

HAZLET TOWNSHIP

APPLICATION FOR SPECIAL USE PERMITS – PERMIT FEE \$1,000.00

PART I – Basic Information Regarding Proposed Event

Please print or type

1. Name of Event _____
2. Purpose of Event _____ Public Entertainment _____ Political _____ Other
(please describe)

3. Owner of Proposed Site _____
4. Proposed Date(s) of Event _____
5. Proposed Hours of Event _____
6. Will any portion of Event be held Outdoors? _____
7. Will any portion of Event be held under a tent? _____
8. Total number of people expect to attend event _____
9. Maximum Number of people expected at any one time _____
10. Will Admission be charged or donation solicited _____
11. Your name _____
12. Your relation to event _____
13. Your address _____
14. Work telephone _____
15. Home telephone _____
15. . Your signature _____
17. Today's Date _____

Part II – Initial Township Review

Based on review of Part I, a Special Use Permit: ___ will be required ___ will not be required

Basis of Determination _____

Name _____

Title _____

Signature _____

Date _____

PART III – Application to Hazlet Township Committee for Special Use Permit

Note: A preliminary meeting with the appropriate Hazlet Township officials can be arranged to review requirements for health, safety and welfare at the site venue and surrounding area.

A diagrammatic sketch of the proposed site is required together with Part IV for a complete application submission.

1. Name of Event _____
2. Organization Sponsoring Event _____
3. Address of Organization _____
4. Is organization sponsoring event an: (a) individual (b) partnership (c) firm
(d) corporation (e) governmental unit or agency of state or local government
(f) other – explain _____
5. Purpose of Event _____
6. Describe the Event _____
7. Anticipate Attendance _____ daily _____ daily peak _____ total
8. Event Dates _____
9. What is capacity of on-site parking _____
10. Will all vehicles be parked on site _____ Yes _____ No
11. What arrangements have been made for off-site parking _____
12. How will off-site parkers be transported to and from the site _____
13. What signage or arrangements have been made for the orderly flow of traffic? _____

14. Number of Attendee Vehicles Anticipated _____ daily, _____ daily peak
16. Number and Type of Staff and Vendor Vehicles _____
17. Where will Staff and Vendor Vehicles be parked _____
18. Number of Support Staff and Vendor Personnel _____
19. Where will Staff and Vendors be housed _____

20. What arrangements have been made for security including specific reference to number of guards (to be approved by Township Police Department)* _____

21. What arrangement have been made for on-site medical facilities, hospital care _____

22. What arrangements have been made for fire prevention and emergencies (to be approved by Chief of Fire Department) _____

23. Are fireworks anticipated at the Event (please describe) _____

24. Will tents or other structures be erected (please describe) _____

25. Will Food be sold and/or prepared for the Event ____ yes ____ no (for events with 1,000 persons or more)
26. How will food be cooked or heated (for events of 1000 persons or more) _____

27. Please describe food operations (for events of 1000 persons or more) _____

28. Describe the availability of potable water (for events of 1000 persons or more) _____

29. Describe the availability of sanitary facilities _____

30. Will there be any Animals at the Event (describe) _____

31. Will Games of Chance or Skill Games be at the Event (describe) _____

*Contract must indicate number of security guards in shifts to cover event from a period of 3 days prior to event until area is cleared and evacuated after event.

32. Will Alcoholic Beverages be available (describe) _____

33. Are any aspects of the Event licensed by other agencies (describe) _____

34. Date for start of site preparation _____

35. List janitorial and post-gathering trash removal and cleanup* _____

36. Date when site clean-up will be completed _____

37. Describe advertising and publicity for the Event and provide examples, if any _____

38. Describe the benefits of the Event and a statement of purpose of the gathering must be attached to this application (for events of 1,000 persons or more) _____

39. Attach statement containing names of licensed ticket printers to be used and plans for assuring return of monies upon termination or cancellation of events as well as means of notifying potential and existing ticketholders of cancellation (for events of 1,000 persons or more).

40. Attach certified copy of bond which must include contingencies for ticket reimbursement, clean-up and restoration within 48 hours of close of event and payment to any volunteer organization of Township. (for events of 1,000 persons or more)**

41. Attach insurance policy copy of liabilities, personal, property and bodily damage in addition to proof of workmen's compensation insurance, if applicable.

42. Additional Comments _____

42. Person in Charge _____ 43. Title _____

44. Signature _____ 45. Date _____

46. Work Telephone Number _____ 47. Home Telephone Number _____

*Provide copy of contract for clean up services indicating number of janitorial staff in shifts to cover area prior to, during and after the event.

**MMM bond - \$50,000.00

Note: A complete submission for a Special User Permit consists of Part III (completed by applicant), Part IV (completed by the Property Owner) and a diagrammatic sketch which contains the locations and dimensions of the proposed service roads, potable water facilities, sanitary facilities, sewage disposal facilities, medical service facilities, distribution of security personnel and provisions for food storage, as well as camping facilities and proposed plans for enclosure of the proposed event.

Part IV – Property Owner Review

It has been determined that a Special Use Permit is required for the proposed Event, the Public Entertainment ordinance requires this application be signed by the owner(s) of the property on which the proposed Event will take place.

1. Name of Event _____
2. Name of Property Owner _____
3. Address of Block/Lot of Proposed Event _____
4. Date(s) of Event _____
5. Start Date of Site Preparation _____
6. Date when clean-up will be completed _____
7. If property on which gathering is to take place is not owned by entities organizing the event, then a copy of lease or license between the owner and persons organizing the event must be attached in addition to the names of the lessor(s) of the property.

I have reviewed the attached diagrammatic sketch which contains the locations and dimensions of the proposed service roads, potable water facilities, sanitary facilities, sewage disposal facilities, medical service facilities, distribution of security personnel and provisions for food storage, as well as camping facilities and projected plans for enclosure of the proposed site.

8. Name of Owner or Authorized Representative _____
9. Signature _____ 10. Date _____
10. Telephone Number _____ 11. Fax _____

AN ORDINANCE RESCINDING AND REPEALING SECTION 918.18
"TEMPORARY USE PERMITS" OF THE DEVELOPMENT REVIEW
ORDINANCE OF THE TOWNSHIP OF HAZLET AND CREATING A
NEW ARTICLE IV ENTITLED "SPECIAL USE PERMITS" IN
CHAPTER 209 "LICENSING AND PERMITS" OF THE CODE OF
THE TOWNSHIP OF HAZLET

WHEREAS, the current code with respect to the granting of "Temporary Use Permits" is inconsistent with the provisions of N.J.S.A. 40:55D-1 et seq., the Municipal Land Use Law ("MLUL"); and

WHEREAS, the Development Review Ordinance ("DRO") of the Township should be made consistent with MLUL.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Hazlet in the County of Monmouth and State of New Jersey, as follows:

Section One:

Section 918.18 "Temporary Use Permits" contained in Article IX of the DRO of the Township of Hazlet is hereby rescinded and repealed in its entirety.

Section Two:

This ordinance creates a new Article IV entitled "Special Use Permits" in Chapter 209 entitled "Licensing and Permits" of the Code of the Township of Hazlet as follows:

Chapter 209.26. Definitions. The following words and terms used in this Article shall have the meanings set forth below unless the context clearly indicates otherwise.

"Public Entertainment" shall mean any event, including but not limited to, a circus, carnival, fair, festival, concert, exhibition or parade expected to be attended by one thousand (1,000) or more people at any one time.

"Public Rally" shall mean any public gathering or assembly protected by the First Amendment to the United States Constitution and the New Jersey State Constitution, Article 1 et seq.

"Special Event" shall mean any event, including, but not limited to, a circus, carnival, fair, festival, concert, exhibition or parade expected to be attended by less than one thousand (1,000) people at any one time.

“Open Air Market” shall mean, without limitation, any street stands or stands located in a public area such as a park or parking lot, for the sale or distribution of licit goods, merchandise or other articles, including, but not limited to, flea markets, swap meets and fund raising sales, but shall not include any itinerant merchants, transient vendors, salesmen, peddlers, hawkers, vendors, solicitors or canvassers who shall be subject to the rules and regulations governing peddling and soliciting contained in Chapter 243-1 et seq. of the Code of the Township of Hazlet.

“Event” shall mean all of the above-defined terms, collectively.

Chapter 209.27 - Special Use Permit Required; Prohibitions

- A. No person, group of persons, partnership, association or corporation or any combination thereof, shall maintain, conduct, promote or operate on any lands or premises within the township, other than in established theaters, auditoriums or other places licensed or permitted for public occupancy as limited by law, or any use thereof for the purposes of holding an Event, or, in any way entertaining the general public, whether of not admission is charged, except pursuant to a special use permit issued therefor by the township as stipulated in this Article.
- B. No owner, lessee, licensee or other person, partnership, association or corporation having any right to or interest in any real property within the jurisdiction of the township shall license, rent, lease or otherwise permit the use of such real property or any part thereof for the use of any Event or any entertainment for the general public, whether or not admission is charged, other than in established theaters, auditoriums or other places licensed for public occupancy as limited by law, except pursuant to special use permit issued therefor by the Township as stipulated in this Article.

Chapter 209.28 – Applications; Procedure for granting special use permits; fees

- A. The Township Administrator or their designee (“Administrator”) shall issue a special use permit upon written application made by such person, partnership, association, or corporation or combination thereof who proposes to maintain, conduct, promote or operate such Event, together with the owner, lessor or licensor who proposes to rent, lease license or otherwise permit such Event, hereinafter collectively referred to as the “Applicant”.
 1. The Applicant shall file a verified application with the Administrator at least fifteen (15) days before the first day of advertising of the event and at least ninety (90) days before the first day of such event.

2. If required by law, the Applicant shall file a verified application with the Mass Gathering Review Board pursuant to the provision of N.J.S.A. 5:11-1 et seq., the Mass Gathering Act, at least fifteen (15) days before the first day of advertising and at least sixty (60) days before the first day of such event.
- B. All applications shall be in such form as prescribed hereunder and shall be accompanied by the required filing fee of one thousand dollars (\$1,000.00). This fee may be waived for bona fide nonprofit service organizations, qualified charities, qualified religious organizations and units of state and local governments.
 - C. The Administrator shall decide whether to issue a special use permit to the Applicant within thirty (30) days of the receipt of the application, except for applications for a Public Rally which shall be granted or denied within two (2) business days of the receipt of a fully completed application. Such special use permit shall contain such terms and conditions to ensure the public health, safety and welfare as may be necessary at the discretion of the Administrator. Should the Administrator reject the application, such rejection shall be set forth in writing and describe the reason for such rejection.

Chapter 209.29 – Application Requirements

- A. The application shall be signed by all persons having a financial or controlling interest in the event and by the property owners on whose property the proposed event is to take place indicating their consent to the application.
- B. For Public Entertainment. The special use permit application shall include the following information:
 1. The Applicant's full name, residence, telephone number, post office address and whether such Applicant is an individual, partnership, firm, corporation or governmental unit or agency of the state or local government. All Applicants shall submit a financial statement with their application, except that such statement shall not be required of units of state and local governments, and may be waived for nonprofit service organizations, qualified charities, and qualified religious organizations;
 2. A diagrammatic sketch plan of the proposed site of the public entertainment showing the locations and dimensions of the proposed service roads, potable water facilities, sanitary facilities, sewage disposal facilities, medical service facilities, distribution of

security personnel and provisions for food storage, as well as camping facilities and projected plans for enclosure, if necessary, of the proposed site.

3. A statement of the purposes of the gathering and a program of scheduled events;
4. If the property on which the gathering is to take place is not owned by the person(s) or entity(ies) organizing the Public Entertainment, then the names of the lessor or licensor and a copy of the lease or license between the owner and the person(s) or entity(ies) organizing the Public Entertainment, or other documents granting the right to use said property shall be provided;
5. A statement of the number of persons expected to attend such event and the duration of such attendance;
6. The specific details, including certified copies of contracts entered into or provisions relating to:
 - (a) Food and drink
 - (b) Sanitary facilities
 - (c) Transportation and parking facilities
 - (d) Security and protection of surrounding area, including specific reference to the number of guards or special police assisting in the control of traffic and supervision of those attending. The contract should indicate the number of security guards in shifts to cover the event from a period of three (3) days prior to the event until the area is cleaned and evacuated after the event. Such provisions shall be reviewed and approved by the Township Police Department.
 - (e) On-site medical facilities and hospital care
 - (f) Janitorial services and post gathering trash removal. A contract indicating the number of janitorial and clean-up personnel in shifts to cover the area prior to the event, during the event and until the area is evacuated.
 - (g) Outline of the action to be taken to ensure the cleanup and restoration of the area at which such event takes place within forty-eight (48) hours after the close of the event.

- (h) Provisions for fire prevention and safety as recommended and approved by the Chief of the Township Fire Department or his designee.
- 7. A statement containing the names of licensed ticket printers to be used and the plans for assuring the return of monies upon the termination or cancellation of the events as well as the means of notifying potential and existing ticketholders or such cancellation;
- 8. Examples of proposed advertising of the event, if any;
- 9. Bond or other arrangement.
 - (a) A certified copy of a bond or verified evidence of other suitable financial arrangements, as hereinafter required, must be attached to the application to include:
 - i. reimbursement to ticket purchases in the event of termination or cancellation of the event or failure of the Applicant to conduct the event as proposed and advertised;
 - ii. Cleanup and restoration of the area at which such event takes place within forty-eight (48) hours after the close of the event; and
 - iii. Payment to any volunteer organizations of the Township who have agreed to provide services for the event.
 - (b) The bond or other suitable financial surety arrangements shall be in accordance with the following formula: number of tickets printed time admission fee for each ticket printed plus two dollars (\$2.00) per printed ticket equals minimum amount of bond or other security, but in no event shall such bond or other suitable financial surety arrangements be less than fifty thousand dollars (\$50,000.00);
- 10. An insurance policy covering liability, personal property and bodily damage in such amounts to be fixed by the Administrator in addition to Workers Compensation insurance if required pursuant to the terms and conditions of N.J.S.A. 40:52-1.1 and any other statutory insurance requirements.

- C. The Applicant, prior to the event, shall post a bond or other financial surety arrangements suitable to the Administrator for the amount and surety, pursuant to section 209-29 (B) 9(b) of this Article.
- D. For all other Events. The special use permit application shall include the following information:
1. The Applicant's full name, residence, telephone number, post office address and whether such Applicant is an individual, partnership, firm, corporation or other entity or governmental unit or agency of the state or local government. All Applicants shall submit a financial statement with their application, except that such statement shall not be required of a unit of state or local government. The provision of a financial statement and the requirements for same may be waived at the discretion of the Administrator.
 2. A diagrammatic sketch plan of the proposed site of the public entertainment showing, to the extent applicable, the locations and dimensions of the proposed service roads, potable water facilities, sanitary facilities, sewage disposal facilities, medical service facilities, distribution of security personnel and provisions for food storage, as well as camping facilities and project plans for enclosure, if necessary of the proposed site;
 3. A statement of the purposes of the gathering and a program of events scheduled;
 4. If the property on which the gathering is to take place is not owned by the person(s) or entity(ies) organizing the event, then the names of the lessor or licensor and a copy of the lease or license between the owner and the person(s) or entity(ies) organizing the event, or other documents granting the right to use said property shall be provided.
 5. The specific details, to the extent applicable, including certified copies of contracts entered into or provisions relating to:
 - (a) Sanitary facilities
 - (b) Transportation and parking facilities
 - (c) Security and protection of surrounding area, including specific reference to the number of guards or special police assisting in the control of traffic and supervision of those attending. The contract should include the number of

security guards in shifts to cover the event from a period of three (3) days prior to the event until the area is cleaned and evacuated after the event. Such provisions shall be reviewed and approved by the Township Police Department

- (d) On-site medical facilities and hospital care
 - (e) Janitorial services and post gathering trash removal
 - (f) Outline of the action to be taken to ensure the cleanup and restoration of the area at which such event takes place within forty-eight (48) hours after the close of the event.
 - (g) Provisions for fire prevention and safety as recommended and approved by the Chief of the Township Fire Department or his designee
6. An insurance policy covering liability, personal property and bodily damage in such amounts to be fixed by the Administrator in addition to Workers Compensation insurance if required pursuant to the terms and conditions N.J.S.A. 40:52-1.1 and any other statutory insurance requirements.

The above provisions and the requirements for same may be waived at the discretion of the Administrator.

- E. For all Events – Designated representatives of the Township Departments of Police, Fire and Health shall be permitted to inspect at any time the site of the event for the purpose of investigating the application and for the purpose of ensuring compliance with the provisions of this Article.
- F. For all Events – A fee of one thousand dollars (\$1,000.00) shall accompany each application unless exempt or waived under section 209.29(B).

Chapter 209.30 – Hours of Operation

All events shall cease operations no later than twelve o'clock midnight and shall be subject to the provisions of Chapter 149-1 et seq. of the Code of the Township of Hazlet Entitled "Curfew". All Applicants shall be subject to Chapter 225-1 et seq. of the Code of the Township of Hazlet Entitled "Curfew". All Applicants shall be subject to Chapter 225-1 et seq. of the Code of the Township of Hazlet entitled "Noise".

Chapter 209.31 – Compliance with Township Ordinances

All Applicants shall be subject to the Township's Development Review Ordinance, zoning and/or planning ordinances and shall secure any necessary approvals from the Township Zoning Board of Adjustment and/or Planning Board, if applicable.

Chapter 209.32 – Appeal Process

- A. Public Rallies – Denial of a special use permit for a public rally by the Administrator shall be in writing and shall be mailed to the Applicant on the address set forth in the application. Notice shall include the reasons for the refusal of said permit. If the Applicant accepts the refusal of said permit, Applicant shall acknowledge same in writing. If the Applicant fails to sign the acceptance or takes no action, the Township may apply for a judicial determination and final hearing on the denial on the merits within two (2) days of said denial. The Township may request a temporary restraining order and permanent restraints in order to effectuate its denial of the special use permit.
- B. All Other Events – In the event that the Administrator denies a special use permit, it shall so advise the Applicant, in writing, and include its reasons for the refusal of said special use permit. The Applicant shall have the right to appeal this decision to the Township Committee by serving written notice thereof to the Municipal Clerk within five (5) business days of the date of said refusal. The Applicant shall also serve a copy of said appeal on the Administrator at the same time, and said Administrator shall immediately forward the application and the reasons for its refusal to the Township Committee, which shall then consider the application and sustain or overrule such denial within thirty (30) days from the receipt of the appeal by the Municipal Clerk. Subject to applicable law, the decision of the Township Committee shall be final.

Chapter 209.33 – Violations and Penalties

The penalties for the violation of this ordinance shall be a fine not to exceed one thousand dollars (\$1,000.00) and/or incarceration in the county jail for not more than ninety (90) days.

Section Three:

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies only.

Section Four:

If any provision of this Ordinance or the application of such provision to any person or circumstances are declared invalid, such invalidity shall not effect any other provision or application of this Ordinance, which can be given effect and to this end the provisions of this Ordinance are deemed to be severable.

Section Five:

This Ordinance shall take effect immediately following final passage, adoption and publication as provided by law.

CERTIFICATION

I, MARY L. LYNCH, Municipal Clerk of the Township of Hazlet, do hereby certify that the foregoing is a true copy of an ordinance duly published and adopted in accordance with law by the Township of Hazlet at its meeting held on the 4th day of September, 2001.

Mary L. Lynch
Municipal Clerk