

**STATE OF MICHIGAN
COUNTY OF WAYNE
CITY OF ALLEN PARK**

ORDINANCE #02-2021

AN ORDINANCE OF THE CITY OF ALLEN PARK CODE OF ORDINANCES AMENDING CHAPTER 42, “STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES”, ARTICLE V, “ALLEN PARK STREET FAIR,” BY REPEALING AND READOPTING SECTIONS 42-274 THROUGH 42-284 TO UPDATE THE ORDINANCE INCLUDING EXPANDING THE TYPES OF EVENTS WHICH THE ORDINANCE WILL REGULATE AND DEFINING THE DESIGNATED AREA.

The City of Allen Park Ordains:

SECTION 1. Amendment to Code.

Chapter 42, Streets, Sidewalks, and Other Public Places, Article V, Allen Park Street Fair, Sections 42-274 through Section 42-284, is hereby repealed and new Sections 42-274 through Section 42-284, are hereby adopted to hereafter read as follows:

Chapter 42, Streets, Sidewalks, and Other Public Places
Article V, Allen Park Events

Sec. 42-274. – Penalties.

Unless a specific penalty is provided for within the specific ordinance section, the following penalties, in addition to any fee, charge, cost or expense, shall apply:

(1) A person's first or second violation of sections 42-278, 42-280 and 42-281 shall be a municipal civil infraction with a civil fine as established in section 1-14(b). A person's subsequent violation of this section shall be a misdemeanor and subject to the penalties of section 1-14(a).

(2) A violation of any other section of this article shall be a misdemeanor and subject to the penalties of section 1-14(a).

Sec. 42-275. - Period of effect.

The provisions of this article shall only be effective when Allen Road is closed for purposes of any festival, fair, show, celebration, carnival, party or similar event.

Sec. 42-276. – Designated Area.

The Designated Area is the portion of Allen Road located between Southfield Road and Roosevelt Ave. and the sidewalks adjacent to Allen Road between Southfield Road and Roosevelt Ave. The Designated Area shall also include any additional area which the city council designates by resolution. The area so designated shall be posted during each event.

Sec. 42-277. - Trespass.

(a) It shall be unlawful for any person to be within the Designated Area after 11:30 p.m. and before 7:00a.m.

(b) This section shall not apply to a person leaving a business establishment within the Designated Area. A person leaving the business shall take the most direct route out of the area and use the public sidewalk. A person seeking to use this subsection as a reason for being within the area after hours shall have the burden to prove this exception is applicable.

Sec. 42-278. - Roller blades, skate boards prohibited.

(a) It shall be unlawful for any person to use any bicycle, skate board, roller blade, roller skate, or similar devices within the Designated Area.

(b) This section shall not apply to a person that has a license as a vendee or entertainer within the Designated Area to sell or entertain using a bicycle, skateboard, roller blade, roller skate, or similar device.

Sec. 42-279. - Possession of alcoholic liquors.

(a) It shall be unlawful for any person to possess alcoholic beverages outside of any area designated by the city and the state liquor control commission for the consumption of alcoholic beverages.

(b) This section shall not apply to a person possessing an unopened beverage in a store bag with proof that the beverage was purchased from an establishment within authorized area and the person is merely transporting the beverage out of the area. A person seeking to use this subsection as a reason for possessing an alcoholic beverages outside of an authorized consumption area shall have the burden to prove this exception.

Sec. 42-280. - Animals prohibited.

It shall be unlawful for any person to bring into or have in the Designated Area any animal, except any animal necessary to assist an individual or an animal authorized by the festivities commission as part of an exhibit or entertainment.

Sec. 42-281. - Vendor compliance.

During the setup, the event, and teardown, all vendors shall comply with the event's rules and regulations and directions given by an authorized representative of the festivities commission or entity which is sponsoring the event.

Sec. 42-282. - Unauthorized sales.

It shall be unlawful for any person to sell or offer to sell any product or service within the Designated Area without first obtaining a permit or license to sell such from the city festivities commission or entity which is sponsoring the event.

Sec. 42-283. - Outdoor speaker or broadcast systems.

It shall be unlawful for any person, within the Designated Area, to play, broadcast or transmit any sound, music or voice through any outdoor amplification system or speakers placed outside of a building or through any amplification system or speakers placed within any open doorway or window of the building without first obtaining a permit or license to do such from the city festivities commission or the entity which is sponsoring the event.

Sec. 42-284. - Interference with activities.

It shall be unlawful for any person to interfere the operation of the event by:

- (1) Failure to obey the directions of an authorized representative of the festivities commission or entity which is sponsoring the event given in the course of the representatives duties; or
- (2) Unreasonably interfering with a vendor during the vendor's set up, the operation of the vendor's display area during the event or during the teardown of the vendor's area.

SECTION 2. Repeal.

SECTION 3. Saving Clause.

SECTION 4. Severability.

SECTION 5. Codification; Scrivener's Errors:

SECTION 6. Publication.

The Clerk for the City of Allen Park shall cause this ordinance to be published in the manner required by law.

SECTION 7. Adoption.

This Ordinance is hereby declared to have been adopted by the City Council of the City of Allen Park, County of Wayne, State of Michigan, at a regular meeting, called and held on the 13th day of July, 2021.

GAIL McLEOD, Mayor
City of Allen Park

MICHAEL I. MIZZI, City Clerk
City of Allen Park