

PERKASIE BOROUGH
ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH OF PERKASIE, BUCKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER 115 OF THE PERKASIE CODE OF ORDINANCES PERTAINING TO PARADES.

WHEREAS, the Pennsylvania Borough Code at 8 Pa.C.S.A. § 101 *et seq.*, authorizes the Borough Council of the Borough of Perkasia (“Borough Council”) to make and adopt ordinances that are consistent with the Constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough and its citizens; and

WHEREAS, the Borough of Perkasia, in furtherance of the authority noted previously in this ordinance, has determined to amend its Code of Ordinances by amending and restating the provisions of Chapter 115, Parades as herein after set forth; and

WHEREAS, Borough Council, after due consideration of the proposed ordinance at a duly advertised public meeting, has determined that the health, safety, and general welfare of the residents of Perkasia Borough will be served by this amendment to the Perkasia Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Perkasia, Bucks County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. The provisions of Chapter 115, Parades is herein amended by deleting the provisions of same and providing that Chapter 115 shall herein be referred to as Special Events and Parades and further adopting the following additional provisions:

1. **SPECIAL EVENTS AND PARADES.**

Section 115-1 Purpose. The Borough Council finds that streets, public places, and private facilities within the Borough are, from time to time, temporarily closed and used as sites for races, festivals, shows, parades, neighborhood celebrations and other public events that are privately sponsored but open to the public. Events of this kind serve to improve the quality of life of the residents of the Borough and often result in large numbers of people congregating within the confines of the temporarily closed streets, public places, and private facilities. The resulting crowd conditions may create concerns for police and fire access and other control concerns related to the health, safety, and welfare of the public and of persons and property in designated areas. Therefore, it is essential that such special events and parades be regulated in order to facilitate control over such events by the sponsor and by the Borough to safeguard the person and property of Borough residents and visitors.

2. **DEFINITIONS.**

APPLICANT: Any person or any sponsoring organization seeking a special event permit from the Borough Council in order to conduct or sponsor an event governed by this chapter. This term shall include corporation, limited liability company, partnership, individual and in the case of any of the aforementioned organizations applying for a special event permit, an individual designated as a responsible contact person.

APPLICATION: A form required to be filed and approved by Borough Council for any special event.

APPLICATION FEES: A fee for filing the permit application and any additional fees as set forth in the Borough's Fee Schedule.

ASSEMBLY: A gathering, meeting, or rally of 50 or more people without vehicles, which may interfere with the movement of vehicular or pedestrian traffic on any street or sidewalk or other public property.

BLOCK PARTY: A gathering of the residents on a residential street requiring a closure of a street or a portion thereof to vehicular traffic and use of the street for social and/or entertainment purposes

BLOCK PARTY COMMERCIAL: A gathering on any street requiring a closure of a street or a portion thereof to vehicular traffic and use of the street for social, entertainment and/or commercial purposes, where the applicant is a Borough business, and the closure is at or adjacent to the physical location of the Borough business.

BOROUGH: The Borough of Perkasie, Bucks County, Pennsylvania.

BOROUGH COUNCIL: The governing body of the Borough of Perkasie.

BOROUGH MANAGER: The Borough Manager of the Borough of Perkasio, or her/ his designee.

EVENT COORDINATOR: A contact person, designated by the sponsor of the special event, who acts as the facilitator between the Borough and the sponsor of the event.

FIRST AMENDMENT ACTIVITY: All expressive and associative activity that is protected by the United States and Pennsylvania Constitutions, including speech, press, assembly, and/or the right to petition. For the purposes of this chapter, commercial advertising that is regulated by the Code of the Borough of Perkasio is excluded from this definition.

FOR-PROFIT ORGANIZATION: A for-profit organization is one that operates with the goal of making money. Most businesses are for-profits that serve their customers by selling a product or service. The business owner earns an income from the for-profit and may also pay shareholders and investors from the profits.

ORGANIZATION: A firm, partnership, association, corporation, society, company nonprofit, charitable entity, or organization of any kind.

PARADE: A march or procession or motorcade consisting of persons, animals or vehicles, or any combination thereof, upon any public street, sidewalk, alley, or other street right-of-way in the Borough, that obstructs, delays, or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws or controls.

PERMIT: Any written authorization issued as required by this chapter for the conduct or performance of a special event.

PERMITTEE: Any person or any sponsoring organization to whom a special event permit is issued by Borough Council.

PERSON: Any individual.

PUBLIC PLACE: Any public place, park, playground, ball field, band shelter, gazebo, playing field or other areas owned, operated, or leased by the Borough.

RIGHT-OF-WAY: A public street, alley, sidewalk, or crosswalk, including bike and pedestrian paths.

SPECIAL EVENT: A parade, assembly, athletic event, street fair, art and craft show, carnival, soap box derby, rally, or other special event or activity that occurs in a public place or on a Borough street, sidewalk, alley or other street right-of-way and that obstructs, delays or interferes with the normal flow of pedestrian or vehicular traffic or does not comply with traffic laws and controls, but excluding a block party. The term "special event" shall also include indoor or outdoor concerts, displays, fairs athletic, and other events occurring on private property and designed to attract large crowds such that the event will interfere with normal traffic flow. For purposes of this chapter, special events regulated

elsewhere in the Code of the Borough of Perkasio, including those in Perkasio parks, are excluded from this definition and this chapter.

SPONSOR: An organization or person that is responsible for setting up and/or staging the activities under this Part.

SUPPORT SERVICES: Those which can or must be provided by the Borough to ensure that an event is conducted in such a manner as to protect the rights, safety, health, property, and general welfare of its residents. This includes but is not limited to police protection, fire protection, crowd management and control, traffic management, Borough administration and solid waste management.

3. *PERMIT REQUIRED - EXCEPTIONS*

A: Any person or organization seeking to conduct or sponsor a special event in Perkasio Borough shall first obtain a special event permit from Borough Council. However, a special event permit shall not be required for the following:

1. Funeral processions.
2. Any special event sponsored by the Borough, whether or not occurring exclusively on Borough property.
3. Any activity held solely on private property that does not require for its successful execution the provision and coordination of Borough services to a degree equal to and/or over and above that which the Borough routinely provides.
4. First Amendment activity on Borough streets or sidewalks that will not likely result in the obstruction of Borough streets or sidewalks nor compromise the ability of the Borough to respond to a public safety emergency.
5. Wedding processions.
6. Students going to and from school or other classes or educational activities, provided that such activity is under the immediate direction and supervision of the proper school authorities.
7. Activities of governmental agencies.

B: Any person or organization seeking to conduct a residential or commercial block party shall first obtain a Block Party permit from Borough Council.

C: Any person or organization seeking to conduct an event on any portion of a PENNDOT right of way must additionally obtain the necessary event permit from PENNDOT. This condition applies to the following roads:

- Ridge Road (SR 0563)
- Park Avenue (SR 4052) from Ridge Road to the East Rockhill Township line,
- Tunnel Road (SR 4050) from Ridge Road to the East Rockhill Township line,
- Market Street (SR 4039) from Ridge Road to 7th Street,
- 5th Street (SR 4039) from W. Market Street to the East Rockhill Township line,

- Constitution Avenue (SR 0152) from Walnut Street to the Sellersville Borough line,
- S. Main Street (SR 4087) from Walnut Street to Callowhill Street,
- Walnut Street (SR 0152) from Constitution Avenue to the Hilltown Township line,
- Callowhill Street (SR 4017) from 5th Street to the Hilltown Township line,
- Blooming Glen Road (SR 4089) from 5th Street to the East Rockhill Township line.

D. Any person or organization seeking to conduct an event on any portion of property owned by SEPTA must additionally obtain the necessary event permit from SEPTA, or written permission from the lease holder of such property.

E. Any person or organization seeking to conduct an event on any portion of privately owned property, where the event is designed to attract large crowds such that the event will interfere with normal traffic flow or otherwise have an impact on public safety or services, must additionally provide written permission from the record owner of the property.

4. *SPECIAL EVENTS FOR COMMERCIAL PURPOSE AND EXCEPTIONS*

No permit shall be issued authorizing the conduct of a special event intended to be held for the sole purpose of advertising any products, goods, wares, merchandise, or event, or designed to be purely for private profit, with the following exceptions:

A. A special event organized by a for-profit organization where Borough Council determines that the sole purpose of the event is to benefit economic development in the Borough of Perkasio, and where the event is limited to less than 1,000 participants, and where the event will not cause undue disruption to Perkasio Borough businesses and residents. Examples include, but are not limited to, local vendor events, and filming for the purposes of television or movie production or the like. Such exceptions shall only be issued by Borough Council, and subject to all the conditions of application, review and permitting described in this chapter;

B. A Block Party organized by a Perkasio Borough business, where a Commercial Block Party permit has been issued by Borough Council.

5. *APPLICATION FOR PERMIT*

A. Special events. Any person or organization intending to conduct or sponsor a special event shall apply to the Borough Manager for a special event permit at least 90 days in advance of the date of the proposed event. In emergency situations, determined at the sole discretion of the Borough Manager, the Borough Manager may consider any application for a permit to conduct or sponsor a special event not filed within the time frame required by this section.

B. The Borough Manager shall also issue special event permits for First Amendment activity on a content-neutral basis to the extent required by law and shall evaluate

applications for such special events no later than two business days following receipt of such applications. The Borough Manager shall impose only those conditions on such permit relating to time, place and manner of the proposed activity that are reasonably related to preservation of the health safety and welfare of the Borough residents and property and other Borough significant interests and may only impose administrative fee necessary to defray any costs incurred by the Borough with respect to evaluations and scheduling of the event.

C. The application for a special events permit shall be made, in writing, on a special event permit application form provided by the Borough. Upon receipt, the Borough Manager shall forward a copy of the application to a committee of Borough staff for review, comment, and recommendation, and to the Chairs of the Public Safety and Economic Development Committees of Perkasi Borough Council, for their information. In order that adequate arrangements may be made for the proper policing of the special event and for other Borough services, the application shall contain the following information and documentation and comply with the following rules:

- (1) The name, address, email address and telephone number of the applicant, the sponsoring person or organization, and an Event Coordinator or other alternative contact person.
- (2) The nature and/or purpose of the special event, the proposed date and location, the proposed starting and ending time.
- (3) A description, where applicable, of the individual organizations which will be participating in the special event.
- (4) A map with an overview of the proposed event to include requests for electric, porta potty placement, and location of stages to be erected, if applicable.
- (5) A description of any sound amplification equipment to be used, and the location at the event.
- (6) The estimated number of participants or spectators.
- (7) The number and locations of any requested road closures, and a detailed description of the method or manner of the closure. A map and description of any resulting vehicle and/or pedestrian traffic diversion(s) and directional signage.
- (8) An estimate of the number of vendors and locations. A final list of vendors and locations shall be submitted to the Borough Manager 7 days prior to the event, except in the case of First Amendment activity that is intended to respond to current events and depends for its value on a timely response in which case the applicant is

to contact the Borough Manager at the time of permit submission to discuss whether vendors authorized by the applicant will be present.

(9) An indemnification agreement, signed by the applicant, pursuant to which the applicant agrees to reimburse the Borough for any costs incurred in repairing damage to Borough property occurring in connection with the permitted event and proximately caused by the permittee, its officers, employees or agents or any person under the permittee's control insofar as permitted by law, and, further, that the permittee shall defend the Borough against, and indemnify and hold the Borough harmless from, any liability to any persons resulting from any damage or injury occurring in connection with the permitted event proximately caused by the actions or inactions of the permittee, its officers, employees or agents or any person under the control of the permittee insofar as permitted by law. For purposes of this requirement, persons merely joining in a parade or event are not considered by that reason alone to be under the control of the permittee.

(10) A certificate of insurance evidencing \$1,000,000 in Comprehensive General Liability Insurance, along with all required endorsements, naming Perkasio Borough, its officers, employees, and agents as additional insureds, to be filed no less than 20 days prior to the scheduled event. The Borough may require the applicant to obtain higher insurance limits if the Borough deems it necessary, based on the activity or activities planned as part of the special event. The Borough may require additional coverage and/or a liquor liability endorsement if food or alcoholic beverages are to be sold or served at the event.

(11) A certificate of insurance, if the Borough deems necessary and appropriate, from any vendors or other organizations participating in the special event for the policies and minimum coverages listed in Subsection C (10) above.

(12) Such other information as the Borough Manager may deem necessary, including, but not limited to, the following:

(a) The type and estimated number of vehicles, animals and structures that will be used at the event and whether water aid stations or first aid stations will be provided;

(b) The provisions made for sanitary facilities for persons participating in or attending the event;

(c) Whether food or beverage or alcoholic beverages will be sold at the event;

(d) The provisions made for monitors of the event;

(e) Parking needs for the event and any parking restrictions required;

(f) Provisions for the safety and wellbeing of participants, visitors, and attendees at the event.

(g) If the special event is a parade, organizing and disbanding areas, the proposed route to be traveled and the proposed times when the event and any meeting or rally connected therewith are to be held, the portion of the streets to be occupied by the parade, the number, type and size of each float, the intervals of space to be provided between individual units in the parade, and the maximum size and material of any signs or banners to be carried along the parade route; and

(h) Any supplemental information deemed by the Borough Manager to be reasonably necessary to determine whether a special event permit shall be issued.

(13) Should any department within the Borough deem it necessary to perform an inspection(s) as a condition of a special events permit approval, the applicant shall allow for the inspection and attach the inspection report to the application or amended application.

(14) Number and locations of trash & recycling collection containers and arrangements to remove said containers at the conclusion of event. Site maintenance is the responsibility of the permittee, and the site must be left in a clean condition. Permittees are required to keep sidewalks, roadways, and other public or private spaces adjoining and adjacent to the event clean and free from refuse of any kind which may be generated by the running of the event.

D. No special event schedule shall last past 10:00 p.m. on special events occurring from Sunday through Thursday, and no special event schedule shall extend past 11:00 p.m. on special events occurring on a Friday or Saturday, and such evening hour restriction includes the time required for any related breakdown and cleanup of said special event.

E. Block party. Any person or organization intending to conduct a block party shall apply to the Borough Manager for a block party permit at least 14 days in advance of the proposed event. In emergency situations, determined at the sole discretion of the Borough Manager, they may consider an application for a permit to conduct a block party not filed within the time frame required by this section. The application for a block party permit shall be made, in writing, on a block party permit application form provided by the Borough Manager. In order that adequate arrangements may be made for any Borough services, the application shall contain the following information, and the applicant shall agree to comply with the following rules:

- (1) No block parties will be approved for Sundays before 12:00pm.
- (2) Residential Block party applicants must obtain the signatures of at least 75% of the residents on the block indicating their support of the application. Commercial Block party applicants must provide notice of the street closure and other details of the event to affected residents and Borough businesses.
- (3) There will be no rain dates for block parties.
- (4) No block party shall last longer than eight hours.
- (5) All block parties must end by 10:00 p.m.
- (6) No block party permits will be approved for the same day as another already-approved Block Party permit, or a Borough-approved special event, without the review and express approval of the Perkasio Borough Police Department.
- (7) Block party applications require payment of an application fee as set out in the Borough's Fee Schedule with the submission of the application.

6. *BOROUGH STAFF REVIEW*

A. The Borough is responsible for determining whether to issue permits and licenses for special events and establishing guidelines for the safe and proper conduct of such events. To fulfill these responsibilities, the Borough must determine if such events can be safely and properly conducted and the terms and conditions under which an approved event may be conducted.

B. A committee of Borough staff will review the permit application. The purpose of the review is to allow the Borough to plan, evaluate, and coordinate for any special event, and establish the terms and conditions within which the event may be conducted. The review will allow the sponsor or the event coordinator to plan and manage the event within the context of any established terms and conditions.

C. The Borough staff review of special events may involve input from the following personnel (which can be reduced or increased to include other personnel at the Borough Manager's discretion):

1. Borough Manager.
2. Police Chief.
3. Fire Chief.
4. Public Works Director.
5. Parks & Recreation Director.
6. Electric Company Supervisor.
7. Emergency Management Coordinator.

D. The staff members conducting the Borough staff review will review and recommend to the Borough Manager the approval/disapproval of each proposed special event on its own merits. In reviewing a proposed special event, staff members will also review, evaluate, and determine

the costs of support services required for the special event, and the cost of support services that will be charged to the applicant. The Borough staff review will involve consideration of various criteria and factors, including but not limited to, the following:

1. Is the proposed special event considered appropriate for the Borough?
2. Does the event history, size or complexity indicate potentially significant disruption to Borough residents or businesses.
3. Does the Borough have the ability to provide, if needed, the required support services regardless of who bears the cost?
4. Does the proposed special event conflict with any other?

E. Additional services may be provided and/or required from the Borough and charged to the sponsor of special event. The reviewing committee will consider the need for, but not limited to, any of the following:

1. Temporary parking signs.
2. Barricades.
3. Additional police protection.
4. Security.
5. Emergency medical services.
6. Utilities.
7. Restroom facilities.
8. Clean up and site maintenance.
9. Administration.

F. At the request of the reviewing committee, the sponsor shall furnish any additional information that may be requested for a thorough Borough staff review. The sponsor shall abide by all of the terms and conditions established as part of the approval process, and shall provide for the protection of the safety, health, property, and general welfare of those attending and participating in the special event.

G. The Borough staff members conducting the Borough staff review shall recommend to either approve or disapprove a proposed special event, submitting the conditions required if approved, the costs of support services and any other related issues to the Borough Manager in a timely manner so as not to delay the planning process.

H. The permit approval and any recommendations along with all costs and conditions, will be presented at an advertised public meeting of Borough Council by the Chair of the Public Safety Committee of Borough Council, and will be subject to final approval by the Borough Council, at the public meeting. The decision of approval/disapproval made by the Borough Council will be final subject, however, to the applicant's right to appeal pursuant to the Pennsylvania Local Agency Act.

7. ISSUANCE OR DENIAL OF PERMIT

- A. The Borough Council shall approve or disapprove all applications for a special event permit with modifications or conditions as it deems appropriate, not less than 15 days prior to the scheduled date of the special event as shown on the application. The decision of Borough Council shall be final.
- B. Standard of Issuance. The Borough Council shall issue a special event permit upon approval of the special event application and upon agreement by the applicant, in writing, to the terms and conditions of the permit, provided that Borough Council determines that:
- (1) The time, route and size of the special event requested by the applicant will not disrupt to an unreasonable extent the movement of vehicle traffic in or through the Borough; or
 - (2) The time, route and size of the special event will not require the diversion of so great a number of police officers of the Borough to properly police the parade route or event and the areas contiguous thereto that issuance of the special event permit will disrupt to an unreasonable extent police protection to the Borough;
 - (3) The special event will not interfere with another special event for which a permit has been issued; and
 - (4) The applicant has complied with the requirements of this chapter, including without limitation those provisions pertaining to indemnification, insurance, and the payment of applicable fees and deposits.
 - (5) Any decisions of the Borough Council will be content neutral.
- C. Standards of Denial. Borough Council, in its discretion, may deny an application for a special event permit and shall notify the applicant of such denial, in writing, if any of the following applies:
- (1) The information contained in the application is found to be false, misleading or incomplete in any material detail.
 - (2) The applicant refused to comply with an inspection required by one or more Borough departments, or the property proposed for the special event failed an inspection.
 - (3) The applicant refused to comply with any and all conditions of the permit.
 - (4) The sole purpose of the event is advertising of any product, good, ware, merchandise or event and is designed to be held solely for private profit and not for First Amendment expression.
 - (5) A special event permit application submitted prior in time has been approved for an event at the same time and place requested, or so close in time and place as

to cause undue traffic congestion, or approval of both events will render the Police Department unable to meet the needs for police services for both events.

(6) The proposed event will unduly disrupt the safe and orderly movement of traffic adjacent to the event site or will prevent proper police, fire, or ambulance services to areas adjacent to the event site.

(7) The size of the event will require diversion of such police resources in order to ensure the orderly conduct of the special event and that protection of the remainder of the Borough will be compromised.

(8) The location of the parade or other special event will substantially interfere with construction or maintenance work scheduled to take place on Borough streets, sidewalks, or any other property previously granted permit approval.

(9) The special event will occur at a time when a school is in session and the route or location of the event will substantially interfere with the educational activities of the school.

(10) Any denial must be content neutral.

D. Borough Council shall have the authority, in its sole discretion, to issue a special event permit notwithstanding the applicant's failure to comply with any of the provisions of this section, provided the applicant agrees to such conditions or modifications that alter the date, time, duration, route or location of the event, and provided further that any such modification shall be the minimum necessary to achieve compliance with Subsection C of this section.

E. Notification. The Borough will notify the applicant within five days of the final decision. This notification will include the approval/disapproval of the proposed special event along with any costs and/or conditions attached.

8. EXPENSES APPLICATION FEE AND FEES FOR BOROUGH

A. Except as provided herein, each applicant for a permit to conduct a special event shall pay an application fee to defray the administrative costs of the Borough in reviewing and distributing the application, and preparing for such a special event, in an amount set forth in the Borough's Fee Schedule as amended from time to time by Borough Council.

B. Within five days of the approval of the application for a special event permit, the applicant shall pay to the Borough an amount specified in the Borough's Fee Schedule, in order to cover the Borough's estimated expenses for the special event, including, but not limited to, the costs of police protection and fire protection. The necessity of each itemized expense shall be evaluated on a case-by-case basis and shall be determined at the sole discretion of the Borough Council, upon the recommendation of the Reviewing Committee. If the fee required by this subsection is not paid within five days of the approval of the special event permit, the approval may be deemed to be void. Any actual

costs incurred by the Borough for the special event shall be paid to the Borough by the applicant immediately upon receipt of an invoice, therefore.

C. An applicant may make a request for a fee waiver for the application fee or the fees for Borough services. Perkasio Borough Council may consider the request and grant at their discretion, per the best interests of the Borough according to the following schedule:

Applicant	Eligibility for Fee Waiver Consideration
Private individuals and groups	NO
For profit / commercial	NO
Events with an admission charge or with paying vendors	NO
Charitable, non-profit, or civic groups	NO – application fee YES / consider waiving fees for Boro services performed during normal working hours. Boro services performed outside normal working hours charged at rate per Fee Schedule
Governmental / mutual aid	YES – consider waiving fees for all Boro services
Large community events co-sponsored by the Borough	YES – consider waiving fees for all Boro services

9. **CO-SPONSORSHIP**

A. Perkasio Borough Council fosters, supports, and connects the community through special events and acknowledge that co-sponsorship may reduce financial impacts for organizers and assist with making sure the event is successful. Organizations hosting a special event that meets the criteria listed below may request co-sponsorship. Co-sponsorship requests are for in-kind services such as Borough staff costs, facility fees and utility fees. Co-sponsorship requests should establish a mutually beneficial partnership between the Borough of Perkasio and the community.

1. The following events are eligible for consideration:
 - a. Sponsored by non-profit organizations that have documented Federal 501c3 or similar non-profit status (NB: non-profit status does not guarantee that a co-sponsorship will be granted);
 - b. Non-profits that qualify for Borough funds as stated in Section 1202 of the state Borough code.
 - c. Government organizations and school districts.
 - d. Directly benefits Borough-owned programs and activities or facilities.
 - e. Supports the local economy.

- f. Any event pertaining to Borough business or memorial services sponsored by veteran or public safety organizations.
 - g. The applicant can demonstrate that the organizations has the experience and expertise to undertake the planning and execution of the proposed event.
2. The following events and organizations are not eligible for consideration:
 - a. Events presented by for-profit organizations or private individuals.
 - b. Events or activities that are not open to the public.
 - c. Organizations who received co-sponsorship the previous year but failed to fulfill their obligations during the event.
 - d. Organizations whose revenue is substantially derived from the sale or firearms or weapons, tobacco and marijuana products, gambling, or sexually explicit materials.
 - e. Political organizations or organizations whose primary purpose or events is to act on behalf of, in support of, or in opposition to any political candidate ballot measure or political position.
 - f. Events that discriminate on the grounds or race, color, national origin, ancestry, age, gender, sexual orientation, or disability.
 3. Applicants must submit a completed special event application with the co-sponsorship request.
 4. Co-Sponsorship requests are reviewed by a committee of Borough staff and will be evaluated upon the organization's and event's mission and ability to demonstrate local community benefit, the total number of participants at the event, the impact on Borough residents, businesses and services, and the organization's financial need. A Co-Sponsorship request will be denied if it negatively impacts the Borough's budget or operations.

10. REQUIREMENTS

A. Approval to conduct a special event by this process does not relieve the sponsor or any participants, including but not limited to peddlers, vendors, mobile vendors, or exhibitors, from the responsibilities of applying for any other permits or licenses or meeting any other requirements which may be applicable in this chapter with respect to the following items:

1. Fireworks.
2. Peddlers/solicitation.
3. Flyers/postings/banners. Signs and/or distribution of advertising materials.

4. Vendors including Temporary Fixed Vendors.
5. Health Department.

B. All special events must obtain liability insurance in the amount denoted on the application, which may change from time to time, with the Borough being named as an additional insured, or a larger amount at the discretion of the Borough. This insurance shall satisfy all insurance requirements for the Borough for holding the special event. The insurance policy may be subject to the review and approval of the Borough Solicitor.

3. All required permits, licenses, security deposits, fees and insurances policies must be obtained no later than 10 days prior to the special event. All regulations and/or requirements set forth in this Chapter related to special events may be waived or adjusted for special events at the Borough Council's discretion.

11. CHANGE OF EVENT LOCATION

The Borough reserves the right to change the location of any special event from those proposed on the special event permit application to other routes and areas, at any time prior to the special event if the Borough Manager determines that the safety of the public or property requires such changes. Notice of such action shall be delivered, in writing, to the permittee.

12. REVOCATION OF PERMIT

Any special event permit issued pursuant to this chapter may be summarily revoked by the Borough Manager at any time when by reason of the occurrence of a disaster, public calamity, riot or other emergency, the Borough Manager determines that the safety of the public or property requires such revocation. Notice of such action revoking a permit shall be delivered, in writing, to the permittee. Revocation of the permit may take place up to and during the special event.

13. INTERFERENCE WITH A SPECIAL EVENT

No person shall knowingly join in any special event conducted under a permit issued by Borough Council in violation of any of the terms of the permit, knowingly participate in any permitted special event without the prior consent of the permittee, or in any manner interfere with the progress or orderly conduct of any permitted special event.

14. PARKING IN SPECIAL EVENT LOCATION

The Perkasio Police Department shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along the street or portion thereof which is within the perimeter of a special event area. The permittee shall be required to post signs giving notice of such restrictions and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

15. VIOLATIONS AND PENALTIES

A. Violations of this article shall be punishable as set forth in Chapter 1, General Provisions, Article II, Violations and Penalties. [Amended 9-18-2000 by Ord. No. 835]

B. Borough Council shall have the ability to withhold future permit approval until all fines and penalties are paid in full.

C. Any person conducting or sponsoring a special event or a block party, as applicable, without first providing the necessary fees and deposits as required by this chapter shall be billed for the actual cost by Perkasio Borough for police, cleanup services, and other Borough services. Failure to pay such costs billed by the Borough for such services within 15 days shall result in the imposition of a 10% penalty and interest at the rate of 1% per month until said costs are collected.

SECTION 16. All ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed, it being understood and intended that all ordinances and the Borough Code of Ordinances that are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

SECTION 17. The Council of the Borough of Perkasio does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of this Ordinance, including this provision.

SECTION 18. 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 provision shall be separate, distinct, and independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 19. The failure of the Borough of Perkasio to enforce any provisions of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

SECTION 20. This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

SECTION 21 . Under the authority conferred by the Pennsylvania Borough Code at 8 Pa.C.S.A. § 101 *et seq.*, and other relevant statutory law, the Council of the Borough of Perkasio in the County of Bucks, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance for the Borough of Perkasio.

Approved by the Borough Council of the Borough of Perkasio, this _____ day of _____, 2024.

Attest:

Andrea L. Coaxum, Secretary

BOROUGH OF PERKASIE

James Ryder, Council President

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