

**OFFICIAL  
BOROUGH OF CORAOPOLIS  
ORDINANCE NO. 1810**

AN ORDINANCE OF THE BOROUGH OF CORAOPOLIS, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA ESTABLISHING RULES AND REGULATIONS REGARDING PERMITTING PROCESS FOR TEMPORARY USE OF BOROUGH FACILITIES, STREETS, SIDEWALKS, PARKING LOTS, PARKS, ALLEYS OR OTHER RIGHTS-OF-WAY FOR SPECIAL EVENTS WITHIN THE BOROUGH.

**WHEREAS**, the Coraopolis Borough Council has heretofore enacted into law the Borough Code of Ordinances; and,

**WHEREAS**, the Council of the Borough of Coraopolis desires to amend said Code to provide rules and regulations regarding the permitting process for temporary use of Borough facilities, streets, sidewalks, parking lots, parks, alleys or other rights-of-way for Special Events within the Borough by adding the following:

**NOW, THEREFORE**, be it **ORDAINED** and **ENACTED** as follows:

**§ 1. Purpose.**

This chapter provides for the establishment of a permit requirement and establishes standards for the issuance of a permit for Special Events that occur on or at Borough facilities or on streets, sidewalks, parking lots, parks, alleys or other rights-of-way which obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic or do not comply with traffic laws and controls. Permits shall also be required for Special Events occurring on private property which impact traffic and other Borough services. This chapter also establishes standards for the reimbursement of Borough expenses caused by Special Events which will result in interference with the normal flow of traffic or otherwise require provision of Borough services in excess of that which would be required absent the Special Event.

**§ 2. Definitions/Word Usage.**

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

**A. APPLICANT**

Any person and any sponsoring organization who or which seeks a Special Event permit from the Borough Manager to conduct or sponsor an event governed by this section. Any organization shall designate an individual person as the responsible contact person.

**B. ATHLETIC EVENT**

An occasion in which a group of persons collectively engage in a sport or form of physical exercise on a Borough street, sidewalk, parking lots, parks, alley or other right-of-way, which

obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws and controls. "Athletic events" shall include bicycle and foot races.

**C. BLOCK PARTY**

A festive gathering of the residents on a residential street requiring a closure of a street or a portion thereof to vehicular traffic and use of the street for the festivity, including barbecues, picnics, music or games.

**D. FREE SPEECH ROUTE**

A route (course of travel) along designated streets, sidewalks or other rights-of-way whose primary purpose is First Amendment expression under the Pennsylvania and United States Constitutions.

**E. PARADE**

A march or procession consisting of persons, animals or vehicles or any combination thereof on any Borough street, sidewalk, alley or other right-of-way which obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws or controls.

**F. PERMIT APPLICATION FEES**

The fee to be paid by the Special Event permit applicant at the time the application is filed with the Borough Manager. A fee schedule shall be set by the Borough Council by Resolution and shall cover the actual, full costs or a portion thereof of processing and investigating Special Event applications and administering the Special Event permit program.

**G. PERMITTEE**

Any person and any sponsoring organization who has been issued a Special Event permit by the Borough Manager.

**H. RIGHT-OF-WAY**

Public streets, alleys and crosswalks, including bike and pedestrian paths.

**I. SPECIAL EVENT**

Parade, athletic event, street fair, art and craft show, carnival, block party, soap box derby, rally, wedding, march, demonstration, speech, debate, bazaar, circus, concert, tournament, exhibit, exhibition show, food truck and/or other similar events or activities that occur on or in Borough facilities or on a Borough street, sidewalk, parking lot, park, alley or other right-of-way. "Special Event" shall also mean indoor or outdoor concerts, displays, fairs and athletic events occurring on private property which are designed to attract large crowds, interfering with the normal traffic flow.

**J. BOROUGH MANAGER**

The Borough Manager of the Borough of Coraopolis or his/her deputy.

§ 3. Permit Required.

Any person or organization desiring to conduct or sponsor Special Event in the Borough of Coraopolis shall first obtain a Special Event permit from the Borough Manager.

#### § 4. Application Procedure; Fee.

- A. Any person or organization desiring to sponsor a Special Event shall apply for a Special Event permit by filing a verified application with the Borough Manager on a form supplied by the Borough Manager. All applications shall be submitted not less than thirty (30) days nor more than ninety (90) days before the event date.
- B. Upon a showing of good cause, the Borough Manager shall consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police services for the event. "Good cause" can be demonstrated by the applicant showing that the circumstances that gave rise to the permit application did not reasonably allow the applicant to file within the time prescribed and that the event is for the purpose of exercising the right of free speech.
- C. The application for a permit shall be accompanied by a nonrefundable permit application fee which shall defray the administrative costs of the Borough in making preparations for such Special Event in the amount set by the Borough Council.

#### § 5. Action on Application.

The Borough Manager shall approve, conditionally approve or deny an application for the grounds specified in § 6. Action on all Special Event applications shall be taken no later than fifteen (15) days after receiving a completed application. If the application is denied or conditionally approved, the Borough Manager shall inform the applicant of the grounds for denial, in writing, or the reason for a change in the date, time, route or location of the event and his/her/its right of appeal. If the Borough Manager relied on information about the event other than that contained in the application, he/she shall inform the applicant what information he/she considered. The applicant shall be notified of any permit conditions at the time the application is approved and of his/her/its right of appeal of the permit conditions. If the Borough Manager refuses to consider a late application under § 4(B), the Borough Manager shall inform the applicant of his/her reason for the refusal and of his/her/its right to appeal.

#### § 6. Grounds for Denial of Application.

- A. The Borough Manager shall approve an application for a Special Event permit unless he/she determines from a consideration of the application or other pertinent information that:
  - 1. Information contain in the application or supplemental information requested from the applicant is found to be false in any material detail.
  - 2. The applicant fails to complete the application form after having been notified of the additional information or documents required.
  - 3. The sole purpose of the event is advertising of any product, good, ware, merchandise or event and is designed to be held solely for private profit and not for First Amendment expression.

4. Another Special Event permit application has been received prior in time or has already been approved to hold another event at the same time and place requested by the applicant or so close in time and place as to cause undue traffic congestion or the Coraopolis Police Department is unable to meet the needs for police services for both events.
  5. The time, route or size of the event will substantially interrupt the safe and orderly movement of traffic contiguous to the event site or route or disrupt the use of a street at a time when it is usually subject to a great traffic congestion.
  6. The concentration of persons, animals and vehicles at the site of the event or the assembly and disbanding areas around an event will prevent proper police, fire or ambulance services to areas contiguous to the event.
  7. The size of the event will require diversion of so great a number of police officers of the Borough to ensure that participants stay within the boundaries or route of the event or to protect participants in the event as to prevent normal protection to the rest of the Borough. Nothing herein authorizes denial of the permit when additional peace officers would be available to the Borough under applicable state law and mutual aid plans, if requested by the Borough in advance of the event. Nothing herein authorizes denial of a permit because of the need to protect participants from the conduct of others, if reasonable permit conditions can be imposed to allow for the adequate protection of event participants with the number of police officers available to police the event.
  8. The parade or other event moving along a route will not move from its point of origin to its point of termination in three (3) hours or less.
  9. The location of the event will substantially interfere with any construction or maintenance work scheduled to take place upon or along the Borough streets or a previously granted encroachment permit.
  10. The event will occur at a time when a school is in session at a route or location adjacent to the school or class thereof and the noise created by the activities of the event would substantially disrupt the education activities of the school or class thereof.
- B. When the grounds for denial of an application for permit specified in Subsection A(4) through (10) above can be corrected by altering the date, time, duration, route or location of the event, the Borough Manager shall, instead of denying the application, conditionally approve the application upon the applicant's acceptance of conditions for permit issuance. The conditions imposed shall provide for only such modification of the applicant's proposed event as are necessary to achieve compliance with Subsection A(4) through (10) above.

## § 7. Conditions of Issuance.

The Borough Manager may condition the issuance of a Special Event permit by imposing reasonable requirements concerning the time, place and manner of the event and such

requirements as are necessary to protect the safety of persons and property and the control of traffic, provided that such conditions shall not unreasonably restrict the right of free speech.

### § 8. Appeal Procedure.

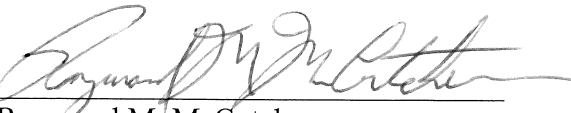
The applicant shall have the right to appeal the denial of a permit or a permit condition. The applicant shall also have the right to appeal the amount of fees imposed pursuant to this Chapter. A notice of appeal shall be filed within five (5) days after mailing or personal delivery of a notice of denial or permit condition with the Borough Manager, setting forth the grounds for the appeal. The appeal must be filed no later than one (1) calendar week preceding a Borough Council's regular monthly meeting, to be placed on the next regular meeting's agenda. The Borough Council shall hear the applicant or a designated representative, receive any relevant information and documents and act on the appeal at its next regular meeting. The decision of the Borough Council is final.

### § 9. Violations and Penalties.

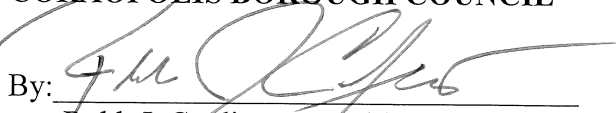
Any person, firm, corporation or association which conducts or sponsors a Special Event without first providing the necessary fees and deposits shall be billed for the actual cost to the Borough of Coraopolis for police and cleanup services. Failure to pay any such bill for services within fifteen (15) days shall result in the imposition of a ten-percent penalty and interest at the rate of one percent (1%) per month until collected.

**ORDAINED** and **ENACTED** by the Council of Coraopolis Borough, Allegheny County, Pennsylvania, this 14th day of August, 2019.


**ATTEST**

By:   
Raymond M. McCutcheon,  
Borough Manager

**CORAOPOLIS BOROUGH COUNCIL**

By:   
Robb J. Cardimen, President

Reviewed and approved by the Mayor of the Borough of Coraopolis this 14th day of August, 2019.

  
Shawn P. Reed, Mayor