

**HAMPTON TOWNSHIP
ORDINANCE #2023-14**

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF HAMPTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO ADD NEW CHAPTER 86, ENTITLED “SPECIAL EVENTS”

BE IT ORDAINED by the Township Committee of the Township of Hampton in the County of Sussex, as follows:

SECTION 1. The Code of the Township of Hampton is amended to add a new Chapter 86, entitled “Special Events”, which shall read as follows:

Chapter 86. Special Events

86-1 Prohibition. It shall be unlawful for any person or organization to conduct a Special Event as defined in this chapter without complying with this chapter.

86-2 Definitions.

SPECIAL EVENT

A gathering of people which is not sponsored or cosponsored by the Township and which involves the sale of merchandise, food, or beverages when otherwise prohibited by the code.

SPECIAL EVENT ORGANIZER

Any person or organization that conducts, manages, promotes, organizes, aids or solicits attendance at a Special Event.

86-3 Permit; Requirements; Exemptions.

- A. Requirement for permit. Any person or organization intending to hold a Special Event must first apply for and obtain a permit from the Township Clerk in accordance with the requirements of § 86-4.
- B. Other approvals and/or permits. The issuance of a permit shall not excuse the applicant from securing approvals or permits required by the Township or by any other governmental agency having jurisdiction over the event, including but not limited to, the Division of Alcoholic Beverage Control, the Department of Environmental Protection, and the Board of Health.
- C. Outstanding violations. A permit may be denied if there are outstanding governmental zoning, construction or fire code violations against the property which is the subject of the permit application.
- D. Special Events must comply with all applicable Township ordinances and requirements, including but not limited to traffic rules, park rules, state health laws, fire codes, building codes, zoning, and food service regulations. Special Event organizers shall use all reasonable efforts to ensure compliance of participants/attendees with all applicable Township ordinances, traffic rules, park rules, state health laws, fire codes, and other licensing requirements.

- E. The event organizer shall identify a designated individual who can be contacted by Township representatives to provide information or answer questions, or to whom Township representatives may refer questions and comments from the public.
- F. Garbage removal. The Special Event organizer(s) shall be responsible for taking all reasonable efforts to pick up litter and refuse during the event and for removing all litter and refuse created during the event. The event organizer is responsible not only for the event grounds but will also take all reasonable measures for the removal of litter and refuse attributable to the Special Event from the surrounding neighborhoods and properties.
- G. Notification. The Special Event organizer(s) may be required by the Township to provide reasonable advance notice to residents and/or businesses, or to neighborhoods if individual notice is impractical, who may be expected to experience a substantial traffic and/or noise impact from the event.
- H. Barricades. Barricades may be required for street closures, if such closures are permitted by the Township. All barricades used for the Special Event shall meet the standards as set forth in the Manual on Uniform Traffic Control Devices (MUTCD) unless they are manned barricades.
- I. Exemptions.
 - 1. No permit shall be required for a governmental agency acting within the scope of its function.
 - 2. No permit shall be required for events sponsored by the Township of Hampton.
 - 3. No permits shall be required for events sponsored by the Hampton Township Board of Education, and/or emergency volunteer services of the Township of Hampton, except when they involve the closure or obstruction of any public roads or public property.
 - 4. Noncommercial private parties, celebrations, gatherings and other events which are conducted by invitation only and are not open to the public and which are conducted on privately owned lands by the owner thereof unless they involve the anticipated closure or obstruction of any public roads or public property.

86-4 Application for permit.

- A. Application. The Special Event Organizer shall file an application with the Township Clerk on a form to be provided by the Clerk, at least 45 days before the scheduled date of the Special Event, and shall furnish the following information and proofs:
 - (1) The name, address and telephone number of the Special Event Organizer.
 - (2) The name, address, and telephone number of the person, persons, and/or organization sponsoring the activity.
 - (3) A detailed description of the proposed event and a sketch showing the area or route to be used, along with proposed structures, tents, fences, barricades, signs, banners, and sanitary facilities.
 - (4) The date(s) and hours for which the permit is sought.
 - (5) Whether or not music or entertainment will be provided, either live or recorded, whether it will be indoors or outdoor and the hours of the entertainment.
 - (6) Whether any food or beverages (alcoholic or nonalcoholic) will be served.
 - (7) Whether any police or emergency services may be required.
 - (8) The location of the event for which the permit is sought, and complete details as to how the applicant intends to provide for security and traffic control.

- (9) The number of participants, spectators, and/or other people that could reasonably be anticipated to attend the event.
- (10) An acknowledgment that if the permit is issued, the applicant will be bound by all applicable Township ordinances, rules and regulations; and be liable for all loss, damage or injury sustained by any person, for whatever reason, which might occur during the Special Event due to the negligence of those organizers, persons, corporations or associations.
- (11) Proof of adequate insurance including proof that the Township is named as an additional insured.
- (12) A form prescribed by the Township and executed by the Special Event Organizer by which he/she shall indemnify and hold harmless the Township, its servants, agents and employees from any claims caused by the proposed Special Event.
- (13) A plan identifying areas that may be reasonably expected to be used by event participants for off-street and on-street parking. The applicant shall take all reasonable precautions to minimize adverse effects on the neighborhoods that will be directly affected by parking and traffic related to the event.
- (14) Proof of sufficient sanitary facilities and potable water for the Special Event.
- (15) If the Special Event is to occur during hours of darkness, proof of sufficient lighting to ensure the safety of the attendees.
- (16) Proof that sufficient and appropriate security and safety are arranged for the Special Event.
- (17) Proof that adequate fire protection and prevention measures are in place for the Special Event.
- (18) If applicable, proof of all necessary permits for the sale/service of any alcoholic beverages.
- (19) If applicable, proof that the applicant has secured and paid for all other permits required under municipal, state or federal regulations in connection with the Special Event, including but not limited to zoning requirements.
- (20) Any other information which the Township Clerk shall find reasonably necessary to assist the governing body in determining whether a permit should be issued.

- B. Fee. A fee of \$100 shall accompany an application for a permit.
- C. Reference for review. Upon determining that the application is complete, the Township Clerk shall refer the application to the Zoning Officer, Construction Code Official, Fire Official and any other Township officials, as the Clerk shall deem appropriate for preliminary review and recommendation in accordance with § 86-5.

86-5 Review of application; recommendations and decision.

- A. All Special Event applications shall be presented to the governing body by the Township Clerk, together with any recommendations from other Township officials. The governing body retains sole authority, in its discretion, to decide whether a Special Event permit shall be issued.
- B. When reviewing a permit application, the governing body shall take the following into consideration:
 - (1) The proposed Special Event's impact on the public health, public safety and general welfare of the public.

- (2) The impact of the proposed Special Event on the public's enjoyment of the Township's amenities, if applicable.
- (3) The impact of the proposed Special Event on the Township's resources and/or services.
- (4) Whether the proposed Special Event will unreasonably interfere with use of the streets and sidewalks and/or enjoyment of surrounding properties.
- (5) Whether the proposed Special Event will conflict with another proposed or scheduled event.
- (6) Whether there will be a sufficient number of ambulances, emergency service and firefighting equipment and attendant personnel designated for the Special Event, and whether the conduct of the event will require diversion of too many ambulances, emergency service, firefighting equipment or related personnel so as to prevent normal ambulance, emergency or firefighting service for the rest of the Township. The applicant will consult with and comply with any recommendations of the Chief of the Township Fire Department.
- (7) The manner in which the applicant intends to provide notice of the event to neighborhoods impacted by the proposed Special Event.

86-6 Permit with conditions. Any permit granted under this chapter may contain conditions reasonably calculated to reduce or minimize dangers and hazards to vehicular or pedestrian traffic and public health, safety and welfare, including, but not limited to, changes in time, duration or number of participants, or such conditions as will satisfy the health, safety and welfare concerns set forth in § 86-5 above.

86-7 Revocation of permit; Event cancellation.

- A. Revocation of permit. The Township Administrator, Zoning Official, Construction Code Official and/or Fire Official, as applicable, shall have the authority to revoke a permit upon determining that an applicant has made a false representation of material fact in the application submission, has violated any condition imposed by the Township with the issuance of the Special Event permit, or has violated any ordinances or laws pertaining to the Special Event; or that the property on which the Special Event is to be held is unsafe.
- B. Event cancellation. The Township may cancel a Special Event with or without notice for any significant change in conditions which may adversely affect public health or safety, or for any condition that may place Township facilities, grounds or other resources at risk of damage or destruction.

86-8 Violations and penalties. Any person or organization violating this Section shall be subject upon conviction to the penalties provided in §1-14.1 of the Code.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be

deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey following the required 20-day period after adoption, as set forth in N.J.S.A. 40:69A-181(b).

CERTIFICATION

I hereby certify that the above Ordinance was adopted by the Hampton Township Committee at their regular meeting held on August 29, 2023 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: _____

Kathleen Armstrong, RMC
Township Clerk

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance #2023-14 was introduced at a regular meeting of the Township Committee of the Township of Hampton, Sussex County, New Jersey, held on the 25th day of July 2023 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Township Committee to be held on the 29th day of August 2023 at the Municipal Building, One Rumsey Way, in the Township of Hampton, at 7:00 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

Kathleen Armstrong, RMC
Township Clerk

NOTICE ORDINANCE 2023-14

NOTICE IS HEREBY GIVEN that the foregoing Ordinance #2023-14 was adopted at Final Reading at the regular meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, August 29, 2023, at the Hampton Township Municipal Building, Baleville, N.J.

Kathleen Armstrong, RMC
Township Clerk