

# REQUEST FOR PERMIT FOR "BLOCK PARTY"

Date:

Name:

Address:

Telephone #:

Define the area to be blocked off; include Date and Times:  
( Daylight and/or Nighttime Hours)

Explain reason/s for wanting Street or Roadway blocked off:

Location (Drop off point) for General Services Personal to drop off cones, barricades, Etc. ( Include specifics instructions at address)

\_\_\_\_\_  
Signature of Responsible Party

\_\_\_\_\_  
**Approval:**

\_\_\_\_\_  
**Signed**

\_\_\_\_\_  
Mayor / Service Director:

\_\_\_\_\_  
Street Superintendent:

\_\_\_\_\_  
**Coordination:**

\_\_\_\_\_  
**Comments:**

\_\_\_\_\_  
Police Dept. :

\_\_\_\_\_  
Fire Dept. & E.M.S. :

Copies of Permit to: Police Dept., Fire Dept., & E.M.S., General Services Division

GROUND RULES FOR AUTHORIZED "BLOCK PARTY" WHERE  
STREETS, ALLEYS OR ROADS ARE BLOCKED OFF

- A. Blocked streets must be "Immediately Accessible" to Emergency Response Personal and Vehicles; i.e., Police, Fire & E.M.S., Electrical Field Division, Ect. A 12 ft. wide lane must be maintained on all blocked streets and 10 ft. on alleys.
- B. All persons living in the area affected by the blocked street or alley must be agreeable to blocking off the street or alley.
- C. As a general rule, streets or roadways shall not be blocked off for purposes such as: Auctions, Yard Sales, Porch Sales, Garage Sales, Flea Markets, Parking, Ect..
- D. Requests for permission to block off streets or roadways shall be completed no later than 96 hrs. or four (4) working days prior to "blocking date & time" to allow City Officials time to check out the request.
- E. For reasons of priority, as it relates to travel importance, the City has designated certain streets, avenues, & roads which shall not be considered for "Blocking Off" for purposes of "Block Parties" (See Attached List)
- F. The responsible party shall notify the Dover Police Dept. and the Dover Fire Dept. & E.M.S. of plan to have "Block Party."
- G. General Services Division Personnel will drop off cones and/or barricades to be used to block off the designated area. Following the Block Party, the responsible party will see that all cones and/or barricades are put back at the designated drop off location. City Personnel will pick up the items.
- H. Request Forms can be picked up at Dover City Hall in the Mayor or Service Directors Office during normal business hours.

Copies of Permit to: General Services Division, Police Dept., Fire Dept. & E.M.S.

**STREETS WHICH WILL NOT BE CONSIDERED FOR  
"BLOCKING OFF" FOR PURPOSES OF  
"BLOCK PARTIES"**

Wooster Ave. (from Union Ave. and Iron Ave. to Parral)

Iron Ave. (from Clubview Dr. to Wooster Ave.)

Boulevard (from New Philadelphia Corp. Line to E. Iron Ave.)

Union Ave. ( from New Philadelphia Corp. Line to E. Iron Ave.)

Tuscarawas Ave. ( from New Philadelphia Corp Line to North Corp. Line)

Front St. (from Tuscarawas Ave. to East Corp. Line.)

Slingluff Ave. (from Crater Ave. to N. Tuscarawas Ave.)

Crater Ave. (3rd St. North to McMillan)

Crater Ave. Ext. (from E. 14th St. to North Corp. Line)

15th Street (from Davis Street to Crater Ave.. Ext.)

W. Ohio Ave. (from Wooster Ave. to West Corp. Line)

Co. Road 80 East of Wooster (from Wooster Ave. to Shawnee Dr.)

Johnson Ave. (East Ave. to 3rd St.)

East Ave. (from Johnson Ave. to East Corp. Line)

Shafer Ave. (from Union Ave. to Bellevue Ave.)

Wills Ave. (from Union Ave. to Monroe Ave.)

Monroe Ave. (from Shafer Ave to Fillmore Ave.)

James St. (from Iron Ave. to Fillmore Ave.)

Harger St. (from Marlite to Wallace St.)

Gibbs Lane (from E. Third St. to North Dead End)

Fillmore Ave. ( from James Street to Monroe Street)

Stadium Drive

**OTHER STREETS, AVENUES, DRIVES, AND/OR ROADWAYS MAY BE ADDED.**

## ORDINANCE NO. 44-05

### AN ORDINANCE AMENDING CHAPTER 311 OF THE DOVER CODIFIED ORDINANCES TO INCLUDE A NEW SECTION 311.04 PERTAINING TO THE REGULATION OF BLOCK PARTIES.

BE IT ORDAINED, by the Council of the City of Dover, State of Ohio:

#### I

That Chapter 311 of the Dover Codified Ordinances is hereby amended to include a new section 311.04, entitled, "Block Parties." Said new section 311.04 shall read as follows:

#### **311.04 BLOCK PARTIES.**

(a) No person, group of persons or organization shall conduct or participate in any block party upon any street or highway, or block off any street or highway area, without first obtaining a permit from the Mayor.

Applications for such permits shall be made on such forms as may be prescribed and shall contain such information as is reasonably necessary to a fair determination of whether a permit should be issued. Applications shall be filed not less than five days before the time intended block party.

The permit may be refused or cancelled if:

(1) The time, place, size or conduct of the block party would unreasonably interfere with the public convenience and safe use of the streets and highways.

(2) The block party would require the diversion of so great a number of police officers to properly police the area of such party so as to deny normal police protection to the Municipality.

(3) The block party would unreasonably interfere with the movement of police vehicles, fire-fighting equipment or ambulance service to other areas of the Municipality.

(4) The block party would unreasonably interfere with a parade, procession or assemblage for which a permit has been issued.

(5) The information contained in the application is found to be false, misleading or incomplete in any material detail.

(6) An emergency such as a fire or storm would prevent the proper conduct of the block party.

The permit or any order accompanying it may limit or prescribe reasonable conditions, including the hours, the location, and the streets, highways or portions thereof which may be used or occupied. The mayor is hereby authorized to adopt policies and procedures applicable to the issuance of any such permit. Upon the adoption thereof, such policies and

procedures shall be maintained in the office of the Mayor, and available for public inspection.

(b) Any persons conducting or participating in a block party pursuant to a permit issued in accordance with the within section, shall abide by the provisions of Part Five (General Offenses Code) of the Dover Codified Ordinances, and the issuance of any such permit shall not be a defense to a charge of having violated said provisions.

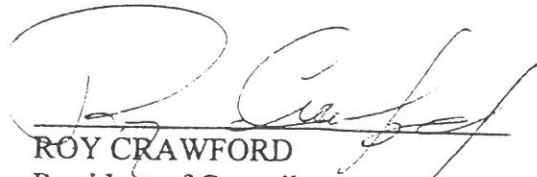
(c) For purposes of the within section, the term, "block party" shall be defined as a neighborhood social gathering of two or more individuals during which the said individuals seek to block off and/or occupy a portion of the public right of way for purposes of conducting such gathering.

Whoever violates this section is guilty of a minor misdemeanor on a first offense; on a second offense within one year after the first offense, the person is guilty of a misdemeanor of the fourth degree; on each subsequent offense within one year after the first offense, the person is guilty of a misdemeanor of the third degree.

II

That this ORDINANCE shall take effect and be in force from and after the earliest period allowed by law.


PASSED this 7<sup>th</sup> day of NOVEMBER, 2005.

  
ROY CRAWFORD  
President of Council

ATTEST:

  
LOIS A. LINARD  
Clerk of Council

Approved this 8<sup>th</sup> day of NOVEMBER, 2005.

  
11/19/05 11/26/05 RICHARD P. HOMRIGHAUSEN  
Mayor

PUBLISH SUMMARY TWICE  
Recommended by the Planning and Zoning Committee

CHAPTER 509  
Disorderly Conduct and Peace Disturbance

- |         |                                   |        |                      |
|---------|-----------------------------------|--------|----------------------|
| 509.01  | Disorderly conduct; intoxication. | 509.03 | Riot.                |
| 509.011 | Inciting to violence.             | 509.04 | Failure to disperse. |
| 509.02  | Disturbing a lawful meeting.      |        |                      |

CROSS REFERENCES

See sectional histories for similar State law  
 Power to regulate peace disturbance - see Ohio R.C. 715.49, 715.55  
 et seq.  
 Cordoning off riot areas - see Ohio R.C. 3761.16  
 Squealing tires and exhaust noises - see TRAF. 331.37  
 Noisy mufflers - see TRAF. 337.20  
 Barking or howling dogs - see GEN. OFF. 505.09  
 Liquor sale to intoxicated person - see GEN. OFF. 525.03

509.01 DISORDERLY CONDUCT; INTOXICATION.

(a) No person shall recklessly cause inconvenience, annoyance or alarm to another by doing any of the following:

- (1) Engaging in fighting, in threatening harm to persons or property, or in violent or turbulent behavior;
- (2) Making unreasonable noise or offensively coarse utterance, gesture or display, or communicating unwarranted and grossly abusive language to any person, which by its very utterance or usage inflicts injury or tends to incite an immediate breach of the peace;
- (3) Insulting, taunting or challenging another, under circumstances in which that conduct is likely to provoke a violent response;
- (4) Hindering or preventing the movement of persons on a public street, road, highway or right of way, or to, from, within or upon public or private property, so as to interfere with the rights of others, and by any act that serves no lawful and reasonable purpose of the offender;
- (5) Creating a condition that is physically offensive to persons or that presents a risk of physical harm to persons or property, by any act that serves no lawful and reasonable purpose of the offender.  
(ORC 2917.11)
- (6) Generating or, being the owner or person in possession or control of a vehicle or premises by reason of employment, agency, or otherwise, permitting to be generated unreasonable noise or loud sound which is likely to cause inconvenience or annoyance to persons of ordinary sensibilities by means of a radio, phonograph, television, tape player, loudspeaker or any other sound amplifying device or by any horn, drum, piano or other musical or percussion instrument.

A. It is prima facie unlawful for a person to generate or permit to be generated sound by the above described devices or instruments in the following circumstances:

1. On public and private property between the hours of 11:00 p.m. and 8:00 a.m. of the following day in a predominantly residential area where the sound is audible more than eighty feet from the property line of the property on which the source of the sound is located;
  2. While operating a motor vehicle playing or allowing to be played any radio, music player or audio system at a volume which is plainly audible to persons other than the occupants of said vehicle or if the sound is audible to any person outside the limits of the roadway upon which the vehicle is operating or located; or, if the vehicle is not operating or located upon a roadway, either the sound is audible to any person not on the property upon which the vehicle is located or operating, or the sound is audible to any person more than thirty feet from the vehicle.
- B. The following are exempted from the prohibitions of this section:
1. Warning and alarm devices which have the purpose of signaling unsafe or dangerous situations or calling for police used for such purposes.
  2. Shows and exhibitions for which a permit has been obtained pursuant to Chapter 753, parades for which a permit has been obtained pursuant to Section 311.02 of the Traffic Code, and live outdoor musical or theatrical performances or concerts conducted under the auspices of or on property owned by any educational, charitable, governmental or religious organization or live outdoor musical or theatrical performances or concerts conducted at any outdoor entertainment facility where such use is legal under the Zoning Code.  
(Ord. 42-97. Passed 9-2-97.)
- (b) No person, while voluntarily intoxicated shall do either of the following:
- (1) In a public place or in the presence of two or more persons, engage in conduct likely to be offensive or to cause inconvenience, annoyance or alarm to persons of ordinary sensibilities, which conduct the offender, if the offender were not intoxicated, should know is likely to have that effect on others;
  - (2) Engage in conduct or create a condition that presents a risk of physical harm to the offender or another, or to the property of another.
- (c) Violation of any statute or ordinance of which an element is operating a motor vehicle, locomotive, watercraft, aircraft or other vehicle while under the influence of alcohol or any drug of abuse, is not a violation of subsection (b) hereof.
- (d) If a person appears to an ordinary observer to be intoxicated, it is probable cause to believe that person is voluntarily intoxicated for purposes of subsection (b) hereof.
- (e)
- (1) Whoever violates this section is guilty of disorderly conduct.
  - (2) Except as otherwise provided in this subsection (e)(3), disorderly conduct is a minor misdemeanor.
  - (3) Disorderly conduct is a misdemeanor of the fourth degree if any of the following applies:
    - A. The offender persists in disorderly conduct after reasonable warning or request to desist.

- B. The offense is committed in the vicinity of a school or in a school safety zone.
  - C. The offense is committed in the presence of any law enforcement officer, firefighter, rescuer, medical person, emergency medical services person, or other authorized person who is engaged in the person's duties at the scene of a fire, accident, disaster, riot or emergency of any kind.
  - D. The offense is committed in the presence of any emergency facility person who is engaged in the person's duties in an emergency facility.
- (f) As used in this section:
- (1) "Emergency medical services person" is the singular of "emergency medical services personnel" as defined in Ohio R.C. 2133.21.
  - (2) "Emergency facility person" is the singular of "emergency facility personnel" as defined in Ohio R.C. 2909.04.
  - (3) "Emergency facility" has the same meaning as in Ohio R.C. 2909.04.
  - (4) "Committed in the vicinity of a school" has the same meaning as in Ohio R.C. 2925.01. (ORC 2917.11)

#### 509.011 INCITING TO VIOLENCE.

- (a) No person shall knowingly engage in conduct designed to urge or incite another to commit any offense of violence, when either of the following apply:
- (1) The conduct takes place under circumstances that create a clear and present danger that any offense of violence will be committed;
  - (2) The conduct proximately results in the commission of any offense of violence.
- (b) Whoever violates this section is guilty of inciting to violence. If the offense of violence that the other person is being urged or incited to commit is a misdemeanor, inciting to violence is a misdemeanor of the first degree. (ORC 2917.01)

#### 509.02 DISTURBING A LAWFUL MEETING.

- (a) No person, with purpose to prevent or disrupt a lawful meeting, procession or gathering, shall do either of the following:
- (1) Do any act which obstructs or interferes with the due conduct of such meeting, procession or gathering;
  - (2) Make any utterance, gesture or display which outrages the sensibilities of the group.

- (b) Whoever violates this section is guilty of disturbing a lawful meeting, a misdemeanor of the fourth degree. (ORC 2917.12) Penalty, see 501.99

#### 509.03 RIOT.

- (a) No person shall participate with four or more others in a course of disorderly conduct in violation of Section 509.01:
- (1) With purpose to commit or facilitate the commission of a misdemeanor, other than disorderly conduct;
  - (2) With purpose to intimidate a public official or employee into taking or refraining from official action, or with purpose to hinder, impede or obstruct a function of government;



- (3) With purpose to hinder, impede or obstruct the orderly process of administration or instruction at an educational institution, or to interfere with or disrupt lawful activities carried on at such institution.
- (b) No person shall participate with four or more others with purpose to do an act with unlawful force or violence, even though such act might otherwise be lawful.
- (c) Whoever violates this section is guilty of riot, a misdemeanor of the first degree. (ORC 2917.03)

#### 509.04 FAILURE TO DISPERSE.

(a) Where five or more persons are participating in a course of disorderly conduct in violation of Section 509.03, and there are other persons in the vicinity whose presence creates the likelihood of physical harm to persons or property or of serious public inconvenience, annoyance or alarm, a law enforcement officer or other public official may order the participants and such other persons to disperse. No person shall knowingly fail to obey such order.

(b) Nothing in this section requires persons to disperse who are peaceably assembled for a lawful purpose.

- (c)
  - (1) Whoever violates this section is guilty of failure to disperse.
  - (2) Except as otherwise provided in subsection (c)(3) hereof, failure to disperse is a minor misdemeanor.
  - (3) Failure to disperse is a misdemeanor of the fourth degree if the failure to obey the order described in subsection (a) hereof, creates the likelihood of physical harm to persons or is committed at the scene of a fire, accident, disaster, riot, or emergency of any kind. (ORC 2917.04)