AN ORDINANCE introduced by Mayor James A. McClinton relating to block parties, amending City of Topeka Code § 130-1 and repealing the original section.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. Topeka City Code § 130-1, Block party/special event permits, is hereby amended to read as follows:

Block party/special-event permits.

(a) Definitions. As used in this section:

Special-event Block party means an organized celebration, commemoration, occasion or activity, including block parties, that occurs on public property that is held on one (1) or more block areas and that does not exceed five (5) days in length, and involves the participation of individuals or any group including but not limited to social, private, professional, philanthropic, charitable or religious entities.

Special-event Block party permit means a permit letter of approval issued to an organizer or sponsor of the event a block party. Depending on the scope of the event, additional permits may be required by City Code.

(b) Application. Applications for a special-event block party permit shall be made to transportation operations superintendent at least ten (10) business days prior to the block party event. Applicants shall provide:

(1) Name of special-event and location of block party.

(2) Beginning and ending dates and times of special-event block
party.

(3) Organizer or sponsor of special-event block party.

(4) Address of organizer or sponsor.

(5) Local address of organizer or sponsor, if different from subsection (4) of this subsection.

(6) Participants' names, addresses, commodities or services offered.

(7) Such other information as deemed necessary.

(8) Certificate of public liability insurance, if required in the amount of five hundred thousand dollars ($500,000.00). Provided however, a hold harmless agreement with the city may be substituted for the insurance requirement for block parties which will be limited exclusively to the serving of food.

(9) Procurement of Obtain at organizer or sponsor's sole expense all traffic control equipment as required by the city traffic engineer.

(10) Furthermore, applicant shall Comply with all rules imposed by the city traffic engineer. Any changes to the application must be made in writing prior to the special-event block party. The applicant shall, as continuing responsibility, monitor and update the list of participants. Failure to submit and maintain an accurate application, list of participants, and other required information shall void the permit. The city reserves the unilateral right to deny or revoke any special event block party permit.

(c) Permit
(1) Upon approval of their application the applicant shall be given a block party permit.

(2) The applicant shall have the block party permit available at the site of the block party and shall present it at the request of any city official or law enforcement officer.

(d) Violation

(1) It shall be unlawful for any person, organizer or sponsor to hold a block party without having beforehand secured a block party permit.

(2) Further, it shall be unlawful for any person, organizer, or sponsor to fail to comply with any of the requirements contained in this section during the entire period of the block party.

(e) Access for emergency vehicles. Access for emergency vehicles must be provided during the entire period of the block party.

(f) Disabandonment for unlawful activities or threat to public safety. Any member of the police department or other properly constituted authority shall have the power and it shall be the duty of each of them to cause any block party to be disbanded whenever any portion of this section, or of any ordinance, regulation or law concerning public health and safety or public peace and order has been or is being violated.

(g) Relationship to other ordinances. Complying with the requirement of this section shall not relieve any person, organizer or sponsor from complying with all other ordinances.
Section 2. That original City of Topeka Code § 130-1 is hereby specifically repealed.

Section 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the Council of the City of Topeka JUL 13 2004

ATTEST:

James A. McClinton, Mayor

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY DATE 6/2/04 BY BBC
TO BE CODIFIED X
NOT TO BE CODIFIED

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