

## **ORDINANCE NO. 177**

### **AN ORDINANCE OF THE TOWNSHIP OF BETHEL REGULATING PARADES AND OUTDOOR GATHERINGS (BLOCK PARTIES)**

#### **Section 1: Definitions.**

As used in this chapter the following terms shall have the meaning indicated.

**SPECIAL EVENT** - Any outdoor activity, show, carnival, gathering, or meeting, other than regularly conducted church and school activities, which occur upon public property, roads or right-of-ways, including but not limited to social gatherings, special appearances, promotional activities, footraces, block party and bicycle races.

#### **Section 2: Permit Required**

##### **A. Anticipated crowds of less than 100 participates**

From and after the passage of this chapter, it shall be unlawful for any person or persons, association, organization or corporation to hold, conduct or participate in any public parade or other outdoor demonstration, meeting or gathering for any and all proposes on public property, roads or right-of-ways, without first obtaining from the Code Enforcement Secretary of this township a permit therefore at least 48 hours before the time set for the conducting or holding of any such parade, outdoor demonstration, meeting or gathering. The application for the event must be made a minimum of two (2) weeks prior to the event.

##### **B. Anticipated crowds of more than 100 participates**

From and after the passage of this chapter, it shall be unlawful for any person or persons, association, organization or corporation to hold, conduct or participate in any public parade or other outdoor demonstration, meeting or gathering for any and all proposes on public property, roads or right-of-ways, without first obtaining from the Code Enforcement Secretary of this township a permit therefore at least 14 days before the time set for the conducting or holding of any such parade, outdoor demonstration, meeting or gathering. The application for the event must be made a minimum of eight (8) weeks prior to the event

#### **Section 3: Application; content; fee.**

Before such permit is issued, a written application on a blank form to be furnished for that purpose by said Township Code Enforcement Secretary must be filed with the Code Enforcement Office, setting forth the purpose and the exact time and place it is desired to conduct or hold said parade, demonstration or outdoor meeting or gathering and the length of time the same will probably continue, and in such application, the applicant or applicants shall agree to abide by any and all conditions that may be imposed and set forth in said permit and to

obey all rules and regulations that may from time to time be adopted by the Board of Supervisors. In the case of a parade, the applicant shall specify the place it is supposed to start, the exact route by enumerating the portions of the streets and highways to be traversed, the probable number of persons that will participate in the same, the number of horses, if any, and the number and character of vehicles to be employed. Fees for permits required under this chapter shall be fixed by resolution of the Board of Supervisors as may be amended from time to time.

**Section 4: Basis for granting permit; authority of Code Enforcement/Zoning Officer and Board of Supervisors.**

**A. Anticipated crowds of less than 100 participates**

No permit shall be granted for any said purposes unless the Township Code Enforcement/Zoning Officer shall find that the conducting or holding of said parade, demonstration, outdoor meeting or gathering will not unduly interfere with the peace and quiet of the citizens in the neighborhood or the public travel on the highways and streets; that the purpose for which the same is being held or conducted is lawful; that the persons, organization or corporation holding or conducting the same are responsible law-abiding citizens; and that the same will not endanger the safety of persons or property within the township. The Code Enforcement/Zoning Officer shall have the authority to designate the highways and streets or the portions thereof that may be used or employed for any parade, demonstration or public meeting or gathering and shall have authority to impose such conditions and regulations to be observed as he shall deem necessary in the interest of the peace and quiet and safety of the persons and property within the township.

**B. Anticipated crowds of more than 100 participates**

No permit shall be granted for any said purposes unless the Township Board of Supervisors shall find that the conducting or holding of said parade, demonstration, outdoor meeting or gathering will not unduly interfere with the peace and quiet of the citizens in the neighborhood or the public travel on the highways and streets; that the purpose for which the same is being held or conducted is lawful; that the persons, organization or corporation holding or conducting the same are responsible law-abiding citizens; and that the same will not endanger the safety of persons or property within the township. The Board of Supervisors shall have the authority to designate the highways and streets or the portions thereof that may be used or employed for any parade, demonstration or public meeting or gathering and shall have authority to impose such conditions and regulations to be observed as he shall deem necessary in the interest of the peace and quiet and safety of the persons and property within the township.

**Section 4: Violations and penalties.**

Any person, firm or corporation violating any provision of this chapter shall, upon summary conviction before any District Justice of the Peace, pay a fine not exceeding \$1,000 and costs of

prosecution; and in default of one payment of the fine and costs, the violator may be sentenced to the county jail for a term of not more than 30 days. Each and every day in which any person, firm or corporation shall be in violation of this chapter shall be payable to the Township Treasurer.

**Section 5: Prohibited.**

- A. No tents or other removable structures may be erected without prior authorization from the Bethel Township Code Enforcement Officer.
- B. Roads/access drives may NOT be completely blocked. Tables, displays, canopies, tents etc, must be placed on one side of the road/access drive. One side of the road/access drive must remain open to provide immediate access for Police, Fire or EMT personnel.
- C. Any disorderly or immoral conduct.
- D. Any gambling
- E. Any sale of obscene literature, picture, film or other objects.
- F. Any indecent, immoral or lewd act or performance
- G. Any possession, sale or use of intoxicants, alcohol and/or drugs of any kind
- H. Any possession, sale or use of firearms.

**Section 6: Permit required.**

No special event may be advertised or conducted without first having obtained a special event permit from the Township of Bethel.

**Section 7: Permit fee.**

The permit fee shall be in an amount set from time to time by the resolution of the Board of Supervisors, as stated in the application.

**Section 8: Application for permit.**

An application for a special event permit shall be submitted no later than 14 days prior to the proposed event to the Department of Code Enforcement with a nonrefundable payment in an amount to be established from time to time by the resolution of the Board of Supervisors. The following information shall be included in the application:

- A. Description;
- B. Name, address and telephone number of the sponsoring organization or individual;
- C. Proposed date, location and hours of operation; Event must comply with the Bethel Township current Noise Ordinance.
- D. Schedule of proposed events;
- E. An outline of security, traffic, crowd control, sanitation measures and such other necessary preparations as the event might require (subject to review and approval by the Fire Marshall, EMT, Police and Township Public Works).
- F. A map outlining the limits of the proposed event.

**Section 9: Standards for denial of permit.**

Reasons for denial of special event permit may include but not be limited to:

- A. The special event would interrupt the safe and orderly movement of vehicular traffic on streets or commercial parking lots so as to create a real and present danger to the health, safety and welfare of the residents of the Township of Bethel.
- B. The special event will create a real and present danger to the health, safety and welfare to the residents of the Township of Bethel by preventing fire-fighting equipment, ambulance service, rescue vehicles or other public safety vehicles from reaching any property in the Township of Bethel.
- C. The special event will cause undue hardship to adjacent businesses or residents or will require the diversion of public employees such that their absence from their usual assignments would pose a danger to the residents of Bethel Township.
- D. The application contains incomplete or inaccurate information.
- E. The applicant fails to comply with the terms of this chapter, including failure to remit all fees.
- F. The special event poses a danger to the general health, safety or welfare to the Township's residents.

**Section 10: Time limit for decision.**

The Department of Code Enforcement shall accept as complete, an application for a special event within 7 days after filing thereof. If the application is deemed to be incomplete, the applicant will be notified and a notice shall be mailed to the applicant and shall include the reasons for the denial of the permit application and the procedure for appeal.

**Section 11: Repeat interval of special event.**

A special event may not be held more often than every three months, regardless of a change in location.

**Section 12: Notice to officials.**

Immediately upon the request for a special event permit, the Department of Code Enforcement shall send a copy of the application to the following:

- A. EMT Manager
- B. Police Chief
- C. Board of Supervisors.
- D. Township Solicitor.
- E. Fire Marshall.
- F. Director of Public Works.

- G. Township Engineer.
- H. Township Secretary.
- I. Township Zoning Officer

**Section 13: Sanitation and cleanup.**

The applicant shall have the sole responsibility of clearing the special event location of any rubbish and debris and returning it to its pre-event condition within 12 hours of the conclusion of the event. If the applicant fails to do so, the Township shall arrange such cleanup, and the entire cost of such cleanup shall be charged to the applicant.

**Section 14: Revocation.**

- A. Reasons for revocation of a special event permit shall include but not be limited to:
  - (1) Application contained incomplete or inaccurate information;
  - (2) Applicant fails to comply with the terms and conditions of the permit;
  - (3) Applicant fails to arrange for or pay all fees; and
  - (4) Disaster, public calamity, riot or other emergency exists.
  
- B. Revocation of a special event permit may be appealed in the same manner as an appeal from a denial of a permit.

**Section 15: Appeals procedure.**

Any applicant whose special event permit application has been denied or revoked may appeal the decision of the Department of Code Enforcement to the Township Board of Supervisors by filing a written notice of such appeal with the Township Secretary within five days after receipt of the notice of denial or revocation. The Township Board of Supervisors shall set a hearing date within 15 days after receiving the notice of appeal. At such hearing, the applicant is entitled to be heard and present evidence on his/her behalf. The Township Board of Supervisors shall determine whether the denial or revocation of the permit was justified.

**Section 16: Violations and penalties.**

Any person, firm, corporation or other entity, which violates any of the provisions of this chapter, shall, upon conviction before a District Judge, be sentenced to pay a fine not exceeding \$1,000.00 plus costs of prosecution. Each day such violation is committed or permitted to continue after notice from the Township shall constitute a separate offense and shall be punishable as such hereunder.

**Section 17: Decision**

The provisions of this Ordinance shall be severable, and if any Provision thereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance.

It is hereby declared as a legislative intent that this Ordinance would have been enacted had such unconstitutional, invalid or illegal provisions not included therein.

**Section 18: Exceptions**


The provisions of this Article shall not be held to apply to concerts, exhibitions or entertainment held in churches or schoolhouses for religious, educational, civic or charitable purposes and the annual Memorial Day Parade and/or annual Halloween Parade.

**Section 19: Effective**

This Ordinance shall become effective five (5) days after the date of its adoption

**ENACTED** and **ORDAINED** this 10<sup>th</sup> day of July, 2007.

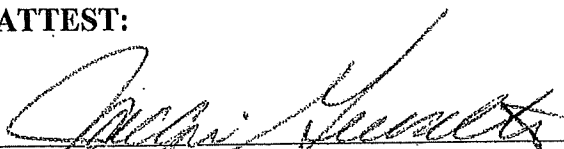
**TOWNSHIP OF BETHEL  
BOARD OF SUPERVISORS:**

  
SHARON L. HANNUM, Chairperson

  
L. MICHAEL GEORGE, Vice-Chairman

  
ALFRED E. GROER

**ATTEST:**

  
JACQUI GUENTHER, Secretary - Treasurer