

**BOROUGH OF ALLENTOWN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY**

ORDINANCE NO. 06-2017

**AN ORDINANCE OF THE BOROUGH OF ALLENTOWN,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
SUPPLEMENTING THE REVISED GENERAL ORDINANCE
CHAPTER 3: "POLICE REGULATIONS" OF THE BOROUGH
CODE WITH NEW SECTION 3-20: "SPECIAL EVENTS
PERMITS" (PREVIOUSLY RESERVED)**

BE IT ORDAINED by the Mayor and Council of the Borough of Allentown, County of Monmouth, State of New Jersey, that Chapter 3: "Police Regulations" of the Revised General Ordinances of the Borough of Allentown, County of Monmouth, State of New Jersey, is hereby supplemented as follows with new Section 3-20 "Special Events Permits" (previously reserved):

3-20 Special Events Permits.

Any person or organization desiring to hold any concert, race, walkathon, fair, carnival, festival, celebration, show, party, or other similar event in or upon any public grounds, park, street or roadway of the Borough must first apply for and obtain a permit from the Borough Clerk in accordance with the requirements of Section 3-21 hereof. A "Special Event" is defined as any concert, race, walkathon, fair, carnival, festival, celebration, show, party or other similar event, which is likely to require any of the following accommodations:

- a. The expenditure of Borough resources in the form of Police Department and/or Department of Public Works salaries, wages or other expense.
- b. Closing of a public street.
- c. The blocking or restriction of public property;
- d. The sale of merchandise, food, or beverages on public property.
- e. The installation of a stage, bandshell, trailer, van, portable building, grandstand or bleachers on public property.
- f. Utilization of portable toilets.
- g. Placement of temporary no parking signs on a public right-of-way.

ALLENTOWN BOROUGH

JUN 14 2017

RECEIVED

3-21 Applications.

A person or organization seeking issuance of a permit hereunder shall file the application with the Borough Clerk on form(s) to be provided by the Clerk for that purpose, on which form the applicant shall furnish the following information:

- a. The name, address and telephone number of the applicant.
- b. The name, address and telephone number of the person, persons, corporation or association sponsoring the activity.
- c. A detailed description of the proposed event and a sketch that would show the area or route to be used, along with proposed structures, tents, fences, barricades, signs, banners and restroom facilities, more commonly referred to as a footprint.
- d. The date(s) and hour(s) for which the permit is desired.
- e. The location of the event for which the permit is desired, and complete details as to how the applicant intends to provide for security and traffic control.
- f. The number of contestants, participants, spectators and/or other people that could reasonably be anticipated to attend the event.
- g. A detailed description of the Borough resources or services that will be required to be provided in connection with the event.
- h. Any other information which the Borough Clerk shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

A person or organization seeking issuance of a permit hereunder for Special Events that are expected to last less than three (3) hours in duration may file an abbreviated application with the Borough Clerk on form(s) to be provided by the Clerk for that purpose.

3-22 Review of Applications.

The Borough Clerk shall forward all applications for Special Events Permits to the Buildings & Grounds Committee, whose responsibility it shall be to review such applications with the appropriate Borough officials and departments, as applicable. Upon the completion of the Buildings & Grounds Committee's review, the application and recommendation of the Committee shall be presented to the Mayor and Council at their next regularly scheduled meeting. The Mayor Council shall make the final determination, by Resolution adopted by majority vote, whether to issue a Permit for a Special Event, and shall set forth in the Resolution such conditions and restrictions as may be reasonably necessary to ensure that the standards in Section 3-23 hereof are satisfied.

3-23 Standards for Issuance of Permit.

The standards for the issuance of a permit pursuant to this section shall include the following findings:

- a. That the proposed event will not unreasonably interfere with or detract from the general public enjoyment of the public park, beach or roadway to be utilized.
- b. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation.
- c. That the proposed activity or uses that are reasonably anticipated will not be likely to include violence, crime or disorderly conduct.
- d. That the facilities desired have not been reserved for other use at the date and hour requested in the application.
- e. A deposit of at least fifty (50%) percent of the estimated costs shall be paid not less than five (5) days before the event. All or part of the required fees may be waived by the Mayor and Council.
- f. That a block party, or any similar event by whatever name employed, is only open to the residents of a block or neighborhood and their invited guests, and where the purpose of the event is to promote a sense of community among the residents of a block or neighborhood. As part of the application for a block party, the organizers shall: provide a signature list with names and addresses of at least fifty (50%) percent of the properties in the block/neighborhood affected by the event supporting the application; and provide a means of alternate ingress and egress for neighbors not participating in the block party; and if approved a plan to provide sufficient advanced notice to neighboring blocks, and where all other requirements of this section have been met subject to the review and approval of the Buildings & Grounds Committee and the Borough Council.

3-24 Liability and Revocation.

- a. A permittee shall be bound by all applicable Borough ordinances, rules and regulations, except as expressly set forth in the Resolution. The person or persons to whom the permit is issued shall be liable for all loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued. The permittee shall submit to the Borough Clerk prior to the event evidence of liability insurance in an amount required by the Borough Council, naming the Borough as an additional insured. The permittee shall be responsible for all additional costs incurred in the event that, as a result of this activity, additional resources are needed, such as but not limited to, manpower and/or equipment.
- b. The Officer-In-Charge of the Police Department shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.

- c. A person commits an offense if he or she:
 - 1. Commences or conducts an event without a permit; or
 - 2. Fails to comply with any requirement or provision of an event permit of this chapter.
- d. Penalty. A person who violates a provision of this chapter shall be guilty of a separate offense for each day or part thereof during which the violation is committed or continued. Each offense shall be punishable by a fine not to exceed five-hundred dollars (\$500.00).
- e. The Mayor and Council may by majority vote waive the requirements of this section. All Borough-sponsored events shall be exempt from this section.

BE IT FURTHER ORDAINED by Mayor and Council that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable.

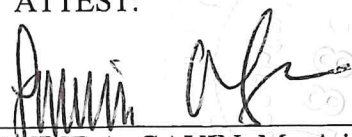
BE IT FURTHER ORDAINED by Mayor and Council that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only.

BE IT FURTHER ORDAINED by Mayor and Council that this ordinance shall be in full force and take effect twenty (20) days after final passage and publication, as required by law.



GREGORY WESTFALL, Mayor

DATED: 6/13/2017

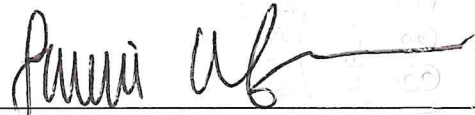
ATTEST:


LAURIE A. GAVIN, Municipal Clerk

DATED: 6/13/17

PUBLIC NOTICE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced and passed on first reading on the 23rd day of May, 2017, at a meeting of the Mayor and Council of the Borough of Allentown and will be taken up for final consideration and passage at a regularly scheduled meeting of the Mayor and Council of the Borough of Allentown to be held on the 13th day of June, 2017 at the Municipal Building, 8 N. Main Street, Allentown, New Jersey.

A handwritten signature in black ink, appearing to read "Laurie A. Gavin", written over a horizontal line.

LAURIE A. GAVIN, Municipal Clerk