MIDDLETOWN TOWNSHIP POLICE DEPARTMENT

TRAFFIC AND SAFETY BUREAU

732-615-2045 (8:00- 3:00)

Please complete this form and return to:

MTPD, 1 Kings Highway, Middletown, NJ 07748

or email to ACICCONE@MIDDLETOWNNJ.ORG; SFISHER@MIDDLETOWNNJ.ORG

A minimum of two weeks notice must be given for the event and a Hold Harmless agreement signed by all resident/ households participating in event.

<u>Person Requesting Permit and Responsible for the Conduct There Of:</u>

First Name: _____ Last Name: _____

Address:

_____

Phone: _____ Email: _____

Event Date: _____ Rain Date: _____

Event Time: _____

Event Type: _____

Event Location: _____

Estimated event attendance: _____

Will music be provided? Yes or No - Live or recorded

_____

Please describe all clothing, badges, signs, and or symbols to be worn by staff and support personnel or displayed otherwise if applicable:

_____

_____

_____

Please list any special requests:

_____

_____

Describe the location and plans for assembly and dispersal of participants of the event/parade:

_____

_____

*Please include a map of the route with application, indicating starting and stopping points (if applicable). *

Certificate of Insurance (submit with application)

Person(s) responsible are familiar with Middletown Ordinance 2021-3318, regulating closure of municipal roadways and agree to abide by the provisions therein.

Please contact the Traffic Safety Bureau with any questions or concerns 732-615-2045.

Applicant Name: _____

Applicant Signature:_____Date of Application:_____

DO NOT WRITE BELOW THIS LINE

Received by:_____ Date:_____

Permit granted on:_____

WAIVER OF LIABILITY, RELEASE, INDEMNIFICATION
AND HOLD HARMLESS AGREEMENT

**BY THE SIGNING THIS DOCUMENT YOU WILL WAIVE CERTAIN LEGAL RIGHTS,
INCLUDING THE RIGHT TO SUE, PLEASE READ CAREFULLY**

We, the undersigned, as organizers and/or participants in a residential block party within a municipal roadway as outlined in the letter of request to the Chief of Police, on behalf of myself, heirs, successors or assigns, do hereby acknowledge and understand that in exchange for being able to hold and participate in a block party within a municipal roadway, do hereby agree to:

1. Indemnify, hold harmless and defend the Township of Middletown (the "Township"), its employees, officials, agents, volunteers and others working on behalf of the Township, against all claims, injuries, or damages of whatever nature sustained in relation to the block party; and

2. Release and waive any and all claims, causes of action, demands, damages, liability or expense of any kind, including but not limited to actions based on wrongful acts, omissions or failures to act, or negligence which may arise against the Township, its employees, officials, agents, volunteers and others working on behalf of the Township, as a result of any injury to any person, or damages to any property incurred during and/or arising from the block party.

We hereby represent that we have read carefully and understand the contents of this document and sign the same of our own free will.

1. Full Name:_____ Address:_____

Signature:_____

2. Full Name:_____ Address:_____

Signature:_____

3. Full Name:_____ Address:_____

Signature:_____

Please print additional copies of this form if additional signature lines are needed.

ORDINANCE NO. 2021-3318

TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH

Ordinance Establishing Permitting Process for Closure of Municipal Roadways for Special Events

WHEREAS, the Township of Middletown (the "**Township**") periodically receives requests or experiences situations where local municipal roadways are closed without proper authorization for special events such as street fairs or neighborhood block parties; and

WHEREAS, in order to protect the public health, safety and welfare, the Township is establishing a permitting process and standards for the closure of municipal roadways for special events.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee in the Township of Middletown in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. Street Closings for Special Events. No municipal street, roadway or right of way shall be closed for any special event without first receiving a permit issued by the Township's Chief of Police, or their designee. A special event may be a street fair, block party, or any other private or public function that requires the closure of a public street under the Township's jurisdiction.

SECTION 2. Application for Street Closing Permit. Applications for street closings for special events may be obtained from the Police Department, but must be filed at least two full weeks prior to the scheduled event. The application form utilized may be developed and periodically amended by the Chief of Police in consultation with the Township Administrator, Director of Public Works and Township Attorney, but must minimally require the following:

(a) names and contact information of the organizers of the special event, who shall be the responsible parties;

(b) location of the special event with diagram or sufficient description of area of street to be closed, along with a description of the nature of the event and any equipment or amenities (chairs, tables, grills, tents, stages, bounce houses, etc.) that may be placed within the closed street;

(c) the proposed times of the special event and time required for the street closure, including set-up and take down.

(d) a representation by the responsible parties that they have or will provide a minimum of one week's notice to the neighbors immediately affected by the area of the street to be closed, with a copy of such notice being provided with the application;

(e) if the special event involves any incorporated entity or vendor, a certificate of insurance must be provided naming the Township as an additional insured in a form satisfactory to the Township; and

(f) all organizers of special events seeking a street closing, regardless of whether an incorporated entity or individual(s), must execute a Hold Harmless Agreement included with their application.

SECTION 3. Application Approval. Any application may be granted or denied at the discretion of the Township's Chief of Police, or their designee, based on any number of factors, such as, but not necessarily limited to:

    (a) the impact that the street closure may have on access for emergency services;

    (b) the traffic impacts the street closure may have in the area of the special event;

    (c) significant objections from affected neighbors;

    (d) the public resources required to ensure the safety of the event participants and drivers on municipal roadways; and/or

    (e) failure to agree to any of the conditions imposed upon issuance of a street closing permit by the Chief of Police or their designee.

SECTION 4. Non-Applicability. This ordinance shall not apply to road construction addressed by other ordinances, running or bicycle races, and public marches or protests that are not stationary in nature requiring only temporary street closures.

SECTION 5. Violations. Any violations of this ordinance shall be punished pursuant to Section 1-4 of the Code of the Township of Middletown.

SECTION 6. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Middletown inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

SECTION 7. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.
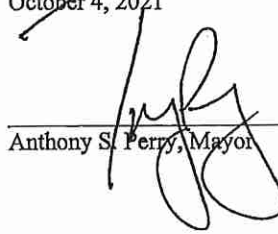
SECTION 8. Effective Date. This ordinance shall take effect upon its final passage and publication as provided for by law.

PASSED ON FIRST READING: September 20, 2021

PASSED AND APPROVED: October 4, 2021

_____
Anthony S. Perry, Mayor

ATTEST:

_____
Heidi R. Brunt, Township Clerk

4. Full Name:_____ Address:_____

Signature:_____

Please print additional copies of this form if additional signature lines are needed.