

**RESOLUTION NO. 7529**

**CITY OF SOUTH GATE  
LOS ANGELES COUNTY, CALIFORNIA**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF SOUTH GATE ESTABLISHING POLICY AND  
PROCEDURES FOR THE TEMPORARY STREET  
CLOSURE FOR THE PURPOSE OF BLOCK PARTIES  
AND SIMILAR EVENTS**

**WHEREAS**, it is the objective of the City of South Gate ("City") to provide a safe and secure environment for its residents and visitors of the City; and

**WHEREAS**, periodically residents request that a City street be closed for the purpose of a private function; and

**WHEREAS**, Section 21101 of the State of California Vehicle Code authorizes the City to temporarily close a street for a private function for the protection of the public; and

**WHEREAS**, the Public Works Department has determined it is in the best interest of the City to establish policy and procedures concerning requests for temporary street closures;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE  
DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** The above recitals are all true and correct.

**SECTION 2.** The policy established by this Resolution (the "Policy") applies to residential areas.

**SECTION 3.** It is the intent of this Policy to define parameters under which local groups or residents may request temporary street closures or encroachments for recreational or leisure purposes such as block parties.

**SECTION 4.** The City Council hereby adopts the herein contained rules and regulations pertaining to temporary closure of streets for the purpose of block parties and other similar events.

- a. **Definitions.** As used in this Resolution:
1. "Block Party" means a stationary gathering of people and/or equipment in a predominantly residential area on public property for holiday-related events including, but not limited to, Fourth of July, Halloween, Labor Day, and Memorial Day.
  2. "City Manager" means the City Manager of the City South Gate or his/her designee.
  3. "Director of Public Works" means the Director for the Public Works Department of the City South Gate or his/her designee.
  4. "Person" means and includes any individual, firm, co-partnership, corporation, district, or other political subdivision.
  5. "Working days" means days on which the South Gate City Hall is open to the public for City business.
- b. **Permit - Required.** A person shall not conduct or manage any Block Party unless he/she first procures from the City a permit to do so.
- c. **Permit - Provisions Applicable to Managers and Participants.** A person shall not conduct, manage or participate in any Block Party in violation of the provisions of a Block Party permit issued for such gathering.
- d. **Application for Permit - Contents.** Any person desiring to conduct or manage a Block Party shall, not less than thirty (30) days before the date of said Block Party (Director of Public Works has the discretion to grant waivers to the thirty (30) working days requirements), file with the City a verified application on a form furnished by the City, setting forth the following information:
1. The name, address, telephone number, and e-mail address of the person, legal entity or organization wishing to conduct the Block Party;
  2. If the applicant is an organization or legal entity (such as a corporation, partnership or limited liability company) rather than an individual person, then the application shall contain both (a) the name, address and telephone number of the headquarters of the organization or entity, and (b) the name, address, telephone number, and e-mail address of the person designated by the applicant to be in charge of the Block Party and responsible for its conduct;
  3. The date when the Block Party is to be conducted;
  4. The times when the Block Party will start and terminate;

5. The addresses to be affected by the street closure, and signature of approval of each head of household (for each residential unit) and business owner or authorized representative (for each business) that directly fronts the area to be closed;
  6. The approximate number of persons who will attend the Block Party;
  7. Whether the Block Party will occupy all or only part of the streets; if only part of the street is to be occupied, specify the portion to be occupied;
  8. A diagram of the proposed layout and area description of the event;
  9. Acknowledgment that possession of open containers of alcoholic beverages or consumption of alcoholic beverages is not allowed in public places;
  10. Acknowledgement that foods, beverages, goods, wares or merchandise will not be sold during the event for which the street is closed;
  11. Agreement to pay the City the non-refundable permit application processing fee of \$50 or as established by Resolution of the City Council to cover the administrative expenses incurred by the City to process the application;
  12. Agreement to comply with all Federal, State and local laws and to be responsible for the orderly conduct of those in attendance.
- e. **Permit - Issuance Conditions.** The Director of Public Works shall issue or deny the permit within ten (10) working days after a complete permit application is submitted. The issuance of the Block Party permit will be contingent upon the following:
1. The conduct of such Block Party will not substantially interrupt the safe and orderly movement of other traffic contiguous to its routes;
  2. The conduct of such Block Party will not require the diversion of an excessive number of Police Officers to properly police the area;
  3. The concentration of persons in the area will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the Block Party;
  4. The conduct of the Block Party will not interfere with the movement of fire-fighting equipment en route to a fire either within or contiguous to the area which is subject to the permit;
  5. The conduct of such Block Party is not reasonably likely to cause injury to persons or property;

6. The conduct of such Block Party will not obstruct any construction or maintenance work scheduled to take place upon public roads; and
7. At least sixty percent (60%) of the affected households and businesses fronting the areas to be closed in connection with the street closure, have approved the closure.
- f. **Permit Application - Contents.** Such permits shall prescribe the following, when applicable:
  1. Starting time;
  2. Ending time;
  3. The addresses to be affected by the street closure; and
  4. Brief description of the equipment to be used, if any (i.e. barbecues, etc.); and be accompanied by a copy of the signatures of approval of each head of household (for each residential unit) and authorized representative (for each business unit) that directly fronts the area to be closed.
- g. **Permit Rejection - Notice.** If the Director of Public Works finds that such permits should not be issued, he/she shall within the period identified in Section 4(e) above, notify the applicant via e-mail or facsimile transmission, to be followed by written notice mailed not later than the next ten (10) working days, that the application for the Block Party permit has been denied. Such notice shall indicate the reason or reasons for the denial.
- h. **Appeal Procedure.** Upon a denial by the Director of Public Works of an application for a permit, the applicant may appeal the determination of the Director of Public Works to the City Manager by filing a written notice of appeal within seven (7) days of the date of notification of the Director of Public Works' decision. Not later than seven (7) days after the appeal is filed, the City Manager shall reverse, affirm or modify in any regard the determination of the Director of Public Works by delivering written notice thereof to the applicant and the Director of Public Works. The determination by the City Manager shall be final and conclusive.
- i. **Notification of Block Party.** Upon issuance of a permit, the Director of Public Works or his designee shall notify all affected City Departments, including the South Gate Police Department, Public Works Field Operations, and the Los Angeles County Fire Department.
- j. **Revocation of Permit.** Any permit for a Block Party may be revoked by the Director of Public Works at any time when, by reason of emergency, or because

of an unusual change in circumstances, or because the permit was issued through mistake or inadvertence, the Director of Public Works determines that the safety and convenience of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered as soon as practicable.

- k. **Street Closures.** Whenever any public road or highway or portion thereof has been closed due to a Block Party pursuant to a permit issued by the City, the Director of Public Works shall have the authority to close such public road, highway, or portion thereof to normal and usual traffic for that period of time necessary to safely conduct such event.

**SECTION 5.** There shall be no possession of open containers of alcoholic beverages, and no public consumption or use of alcoholic beverages, at the Block Party for which the permit is issued. Title 7 (Public Safety and Morals), Chapter 7.28 (Alcoholic Beverages), Subsection 7.28.020 (Public Places), of the Municipal Code provides that it is unlawful for any person to consume an alcoholic beverage upon any public street, avenue, alley, sidewalk, parkway, courts or other public place within the City open or dedicated to public use.

**SECTION 6.** Section 415 (Disturbance; fighting; noise; offensive words) of the California Penal Code provides that every person who maliciously and willfully disturbs the peace or quiet of any neighborhood or person, by loud and unusual noise, or by tumultuous or offensive conduct, or threatening, traducing, quarreling, challenging to fight or fighting or use any vulgar, profane or indecent language within the presence of the hearing of women and children in a loud and boisterous manner is guilty of a misdemeanor. The City's issuance of a Block Party permit shall not exempt the applicant or any attendee of the Block Party from compliance with said Section 415.

"Loud or unusual noises" shall include a live band, loud music, or sound amplifying equipment. No live band, loud music, or sound amplifying equipment may be used or maintained in connection with the Block Party permit unless authorized therein. All music volume shall be lowered after 10 p.m., or stopped if requested by the South Gate Police Department, unless authorized in writing by the Director of Public Works or his designee.

**SECTION 7.** If the applicant is an individual as opposed to an entity or organization, then applicant shall be (a) at least 18 years of age and a person determined by the City's Public Works Department (in its sole discretion) to be responsible for compliance with the terms and provisions of these rules and regulations, and (b) the applicant shall be either a resident of real property fronting on the street or portion thereof to be closed or the owner of a business fronting on the street or portion thereof to be closed.

**SECTION 8.** The applicant shall be responsible for notifying and attempting to obtain the signature of approval of residents for each residential unit and business that directly fronts the area to be closed. The applicant should obtain a

minimum of sixty percent (60%) approval from such households and businesses. The percentage of signatures obtained is one of several factors considered by the City Public Works Department in approving or rejecting the application.

**SECTION 9.** The area to be closed shall not exceed one City block or 1300 feet.

**SECTION 10.** The area to be closed must be cleared by 10 p.m. unless authorized otherwise in the permit.

**SECTION 11.** The applicant (or the person identified in Section 4.d.2 above if the applicant is an entity or organization) shall agree as condition of the permit to be present at all times when the street is closed, and that he/she will comply with all of the terms and provisions of the policy and procedures any conditions imposed by the Director of Public Works in granting a permit, and that he/she will cause any persons attracted to or participating in the street closure to disperse at the closing hour of the permit or whenever otherwise requested by any authorized officer of the City.

**SECTION 12.** No applicant or other person shall charge, impose or collect any admission charge or fee to attend, engage in, or be at any event for which said street is closed, nor shall there be any sale of foods, beverages, goods, wares or merchandise during the event for which the street is closed.

**SECTION 13.** The applicant as a condition of issuance of the permit shall agree to hold the City free and harmless from liability to any persons for personal injuries or damage or loss of property occurring during temporary closure of the street and to defend the City from all claims or losses arising therefrom.

**SECTION 14.** The applicant shall be responsible for adequate street closures.

**SECTION 15.** The applicant and all participants to any event for which the street is closed shall comply with all federal, state and local laws. It is expressly understood that if there should be any violation of state or local laws, disturbance of the peace, riot, or violation of the rules and regulations, or other conditions should develop endangering the public peace, health, safety and welfare, the applicant and all persons participating in the event for which said street is closed, shall immediately remove themselves from the area and disperse upon request of an authorized officer of the City or any officer of the South Gate Police Department.

It is understood and agreed upon occurrence of any of the aforementioned events, any authorized officer of the City or any Officer of the South Gate Police Department may immediately declare that the closure order is terminated, and that the street shall be opened to the public for public use, that said assembly is unlawful and that all persons thereat shall immediately disperse, and remove themselves from the premises.

**SECTION 16.** All persons in the area where the street is closed and all equipment located therein by said persons shall be provided and maintained in such a form and fashion as to provide ready access by emergency vehicles at all times during the temporary closure.

**SECTION 17.** The applicant shall be responsible for the cleaning and clearing of any debris which is caused by said event immediately following the event.

**SECTION 18.** The policy and procedures established above herein are intended for residential areas, and are intended to exclude events such as the Tweedy Mile Street Fair, Christmas Parade, Navidad on Tweedy Boulevard, or other events requiring street closures in non-residential areas of the City.

**SECTION 19.** The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

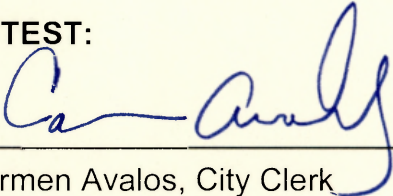
**PASSED, APPROVED and ADOPTED** this 9<sup>th</sup> day of October 2012.

**CITY OF SOUTH GATE:**



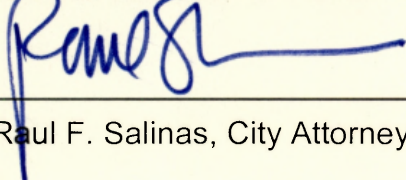
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W.H. (Bill) De Witt, Mayor

**ATTEST:**



\_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**



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Raul F. Salinas, City Attorney

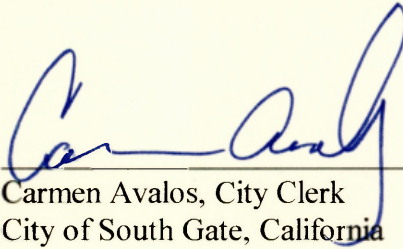
**RESOLUTION CERTIFICATION PAGE**

**STATE OF CALIFORNIA            )**  
**COUNTY OF LOS ANGELES    )       SS**  
**CITY OF SOUTH GATE         )**

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7529 was adopted by the City Council at their Regular Meeting held on October 9, 2012, by the following vote:

- Ayes:            Council Members:   De Witt, Hurtado, Gonzalez, Morales and Davila
- Noes:           Council Members:   None
- Absent:         Council Members:   None
- Abstain:        Council Members:   None

Witness my hand and the seal of said City on October 18, 2012.

  
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Carmen Avalos, City Clerk  
City of South Gate, California