

**PARADISE TOWNSHIP, YORK COUNTY
PENNSYLVANIA**

ORDINANCE NO. 2019-03

SPECIAL EVENTS ORDINANCE

WHEREAS, Paradise Township, York County Pennsylvania, herein referred to as the Township, seeks to promote the general health, safety and welfare of the community by adopting and implementing an Ordinance providing for regulation of special events; and

WHEREAS, the purpose of this Ordinance is to establish requirements.

IT IS HEREBY ENACTED AND ORDAINED by Paradise Township, York County, Pennsylvania as follows:

SECTION 1: Short Title and Purposes.

The title of this Ordinance shall be the “**Special Events Ordinance of Paradise Township**”. The purposes of this Ordinance are to (i) assure proper control of traffic and parking during the conduct of Special Events within the Township. (ii) prevent such activities from creating violations; in pursuit of these purposes to establish rules and regulations for the conduct of Special Events.

SECTION 2 : Definitions.

Board – Board of Supervisors, Paradise Township, York County, Pennsylvania.

Owner – The owner or owners of the property or properties upon which a Special Event will be held.

Violations – The occurrence of any of the following violations, when occurring in conjunction with, or as a result of a Special Event, shall constitute grounds for immediate revocation of the permit issued by the Township and cancellation of the Special Event.

1. any violation of one or more of the Performance Standards for air quality, fire and explosive hazards, glare and heat, liquid and solid waste, noise, odors, vibrations, radio or electrical disturbances, or public health and safety as set forth within Chapter 10, Part 4 of the Township Code of Ordinances;
2. the failure to provide sufficient trash receptacles for the deposit of trash, resulting in the littering of trash either across the property or on adjacent roadways or properties;

3. the failure to provide sufficient parking areas on the property for all vehicles arriving at the Special Event, resulting in the parking of vehicles on adjacent or nearby public roads;
4. the failure to provide for traffic control on all nearby State or Township public roads, by the use of qualified traffic control entity pursuant to §5.A of this Ordinance;
5. the serving of food and/or beverages without obtaining the necessary permits or licenses from governmental agencies having jurisdiction, thereof, including, but not limited to, the Pennsylvania Department of Agriculture and/or the Pennsylvania Liquor Control Board, where applicable;
6. the failure to provide, where necessary, security personnel on, and/or near the site of a Special Event, where such security personnel are necessary to (i) prevent panic or other conditions threatening to public safety, or (ii) prevent or immediately stop physical violence, or threat of physical violence among individuals;
7. the failure to adequately control the serving or consumption of alcoholic beverages so as to prevent a disturbance or other behavior that could threaten public safety or general welfare either on the premises or offsite.

Special Event or Event – any event held within Paradise Township resulting in either (a) the assemblage of one hundred (100) or more persons, or (b) the arrival of forty or more vehicles at the location of the Event, whether held on private property, public property, or public roads. Special Events shall not occur over a continuous period of greater than seventy-two (72) hours, excluding preparation and clean-up times, and shall include, but not limited to:

- community fairs
- carnivals
- parades
- horse shows
- horse trails
- dog shows
- sporting events (including, but not limited to, steeplechase racing)
- music or art festivals
- holiday celebrations such as Fourth of July Fireworks and similar special events,

where the number of persons in attendance and/or the number of vehicles arriving for the event exceed the minimum thresholds set forth above. Excluded from the definition of Special Events and, hence, from the regulations of this Ordinance, are any event sponsored by the Armed Forces of the United States, or of the State of Pennsylvania, the forces of state or local police or fire departments, and events sponsored by an agency of the state, county or local government. Activities that are part of the regular operations of a principal use, such as weddings at a church, typical accessory events at educational, scientific or institutional sites are also excluded from this definition. Activities with a

significant emphasis on the sale, marketing and/or promotion of products to be consumed, utilized or provided off the premises shall not be considered a Special Event under this Ordinance and shall be subject to regulation as a commercial Event under the applicable provisions of the Township Zoning Ordinance.

Sponsor – The person, group or entity responsible for conducting the Special Event and/or inviting, either by special invitation or publicly, the individuals in attendance at a Special Event. (The Sponsor may, in some circumstances, be the Owner or, in other circumstances, a tenant or licensee of the Owner, as the case may be.)

State – Commonwealth of Pennsylvania.

Township – Paradise Township, York County, Pennsylvania.

SECTION 3: Statutory Authority.

This Ordinance is adopted pursuant to Article XVI of the Second Class Township Code (P.L. 350 No. 60).

SECTION 4: Notification Procedures: Penalties for Violation.

A. The Sponsor of a Special Event with permission where applicable of the Owner, shall apply for a permit (the "Permit Application") with the Township, on a form prescribed by the Township for such purpose, at least sixty (60) calendar days prior to the occurrence of a Special Event. The Permit Application shall be made to the Township and shall clearly state:

1. the name of the Sponsor;
2. the group for which the Special Event is planned;
3. the location of the property upon which the Special Event will be held;
4. the date and time (including the starting and closing times and number of days) of the Event;
5. the provisions to be made for trash collection and disposal;
6. the provisions to be made for parking of vehicles (including the Sponsor's best estimate of the number of vehicles anticipated to arrive at the Special Event);
7. the provisions made by the Sponsor for traffic control and direction, including the qualified entity from which traffic control services have been contracted;
8. provisions, if any, for emergency vehicles at/on the site during the Special Event;

9. provisions, if any, for emergency medical services at/on site during the Special Event;
10. provisions, if any, of or for security (over and above traffic control) at/on the site during the Special Event;
11. if alcoholic beverages are to be served, the provision for the control of the consumption of alcohol to prevent public intoxication and/or Violations, as defined in Section 2;
12. an indemnity agreement, indemnifying the Township against any liability, together with a certificate of insurance with a minimum of \$2,000,000 per occurrence in General Liability (including Liquor Liability, if applicable) naming the Township as additional co-insured;
13. provision for handicapped parking; and
14. provision for adequate sanitary facilities (including handicapped facilities).

B. The Township shall authorize a fee, the amount to be established by Resolution, which may be changed from time to time.

C. The Township Emergency Coordinator shall review the Permit Application within fourteen (14) calendar days after receiving same. In the event that the Township Emergency Coordinator believes, after such review that the Sponsor's plans for traffic control, parking and interior circulation, security (if needed) and/or prevention of Violations or compliance with other provisions of this Ordinance are inadequate when compared to the magnitude, intensity, inherent characteristics and/or timing of the Special Event will be in accordance with the standards of this Ordinance, the Township shall either (1) approve the Permit Application subject to special conditions that the Township Emergency Coordinator determines are necessary to ensure the Special Event meets the requirements of this Ordinance and notify the Sponsor in writing; or (2) deny the Permit Application and shall notify the Sponsor in writing. If the Permit Application is denied or the Sponsor cannot comply with the special conditions, the Sponsor shall be prohibited from conducting the Special Event.

D. In the case of a denial, the Sponsor has the right to appeal the decision to the Township Supervisors. The appeal must be filed within ten (10) days of the date of denial for consideration.

E. No Special Event shall be held in Paradise Township unless the Sponsor has submitted the required Permit Application to the Township in accordance with the terms of this Ordinance. Violation of the terms of this Ordinance, by holding a Special Event without providing the Permit Application, failing to comply with any conditions imposed on the Sponsor or otherwise violating the terms hereof, shall subject the Sponsor of the Special Event, and the Owner of the property upon which the Event is held, jointly and

severally, to a fine or civil penalty not exceeding six hundred dollars (\$600) for each day that violation occurs. The provisions of this Ordinance may be enforced by the Township through an action brought in the York County Court of Common Pleas or the office of the district magistrate.

SECTION 5: Traffic and Parking Controls.

A. The Sponsor of a Special Event shall, prior to the submission of the Permit Application, contract with a qualified entity for traffic control on all State or Township roads in close enough proximity to the site of the Event to be affected by the traffic to be generated thereby. The following entities are hereby approved for the provision of traffic control services:

1. Commercial Traffic Control Service.

B. The Sponsor of a Special Event shall undertake advance planning for the handling of ingress and egress of vehicles to and from the property, interior circulation of vehicles within the property, and parking on the property. All vehicles must be parked on the property, and no vehicles shall be parked on public roads. In the event that the Event's Sponsor anticipates the necessity for additional parking facilities, other than those available on the property, the Sponsor may contract with nearby property owner and/or owners for overflow parking, so long as either (a) shuttle service from the overflow parking site is provided, or (b) safe pedestrian pathways are available from the overflow parking to the property where the Event is being held. Parking plans must be specific and detailed, and shall accompany the Permit Application.

SECTION 6: Prevention of the Violations.

The Sponsor of a Special Event shall ensure that no Violations shall occur as a result of such an Event. Without limiting the foregoing, the Sponsor shall (i) assure that none of the impacts of the Event violate applicable provisions of Chapter 10, Part 4, Code of Ordinances of the Township of Paradise, York County, Pennsylvania, (ii) provide adequate trash disposal containers, and monitor the grounds for litter, (iii) provide, where the magnitude and/or intensity of a Special Event warrants it, security personnel; and (iv) provide adequate controls over the consumption of alcoholic beverages.

SECTION 7: Validity and Severability.

If any section, subsection, paragraph, clause or provision of this Ordinance shall be declared, in a final decision by a court of competent jurisdiction, to be invalid, such decision shall not affect the validity of the remainder of this Ordinance, nor of any other portions thereof.

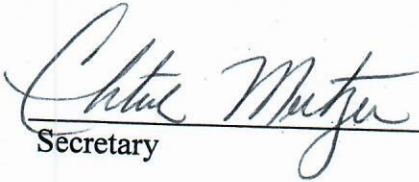
SECTION 8: Effective Date.

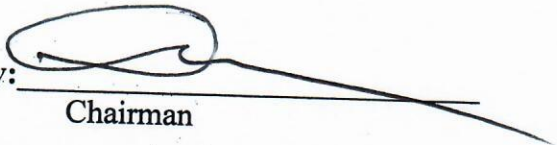
This Ordinance shall be effective five (5) days after its enactment.

ENACTED AND ORDAINED, this 14th day of October 2019.

Attest:

**PARADISE TOWNSHIP BOARD
OF SUPERVISORS**


Secretary

By: 
Chairman