

CHAPTER 9

TEMPORARY STREET CLOSURES

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16-901. Purpose .

The purpose of this chapter is to provide procedures for the issuance of temporary street closure permits with the general intent of promoting public safety and welfare; providing the City with a standard logistical timeframe to accommodate requests for temporary street closures; ensuring temporary street closures do not interfere with the daily activities of the community; ensuring streets and sidewalks remain accessible and safe; and ensuring access to public property by other members of the community not involved in the requested event.

(Ord. #O22-12-29, December 2022)

16-902. Definitions.

For the purposes of this chapter, the following definitions shall apply:

- (1) "City Manager." The City Manager or city employee designated by the City Manager to act on his/her behalf.
- (2) "City Sponsored Event." Any event solely planned, administered, coordinated, held, and paid for by the City of Cookeville.
- (3) "Co-sponsored Event." Any event planned, administered, coordinated, held, and paid for in conjunction with another event sponsor and the City of Cookeville.
- (4) "Event." Any public gathering to be conducted on public or private property within the City of Cookeville.

(5) "Event Sponsor." Any organizer, promoter, coordinator, person, group, corporation, partnership, governing body, association, or any other public or private organization, or owner of property that is responsible for the event requiring a temporary street closure.

(6) "Financial Assurance." Liability insurance which shall indemnify and hold harmless the City of Cookeville and its agents, officers, and employees from any liability or causes of action which might arise by reason of granting a temporary street closure permit, and from any cost incurred in clean-up of the event.

(7) "Independent Event." Any event not co-sponsored or sponsored by the City of Cookeville.

(8) "Permit." An approved temporary street closure permit application.

(9) "Private Gathering." Any event held on private property and is not open to the public. A private gathering shall not be subject to the requirements of this chapter unless a street closure is requested.

(10) "Public Gathering." Any public activity to be conducted within or on any public property and conducted within any street or intersection with the City of Cookeville.

(11) "Temporary Street Closure." A condition created by an event, private gathering, or public gathering to be conducted within or on any street or intersection within the City of Cookeville that requires one or more lanes of travel to be closed for a public safety purpose.

(Ord. #O22-12-29, December 2022)

16-903. Temporary street closure permit required.

An event sponsor seeking a temporary street closure permit shall submit an application to the Cookeville Police Department not less than thirty (30) days prior to the date on which the temporary street closure is needed. Late applications may be considered at the City Manager's discretion.

(Ord. #O22-12-29, December 2022)

16-904. Application fee required.

A non-refundable application fee of \$100.00 must be submitted with the completed application. The application fee may be waived at the City Manager's discretion.

(Ord. #O22-12-29, December 2022)

16-905. Clean-up deposit required.

A refundable cash deposit or other security of \$250.00 must be submitted with the completed application to cover any cost incurred by the City in clean-up of the event. The clean-up deposit fee may be waived at the City Manager's discretion.

(Ord. #O22-12-29, December 2022)

16-906. Exemptions.

A temporary street closure permit, application fee, and clean-up deposit shall not be required for the following events:

(1) Funeral processions;

(2) Governmental agencies acting within the scope of its function; and

(3) Extempore events deemed exempt by the City Manager including, but limited to, temporary construction and necessary repair events. The Cookeville Police Department must be notified prior to the temporary street closure.

(Ord. #O22-12-29, December 2022)

16-907. Temporary street closure permit application.

For temporary street closures, an application for a permit shall be made upon a form provided by the City of Cookeville and shall contain the following information:

(1) The name of the event sponsor requesting the temporary street closure;

(2) The name, email, address, and phone number of the individual representing the event sponsor;

(3) The date and beginning and ending hours of the request;

(4) A description of the reason for the request;

(5) The location, route, streets, and/or intersections, in which the temporary street closure will occur and a map of the same, and indicate where a temporary street closure is required; and

(6) Such information deemed reasonably necessary by the City Manager.

(Ord. #O22-12-29, December 2022)

16-908. Temporary street closure permit issuance standards.

The City Manager will decide on whether to issue a temporary street closure permit after the application has been reviewed by the Cookeville Police Department and City Clerk. An incomplete application will be returned to the event sponsor and will not be considered for approval. Issuance of a temporary street closure permit will be granted after a consideration of the application and from such other information as may otherwise be obtained, and all the following circumstances exist:

- (1) The event sponsor has not knowingly and with intent to deceive, made any false, misleading, or fraudulent statements of material fact in the application or in any other document required pursuant to this chapter;
- (2) The event sponsor has met the standards in this chapter and has submitted in advance any required fees, deposits, and assurances, and has agreed to such conditions as are imposed in the permit;
- (3) The times, duration, and size of the event will not cause undue hardship to adjacent businesses or residents;

(4) There are no other events requiring a temporary street closure for the same time and location that have been or will be granted, unless the parties have agreed to work in conjunction;

(5) The concentration of persons and the temporary street closure will not unduly interfere with proper fire and police protection, or ambulance service, or with the movement of fire and police equipment;

(6) The event sponsor has not previously held a temporary street closure permit and demonstrated an inability or unwillingness to conduct an event pursuant to the terms and conditions of this chapter.

(Ord. #O22-12-29, December 2022)

16-909. Financial assurance/liability insurance required.

The event sponsor shall provide proof of liability insurance in the amount of one million dollars (\$1,000,000) and naming the City of Cookeville as additional insured for the date and times of the event. Proof of insurance shall be submitted prior to the issuance of a permit. Failure to provide proof of liability insurance will result in the permit being denied.

(Ord. #O22-12-29, December 2022)

16-910. Notification of businesses affected by the temporary street closure.

The event sponsor shall notify all businesses around the temporary street closure, concerning the date and times, at least ten (10) days prior to the temporary street closure. Failure to provide notification may result in the suspension of the permit by the Cookeville Police Department and may result in the event sponsor being ineligible for any future temporary street closure permits.

(Ord. #O22-12-29, December 2022)

16-911. Anti-Noise Regulations.

The anti-noise regulations of Title 11, Chapter 2 of the Cookeville Municipal Code are applicable for any event requiring a temporary street closure permit. The event sponsor shall obtain a special noise permit, if required as specified in Title 11, Chapter 2, Section 12-202. of the Cookeville Municipal Code. Failure to obtain a special noise permit, if required, may result in the suspension of the permit by the Cookeville Police Department and may result in the event sponsor being ineligible for any future temporary street closure permits.

(Ord. #O22-12-29, December 2022)

16-912. Nondiscrimination.

The City of Cookeville shall uniformly consider each application for a temporary street closure permit based upon its merits and shall not discriminate in granting or denying permits under this chapter based upon political, ethnic, religious, race, disability, or gender related grounds.

(Ord. #O22-12-29, December 2022)

16-913. Approval, denial, and revocation.

Permit applications shall be approved, denied, or revoked as follows:

(1) Approval. The submitted temporary street closure permit application and all requested additional documentation shall be reviewed by the Cookeville Police Department and City Manager. Upon review, completed applications that meet the standards provided in this chapter shall be approved for a temporary street closure permit. The approved temporary street closure permit application shall be given to the City Clerk and a temporary street closure permit shall be issued to the event sponsor.

(2) Denial. If a temporary street closure permit application is denied, the reasons for denial shall be identified with reference to the standards in this chapter with which the temporary street closure permit application would conflict. No denial shall be arbitrary, capricious, or without factual basis.

(3) Revocation. The Cookeville Police Department shall have the authority to revoke a temporary street closure permit instantly upon violation of the standards set forth in this chapter or when a public emergency arises where the Cookeville Police Department resources required for that emergency are so great that any police services provided for the temporary street closure would hinder the welfare and safety of persons or property.

(Ord. #O22-12-29, December 2022)

16-914. Limit on number of temporary street closure permits.

No individual event sponsor shall be issued more than four (4) temporary street closure permits in a calendar year.

(Ord. #O22-12-29, December 2022)

16-915. Event sponsor responsibilities.

The Cookeville Police Department and/or the City Manager may require the event sponsor provide, at the event sponsor's

expense, traffic control devices such as traffic cones, barricades, directional signals, etc.; an Emergency Management Agency Event Plan, if determined necessary by the City of Cookeville; volunteer traffic control personnel and/or off-duty police officers; sanitary facilities; or other needed material or equipment. Failure to provide any of the requirements specified for the day of the activity may result in the suspension of the permit by the Cookeville Police Department.

(Ord. #O22-12-29, December 2022)