in response to an emergency.
 - i. Additionally, per the applicable Fire Safety Code, an 18-foot wide continuous right-of-way must be maintained in the street for use by emergency vehicles (Police, Fire, Medical) Therefore, NO motor vehicles, inflatable children's rides (bounce houses, slides, etc.), tents canopies, tables, chairs, furniture, games, trash receptacles, banners, stages and/or fixed barriers, or any other item may be placed in the street that would block access to, or prohibit the immediate passage of emergency vehicles.
- C. A permit issued pursuant to this chapter shall be valid only for the date and hours specified thereon, which shall not be before 10:00 a.m. and shall end within the roadway at sundown on Saturdays or Sundays and shall be valid only during the portion of the year from May 1 through Columbus Day weekend, and on Federal Holidays (Memorial Day, July 4th, Labor Day, and Columbus Day).
- D. The applicant(s) shall be responsible for the removal of litter, debris, and other materials from the street or portion thereof used for the neighborhood block party, which is attributable to or caused by the neighborhood block party. Failure to do so shall be deemed a violation of this ordinance. Applications shall be filed by a bona fide resident of the street in which the neighborhood block party site, who is over the age of 21.
- E. Neighborhood block parties shall be authorized only upon Township-owned streets and shall not be authorized upon any street that is owned and under the jurisdiction of Sussex County, the State of New Jersey, or any public entity other than the Township of Montague.

§46-5 Limit on Number of Permits

No more than two (2) permits shall be granted in any calendar year for the same block or blocks.

§46-6 Liability

The persons, organization, or association to whom the permit is issued shall be liable for all losses, damages, or injuries sustained by any person, whether a participant or spectator at the neighborhood block party, whether or not said losses, damages or injuries arise by reason of the negligence of the person, persons or organization to who such permit shall have been issued. The Township will require a Hold Harmless Agreement, which agreement shall provide that the Applicant shall agree to save and hold the Township of Montague harmless of and from any and all obligations and liabilities that may arise from the temporary street closing for a neighborhood block party. The Applicant shall further agree as part of these provisions to hold harmless the Township of Montague and to defend at his own cost and expenses any claims or lawsuits instituted by third parties, which obligations or liabilities might otherwise exist or be asserted against the Township of Montague. The Township shall further have the option to require that, prior to the issuance of a permit or commencement of the neighborhood block party, the Applicant submit evidence of liability insurance covering damages to property and injuries to members of the general public arising out of the temporary street closing.

§46-7 Violations and Penalties

Any person, firm, or corporation who shall violate any provision of this chapter shall, upon conviction be subject to a penalty of not more than \$1,000.00, or imprisonment for a term not to exceed ten days, or both. Each day of violation shall constitute a separate offense.

SECTION 2. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only to the extent of such conflict or inconsistency, it being the legislative intent that all such Ordinances or part of Ordinances now existing or in effect unless the same are in conflict or inconsistent with any provisions of this Ordinance shall remain in effect.

SECTION 3. This Ordinance shall take effect immediately upon passage and publication as provided by law.

Introduced: May 28, 2024

Adopted: June 11, 2024

ATTEST:

Dana Klinger, RMC, CMR
Montague Township Clerk

George Zitone, Mayor

RECORD OF COMMITTEE VOTES – ORDINANCE 2024-06				
<u>COMMITTEE MEMBER</u>	<u>AYES</u>	<u>NAYES</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
RICHARD INNELLA	X			
JOSEPH KRUMPFER	X			
JAMES LEDONNE	X			
FRED MERUSI	X			
MAYOR GEORGE ZITONE	X			

CERTIFICATION

I hereby certify that this is a true and accurate copy of ordinance 2024-05 adopted by the Montague Township Committee in the County of Sussex, State of New Jersey at a regular meeting held on April 23, 2024.

Dana Klinger, RMC/CMR
Montague Township Municipal Clerk