

CHAPTER 8

Street Use Permits

§ 7-8-1 Street Use Permits

SEC. 7-8-1 STREET USE PERMITS.

- (a) PURPOSE. The streets in possession of the Village are primarily for the use of the public in the ordinary way. However, under proper circumstances the Village Board may grant a permit for street use, subject to reasonable municipal regulation and control. Therefore, this ordinance is enacted to regulate and control the use of streets pursuant to a Street Use Permit to the end that the health, safety and general welfare of the public and the good order of the Village can be protected and maintained.
- (b) APPLICATION. A written application for a Street Use Permit by persons or groups desiring the same shall be made on a form provided by the Village Clerk-Treasurer and shall be filed with the Village Clerk-Treasurer. The application shall set forth the following information regarding the proposed street use:
  - (1) The name, address and telephone number of the applicant or applicants.
  - (2) If the proposed street use is to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization and of the authorizing responsible heads of such organization.
  - (3) The name, address and telephone number of the person or persons who will be responsible for conducting the proposed use of the street.
  - (4) The date and duration of time for which the requested use of the street is proposed to occur.
  - (5) An accurate description of that portion of the street proposed to be used.
  - (6) The number of persons for whom use of the proposed street area is requested.
  - (7) The proposed use, described in detail, for which the Street Use Permit is requested.
- (c) REPRESENTATIVE AT BOARD MEETING. The person or representative of the group making application for a Street Use Permit shall be present when the Village Board gives consideration to the granting of said Street Use Permit to provide any additional information which is reasonably necessary to make a fair determination as to whether a permit should be granted.
- (d) PETITION. The application shall be accompanied by a petition designating the proposed area of the street to be used and time for said proposed use, said petition to be signed by not less than seventy-five (75%) percent of the residents over eighteen (18) years of age residing along that portion of the street designated for the proposed use. Said petition shall be verified and shall be submitted in substantially the following form:

PETITION FOR STREET USE PERMIT

We, the undersigned residents of the \_\_\_\_\_ hundred block of \_\_\_\_\_ Street in the Village of St. Cloud, hereby consent to the \_\_\_\_\_ recreational or business use of this street between the hours of \_\_\_\_\_ and \_\_\_\_\_ on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, for the purpose of \_\_\_\_\_ and do hereby petition the Village Board of the Village of St. Cloud to grant a Street Use

Permit for us to use the said portion of said street for said purpose and do hereby agree to abide by such conditions of such use as the Village Board of the Village of St. Cloud shall attach to the granting of the requested Street Use Permit.

We designate \_\_\_\_\_ as the responsible person or persons who shall sign an application for a Street Use Permit on our behalf.

- (e) FEES. An application for a Street Use Permit for less than three (3) blocks shall be accompanied by a fee of Five (\$5.00) Dollars for the permit. If the application is for three (3) or more blocks, a fee of Fifteen (\$15.00) Dollars shall accompany the application plus a flat user fee of Twenty (\$20.00) Dollars if traffic must be rerouted for the street closure. If the application is for an event in which a major activity is the sale or promotion of commercial products or services, the application shall be accompanied by a fee of Ten (\$10.00) Dollars, plus a Thirty (\$30.00) Dollar flat user fee per day and the applicant shall agree to pay within twenty (20) days of billing all Village costs incurred by the occasion of the event. The applicant may be required to furnish a performance bond prior to being granted the permit.
- (f) INSURANCE. The Applicant for a Street Use Permit may be required to indemnify, defend, and hold the Village and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the Village on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, the applicant may be required to furnish a Certificate of Comprehensive General Liability insurance with the Village of St. Cloud. The applicant may be required to furnish a performance bond prior to being granted the permit.
- (g) TERMINATION OF A STREET USE PERMIT. A Street Use Permit for an event in progress may be terminated by a law enforcement officer if the health, safety and welfare of the public appears to be endangered by activities generated as a result of the event or the event is in violation of any of the conditions of the permits or ordinances of the Village of St. Cloud. The Chief of Police has the authority to revoke a permit or terminate an event in progress if the event organizers fail to comply with any of the regulations in the street use policy or conditions stated in the permit.