


Approved as to Form and Legality on Basis of Facts Set Forth



Borough Attorney /s/Robert L. Tarver, Jr.

**BOROUGH OF PENNS GROVE
COUNTY OF SALEM
STATE OF NEW JERSEY**

ORDINANCE No. 2021-21

**AN ORDINANCE GOVERNING SPECIAL EVENTS
IN THE BOROUGH OF PENNS GROVE**

NOW THEREFORE BE IT ORDAINED AS FOLLOWS:

SECTION 1. Special Events Defined

Any person or organization desiring to hold any event, i.e. concert, race, walkathon, fair, carnival, festival, celebration, show, or other similar event in or upon any public grounds or private property, park or road of the Borough must first apply for, and obtain a permit from the Borough Clerk with final approval to be issued by the Borough Administrator in accordance with the requirements of this Ordinance. Any such concert, race, walkathon, fair, carnival, festival, celebration, show, or other similar event, which is likely to require the expenditure of Borough resources in the form of the Police Department, Fire Department, Department of Public Works, Recreation Department and/or Emergency Medical Services salaries, wages, or other expense, shall constitute a special event. To obtain a permit for a special event, the applicant shall also satisfy the requirements of this chapter.

In order to further define "a special event" the following shall be inclusive: closing of a public street; the blocking or restriction of public property; the sale of merchandise, food, or beverages on public property or on private property where otherwise prohibited by ordinance; the installation of a stage, band shell, trailer, van, portable building, grandstand, or bleachers on public property, or on private property where otherwise prohibited by ordinance; the placement of portable toilets on public property, or on private property where otherwise prohibited by ordinance; or placement or temporary "no parking" signs on a public right-of-way.

SECTION 2. Application For Permit

A. Any person, organization, or entity seeking the issuance of a permit shall file an application on the form prescribed and approved by the Borough Administrator.

B. Any person, organization, or entity seeking the issuance of a permit shall file all applications/fees at least forty five (45) days prior to the event. Exceptions will only be granted for emergent or extraordinary circumstances.

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

1. The name, address and telephone number of the applicant.
2. The name, address, and telephone number of the person, persons, corporation, or association sponsoring the activity.
3. 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 rest room facilities, more commonly referred to as a "footprint".
4. The date(s) and hours for which the permit is desired.
5. 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.
6. The number of contestants, participants, spectators, and/or other people that could reasonably be anticipated to attend the event.
7. A detailed description of the Borough resources or services that will be required to be provided in connection with the event.
8. Any other information which the Borough Clerk shall find reasonably necessary to a fair determination as to whether a permit should be issued hereunder.

SECTION 3. Liability; Insurance

A. Any person, organization, or entity seeking the issuance of a permit shall provide insurance for the event, and the Borough of Penns Grove is to be named as an additional insured. Insurance coverage will be in the amount of \$1,000,000 combined single limit of liability for general aggregate, products, bodily injury, property damage and medical expense.

B. Any person, organization, entity seeking the issuance of a permit shall submit a hold harmless agreement agreeing to indemnify and hold harmless the Borough of Penns Grove from and against any loss, damage or liability, including agents, volunteers or other representatives arising out of, or in any manner relating to, the use of Penns Grove Borough property.

SECTION 4. Vendors.

A. Any person, organization, or entity requesting to sell items/food at the event for which the permit is requested for shall apply, no later than seven (7) days prior to the event, to the Borough Clerk for the appropriate permits. Any and all fees for vendors shall be paid at the time of application for the permit.

B. Any person, organization, or entity requesting to sell items/food at the event for which the permit is requested must comply with any and all State and County requirements for the acquisition of permits.

SECTION 5. Fees.

A. There will be a nonrefundable application fee of \$50, to be paid at the time of submission. Hardship applications can be submitted and will be considered. Nothing in this section shall be interpreted to require any payment, fee, or advance notification for any unreserved use of any ball fields, courts, or parks for recreational activities engaged in spontaneously and without a need for reservation pursuant to this chapter, i.e., "pickup" games by Borough residents.

B. Borough facility rental fee.

Facility

1 ball field or 1 court (One-time use)

Resident \$50

Nonresident \$100

1 Unlighted ball field or 1 court (full season)

Resident \$150

Nonresident \$300

C. Parks and playgrounds.

Park	Fee
Barber Avenue Park	\$10
Memorial Park	\$0.

D. Proof of residency will be required.

E. Personnel service fees.

(1) The aforementioned fees are for the use of the Borough facilities only. They do not include personnel services. No indoor facility is permitted to be used without an employee present. Personnel fees will be based on the following 2020 rates:

SECTION 6. Revocation of permit.

A. The Borough administration reserves the right, for just cause, to withdraw permission within five days of the event.

B. In the case of a violation of Borough ordinances regarding conduct or violations of the New Jersey Code of Criminal Justice, the permit may be revoked and event shut down by the Police Department.

SECTION 7. Law Enforcement Presence.

When in the determination of the Borough, the proposed event is of such a nature that police presence is required, the Borough shall require the applicant to have adequate police staffing which in the Boroughs determination is adequate to insure public safety and the protection of property. Fees for police staffing shall be set be the applicable police detail rate at the time of the event.

SECTION 8. Social Affair Permits

Any group wishing to obtain a one day Social affair permit allowing alcoholic beverages to be served must obtain an Application for Special Permit for Social Affair from the Borough Clerk's Office no later than forty five (45) days prior to the event. The Social Affair permit, which allows for the service of alcohol at social events, is only available to non-profit organizations and must be approved by the New Jersey State Division of Alcoholic Beverage Control.

LaDaena D. Thomas
 LaDaena D. Thomas, Mayor

ATTEST:

Sharon R. Williams
 Municipal Clerk

September 23, 2021
 Date Adopted

Intro: July 20, 2021

DO NOT USE SPACE BELOW THIS LINE														
RECORD OF COUNCIL VOTE ON FIRST READING														
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	
MARTIN				X			GIORDANO	X						
SCARPACI		X					RAMBO	X				X		
CARTER	X					X								
MINCEY, PRESIDENT													X	
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second														

Final: *9/23/2021*

DO NOT USE SPACE BELOW THIS LINE													
RECORD OF COUNCIL VOTE ON FINAL PASSAGE													
COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	MOT.	SEC.
MARTIN	X						GIORDANO	X					X
SCARPACI				X			RAMBO				X		
CARTER				X									
MINCEY, PRESIDENT								X				X	
X-Indicates Vote NV-Not Voting AB-Absent MOT-Motion SEC-Second													

This is a Certified True copy of the Original Ordinance on file in the Borough Clerk's Office.

DATE OF ADOPTION: *Sharon R. Williams*
 /s/ Sharon Williams, Borough Clerk