

CITY OF WILDWOOD
Cape May County, New Jersey

ORDINANCE NO. 1253-28

AN ORDINANCE CREATING CHAPTER 16 OF THE WILDWOOD CITY CODE ENTITLED
"BLOCK PARTIES" TO REGULATE BLOCK PARTIES IN THE CITY OF WILDWOOD

WHEREAS, the City of Wildwood (the "City") deems it appropriate, necessary, and proper for the protection of persons and property, and for the preservation of the public health, welfare, and safety of its citizens to adopt certain regulations pertaining to block parties held in the City.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the City of Wildwood, County of Cape May, State of New Jersey that a new article entitled "Block Parties" shall be inserted as Chapter 16 of the Municipal Code of the City of Wildwood and shall read as follows:

SECTION 1. A new article is hereby added to Chapter 3 Police Regulations which shall be entitled "Chapter 16, Block Parties" is hereby created as follows:

§ 16-1.1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BLOCK PARTY – A neighborhood gathering, or organized party, of persons who reside on the portion of a residential street sought to be closed for said gathering or party.

PERMITTE – Includes the block party contact person, the applicant of the permit, the persons indicated within the application and participants.

STREET – A City street, highway, or road.

§ 16-1.2. Permit required.

No person or organization shall use any public street, sidewalk or public right-of-way for a block party in the City without permit.

§ 16-1.3. Application to conduct block party.

A. A person seeking issuance of a block party permit shall file an application online at <https://app.apply4.com/eventapp/usa/wildwood>.

B. Filing period. An application for a block party permit shall be filed not less than thirty (30) days before the date on which it is proposed to conduct the block party.

C. Contents of application for a block party permit. The application for a block party permit shall set forth the following information:

1. The name, address and telephone numbers (home phone number, work phone number and another supplemental number, such as a cell phone number) of the person requesting the block party permit. The person requesting the permit shall be deemed the contact person unless otherwise specified to the Director of Special Events;

2. The name and address of any organization the applicant is representing;

3. The proposed date and time of the block party, including the times at which such block party will start and terminate, said termination being no later than 10:00 p.m.;

4. The City street where the block party is proposed, along with any cross streets;

5. The names, addresses, telephone numbers, block and lots of the property owners for each impacted property on the streets or portion of the street where the block party is proposed;

6. Signatures of all of those property owners indicated in Subsection C(5) of this section, said signatures indicating consent to the proposed block party, consent to the proposed street closure and acknowledgment that all residents and their invitees shall adhere to all applicable laws, regulations and ordinances, including, but not limited to, noise ordinances, firework regulations, and ordinances prohibiting public consumption of alcoholic beverages;

7. The activities planned for said block party, the estimated number of persons participating and/or attending, and any large items, including but not limited to, dunk tanks, inflatable jumps (bounce houses), stages, and vehicles/trailers which will be parked or placed in the street;

8. Whether any music will be provided at the block party, either live or recorded;

9. The number, types and locations of all loudspeakers and amplifying devices to be used;

10. Whether the applicant is requesting additional trash cans from the City.

§ 16-1.4. Standards for issuance of block party permits.

A. Approval of the Chief of Police.

1. The Director of Special Events shall notify the Chief of Police of the block party application and request that the proposed area be inspected using the following criteria:

- a. The conduct and location of the block party will not substantially interrupt or impede the safe and orderly movement of traffic;
- b. The conduct of the block party will not be likely to result in damage to persons or property nor cause serious harm to the public;
- c. The conduct of the block party will not interfere with the movement of first aid or firefighting equipment to such an extent that adequate fire protection cannot be provided to the City;
- d. Such other concerns deemed necessary in order to property provided for traffic control, street and property maintenance and the protection of the public health, safety and welfare.

2. If the Chief of Police determines that the criteria of this section are satisfied, he or she shall sign the application, indicating whether said application is approved and any special conditions required.

B. Closing of Streets.

1. A block party permit shall be subject to the provisions and procedures provided herein for the closing of municipal streets, as well as any other provisions of the Wildwood City Code. Any permit issuance shall also be contingent upon the Director of Public Works and the Chief of Police providing for the closing of the street or streets which are the subject of the block party application, to be determined in accordance with this section.

2. Pursuant to N.J.S.A. 40:67-16.9, for the purpose of carrying out the preceding sections of this chapter, the governing body authorizes the Mayor to provide for the closing of any City-owned street, or portion thereof, to motor vehicle traffic on any day or days, or during specified hours on any day or days, whenever he or she finds that such closing is necessary for the preservation of the public safety, health or welfare, in accordance with the requirements provided for herein:

- a. The City Street proposed to be closed is a cul-de-sac, dead end or circular street.
- b. The portion of the street proposed to be closed is a half mile or less in length and intersected by no more than two other streets.
- c. The speed limit on the section of the street is 25 mph or less.
- d. The street has no more than two lanes.
- e. The street does not have an active bus stop.
- f. The street must be reopened by 10:00 p.m.
- g. Proper warning signs of such closing of any street, or portion thereof, must be posted during the time same is closed.

C. Insurance and Indemnification.

1. All applicants must provide a certificate of insurance specifically naming the City of Wildwood as an additional insured providing general liability, bodily injury and property damage coverage with minimum limits of liability not less than \$1,000,000.

2. The applicant shall agree to indemnify, defend and hold harmless the City, its agents, servants, representatives and employees, from and against all losses, damages, claims, liabilities and cause of action of every kind, or character and nature, as well as costs and fees, including reasonable attorneys' fees connected therewith, and the expense of investigation thereof, based upon or arising out of damages or injuries to third persons or their property caused by the acts, omissions or negligence of the applicant, anyone for whose acts the applicant may be liable, or any claims arising out of or in any manner relating to the activities permitted pursuant to this Chapter to the extent permitted by law. The applicant shall give the City prompt and reasonable notice of any such claims or actions.

3. Any applicant that is insured by Cape May County Joint Insurance Fund shall be exempt from the requirement listed in Subsection C(1) and (2) of this section. If an organization other than the applicant will be using City property in connection with participation in a particular event and no separate application is submitted by that organization, the organization must comply with the requirements listed in Subsection C(1) and (2) of this section. If the additional organization(s) is also insured by the Cape May County Joint Insurance Fund, then that organization shall also be exempt from the requirements listed in Subsection C(1) and (2) of this section.

D. Other requirements.

1. No more than six (6) permits shall be granted by the City in any calendar year for the same block or blocks.

2. No block party permit shall be issued if a block party permit has been previously issued for the same street or portion of the street which is the subject of the currently proposed block party, and said previously issued permit was revoked by the City due to violations of this Chapter or of any applicable ordinances, laws or regulations.

3. Block parties shall be authorized only upon City-owned streets, and shall not be authorized upon any street which is owned and under the jurisdiction of Cape May County, the State of New Jersey or any public entity other than the City of Wildwood.

§ 16-1.5. Issuance of permit; conditions.

If all the requirements of this Chapter for the issuance of a block party permit have been met satisfactorily, the Director of Special Events shall issue a permit for the block party, subject to any conditions determined by the Chief of Police, Director of Public Works or the Commissioner of Public Safety to be reasonably calculated to reduce or minimize dangers and hazards to vehicular or pedestrian traffic and the public health, safety and welfare, including, but not limited to, changes in time, duration or number of participants.

§ 16-1.6. Duties of permittee.

In addition to any duties of the permittee(s) which are a condition of the block party permit as issued and any other obligations of the permittee(s) delineated otherwise in this Chapter, all permittees shall:

- A. Comply with all applicable laws and ordinances.
- B. Be responsible for cleanup of any items, trash and garbage from the streets which is the subject of the permit.
- C. Require that the block party contact person or other person heading or leading such activity shall carry the block party permit upon his or her person during the conduct of the parade or block party.
- D. Assure that any vendors utilized during the block party are properly licensed as required under any other ordinance or law.

§ 16-1.7. Revocation of permit.

The City shall have the authority to revoke a block party permit issued hereunder upon the violation of any of the standards for issuance as set forth in this chapter or in the event of circumstances endangering public health, safety and welfare.

§ 16-1.8. Violations and penalties.

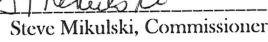
Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine or not more than \$2,000, by imprisonment for a term not to exceed 30 days and/or by a term of community service not to exceed 90 days. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Section 2. Any ordinances or parts thereof inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

Section 3. If any such section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall only apply to this section, paragraph, subdivision, clause, or provision, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. This ordinance shall take effect upon adoption and publication in the manner required by New Jersey law but, in no event, less than 20 days after its final passage by the Board of Commissioners, where such approval is required pursuant to N.J.S.A. 40:69A-181(b).


Krista Simmons, Commissioner


Steve Mikulski, Commissioner

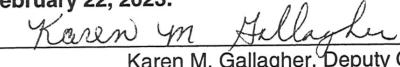

Pete Byron, Mayor

Attest: 
Karen M. Gallagher, Deputy City Clerk

The above ordinance was introduced and passed first reading on February 8, 2023.

Second Reading/Public Hearing on the above ordinance was held on February 22, 2023.

The above ordinance passed second reading on February 22, 2023.


Karen M. Gallagher, Deputy City Clerk