

## PROPOSED LOCAL LAW U of 2023

A Proposed Local Law to amend Chapter 123 of the Code of the Village of Mamaroneck regarding block parties and special events

**BE IT ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK  
AS FOLLOWS:**

*(Language in strike-through ~~abcedefghijk~~ to be deleted; language in **bold** is to be added)*

### Section 1.

The title of Chapter 123 is amended as follows:

#### Chapter 123 Block Parties **and Special Events**

### Section 2.

Section 123-1 of the Code of the Village of Mamaroneck is amended as follows:

#### § 123-1. **Definitions.**

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

~~BLOCK — A designated area within which the public streets shall be closed for a neighborhood party.~~

#### **BLOCK PARTY**

A neighborhood block party, celebration, or **other similar event that takes place in a designated area within which the public streets are closed**, but shall not for include a garage sale, yard sale, bazaar, rummage sale or other similar activity having the principal purpose as fundraising for an individual or organization, nor shall it include a political meeting or rally, carnival or theatrical or musical performances, such as rock concerts or similar events.

#### **SPECIAL EVENT**

**An organized gathering other than a block party that takes place in a park or a certain area of a park, public street, or place.**

#### **STREET**

A village street, highway or road.

### Section 3.

Section 123-2(A) of the Code of the Village of Mamaroneck is amended as follows:

#### § 123-2 **Permit required; authorization to issue permit; application.**

- A. **It is a violation of this chapter to organize or sponsor a Block Party or Special Event without a permit from the Village Manager.**
- B. The Village Manager ~~shall be~~ **is** authorized to issue a permit for the **use of a park, or a certain area of a park, a public street or other public place or for the** temporary blocking of a street for the purpose of holding a **Special Event or Block Party**. ~~At least 21 days before the commencement of such party, an application for such permit shall be filed by a bona fide~~

~~resident of the street to be blocked, who is over the age of 18, and such application shall contain at least the following information:~~

- C. An application for a permit for a Block Party or Special Event must be filed with the Village Manager at least 30 days in advance.**
- D. An application for a permit for a Block Party must be filed by a bona fide resident of the street to be blocked.**
- E. An applicant for a permit for a Block Party or Special Event must be at least 18 years old. If alcohol will be served at the event, the applicant must be at least 21 years old.**
- F. The application must contain the following information:**
  - (1) The name and address of the applicant, the name and telephone number of a contact person, and name and telephone number of a contact person who will be on site for the duration of the event.**
  - (2) The name of the street, or streets, park or other public space and a description of the portions thereof to be blocked.**
  - (3) A description of the specific party to be held.**
  - (4) The date and the hours for which the permit is desired thereof.**
  - (5) The name and address of the person, persons, corporation or association sponsoring the activity, if any.**
  - (6) An estimate of the anticipated attendance.**
  - (7) The anticipated charges or fees to persons attending, if any.**
  - (8) Any other information which the Village Manager deems reasonably necessary to make a fair determination as to whether a permit should be issued.**

#### *Section 4.*

Section 123-3 of the Code of the Village of Mamaroneck is amended as follows:

#### **§ 123-3 Fee; determination of approval or disapproval of application.**

- A. The application shall be accompanied by a fee, if applicable, as set forth in Chapter A347, Fees, ~~which shall be refundable in the event that the permit is denied.~~**
- B. The Village Manager must grant the permit if the Village Manager concludes that:**

~~The permit shall be granted by the Village Manager upon determining that the party is authorized. The permit shall be denied if the Village Manager finds that blocking the street or portion thereof on the date requested in the application~~

  - (1) the proposed activity and use will not unduly interfere with the flow of vehicular traffic ~~or upon determining that the party is not authorized;~~**
  - (2) the proposed activity and use will not unreasonably interfere with or detract from the general public enjoyment of the park or said the area by members of the public not participating in the activity or use;**

- (3) the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, safety, welfare, and recreation;
  - (4) the proposed activity and use will not unreasonably restrict, obstruct, interfere with or impede pedestrian right-of-way, a vehicle's right-of-way, or ingress or egress from the requested or abutting property; and
  - (5) the proposed activities or uses that are reasonably anticipated will not cause violence, crime, disorderly conduct, or a nuisance.
- C. The Village Manager is authorized to grant the permit subject to reasonable requirements and conditions that must be satisfied by the applicant, including payment of the cost of public safety coverage and traffic control fees, and may revoke the permit if the requirements and conditions are not satisfied.
- D. If the permit is denied, ~~T~~the Village Manager ~~shall~~ **must** advise the applicant, in writing, of the reason for denial of the application and the Village Clerk-Treasurer must refund the fee.

#### *Section 5.*

Section 123-9 of the Code of the Village of Mamaroneck is amended to read as follows:

§ 123-9 **Enforcement** and penalties for offense.

Any person, firm or corporation ~~who shall violate~~ **that violates** any provision of this chapter ~~shall~~ **is**, upon conviction, ~~be~~ subject to a penalty of not more than ~~two~~ \$250, or imprisonment for a term not to exceed 15 days, or both. Each day's continued violation ~~shall constitute~~ **is** a separate offense. **The appropriate authorities will diligently enforce the provisions of this chapter and are authorized to eject from the park or area any person or persons acting in violation of this chapter.**

#### *Section 6.*

If any section, subsection, clause, phrase or other portion of this local law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, the portion of the law declared to be invalid will be deemed a separate, distinct and independent portion and the declaration will not affect the validity of the remaining portions hereof, which will continue in full force and effect.

#### *Section 7.*

This local law is adopted pursuant to the authority granted by Municipal Home Rule Law § 10(1)(e)(3). It supersedes the provisions of the Village Law to the extent that they are inconsistent with this local law.

#### *Section 8.*

This local law will take effect immediately upon its filing in the office of the Secretary of State in accordance with Municipal Home Rule Law § 27.