



Township of Hillsborough

COUNTY OF SOMERSET
MUNICIPAL BUILDING
379 SOUTH BRANCH ROAD
HILLSBOROUGH, NEW JERSEY 08844

www.hillsborough-nj.org

TELEPHONE
(908) 369-4313

APPLICATION FOR CARNIVAL LICENSE

ANY FALSE INFORMATION PROVIDED ON THIS APPLICATION MAY BE CAUSE FOR THE
APPLICATION TO BE DENIED OR REVOKED
(please print or type)

A. Name of Applicant _____

Description: Age _____ Weight _____ Height _____ Hair Color _____ Eye Color _____ Sex _____

Date of Birth _____ Social Security # _____

Driver's License # and State issued _____

Permanent home address _____

Home telephone # _____ Business telephone # _____

B. Two business references located in Somerset County:

Name	Address	Phone #
------	---------	---------

Name	Address	Phone #
------	---------	---------

C. List the name and address of the person/persons or in the case of a corporation, the names and addresses of the president, vice president, secretary, treasurer, and directors or trustees responsible for conducting the event.

D. Date(s) and time(s) of the event

- E. Type of event to be conducted _____
- F. Purpose of event _____
- G. Is the event for charitable or pecuniary purposes? _____
- a) If charitable purposes, please list the name and the purpose of the charity/charities to be benefited.
- _____
- _____
- _____
- H. Please provide a description, including the boundaries of the land or premises sought to be licensed. .
- _____
- I. Name and addresses of the land or premise owner or lessor _____
- _____
- J. Describe the designated area to be used for parking, include the number of acres or square feet of the area to be devoted for this purpose
- _____
- _____
- K. Attach a map or sketch showing the entire area sought to be licensed. Include the parking area and indicate the entrances and exits.
- L. List the number of persons to be working the event _____
- M. List an approximate number of persons thought to be attending the event _____
- N. Will alcoholic beverages be served? Yes _____ No _____
- O. Have you been provided with/or reviewed a copy of Chapter 62 Amusements, Outdoor of the Code of the Township of Hillsborough? Yes _____ No _____
- P. List any previous location(s) within the last year where you have conducted the same or similar event that you are currently applying for _____
- _____
- _____

Sworn to before me:

Date

Signature of Applicant

Notary Public (Affix Seal and Expiration date of Notary)

Chapter 158

ENTERTAINMENT, PUBLIC

- | | |
|--|---|
| § 158-1. License required. | § 158-8. Responsibilities of licensee. |
| § 158-2. Application requirements. | § 158-9. Revocation or suspension of license. |
| § 158-3. Investigation. | § 158-10. Service of notice. |
| § 158-4. Hearing. | § 158-11. Violations and penalties. |
| § 158-5. Issuance of license. | § 158-12. Concurrent remedies. |
| § 158-6. License fee. | § 158-13. Applicability of other laws. |
| § 158-7. Limitations with respect to persons and vehicles. | § 158-14. Right of waiver. |

[HISTORY: Adopted by the Township Committee of the Township of Hillsborough 5-11-1971 by Ord. No. 71-4 (Ch. 62 of the 1977 Code). Other amendments noted where applicable.]

GENERAL REFERENCES

Peace and good order — See Ch. 224.

§ 158-1. License required.

No person or persons or parties whatsoever shall permit any outdoor shows, concerts, festivals, dances, theatrical performances, exhibitions and public gatherings for purposes of amusement out of doors on any lands or premises owned, leased, occupied or controlled by any such person, persons or parties within the Township of Hillsborough without first having obtained a license from the Township of Hillsborough in the manner and upon the conditions hereinafter set forth.

§ 158-2. Application requirements.

- A. An application for license hereunder shall be signed by the person, persons or parties responsible and shall be filed in triplicate with the Clerk of the Township, accompanied by the fee payable hereunder. Such application shall be filed in the office of the Township Clerk not less than 60 days prior to the date for which the license is desired. [Amended 12-27-1977 by Ord. No. 77-21]
- B. The applicant shall set forth in the application for license the following information:
 - (1) The name and address of the person or persons, or, in the case of a corporation, the names and addresses of the president, vice president, secretary, treasurer and directors or trustees, responsible for conducting the outdoor show, concert, festival, dance, theatrical performance, exhibition or public gathering for purpose of amusement sought to be licensed.

- (2) The type of performance desired to be conducted and a statement of the purposes of the exhibition or performance, whether for pecuniary profit or charitable purposes, and if charitable, a statement of the charity or charities to be benefited.
 - (3) A description of the lands or premises sought to be licensed, which shall include a description of the boundaries of the lands or premises sought to be licensed.
 - (4) Whether the premises are owned by the applicant, and if not owned, then the name and address of the lessor or licensor and the term of the lease or license.
 - (5) A designation of the portion of the premises intended to be used for the parking of automobiles, including a statement as to the number of acres or square feet of the area to be devoted to this purpose.
 - (6) A map or sketch showing the entire area sought to be licensed and delineating thereon the portion to be used for the parking of automobiles and further showing the driveways or means of access to and from the said premises and the names of all adjoining owners of the said premises to be licensed.
 - (7) A statement of the number of persons to be engaged in the exhibition or performance sought to be licensed and, in addition, a statement of the number of spectators anticipated to watch or observe the exhibition or performance.
- C. A fee of \$10 shall be paid upon filing the application, to be applied by the Township toward its expense in investigating the application, which said fee shall not be refunded whether a license is issued or denied.

§ 158-3. Investigation.

Upon the filing of the application, the Clerk shall refer a copy of the application promptly to the Mayor for investigation of the matters in the application by the Township Attorney or by another designated official in such other manner as the Mayor may direct. A written report shall be made to the Township Committee of the result of such investigation by such officer or agent designated by the Mayor, within 30 days from the filing of the application.

§ 158-4. Hearing.

If the Township Committee deems from the report that a hearing on the application should be held before issuing or denying a license, then within five days after the thirty-day period of investigation the Township Committee shall set a time and place for hearing on the application, which shall be held within 15 days thereafter. At the hearing, the applicant and the Township may offer such evidence as may be desired covering the subject matter. Within seven days after the closing of the hearing, the Township Committee shall render a determination on the application, and if the determination shall be a denial of the application, then a copy of said determination with the reasons for denying the application shall be served upon the applicant at the mailing address of the applicant designated in the application.

§ 158-5. Issuance of license.

- A. The license authorized to be issued shall be issued by the Township Committee but executed by the Mayor and Township Clerk.
- B. The license shall set forth and describe, with particularity, the place where the show, exhibition, performance or public gathering or other event sought to be licensed hereunder shall take place and the period of time during which it may continue.
- C. The license herein authorized shall not be issued or take effect until all fees have been paid to the Township as provided herein.
- D. Any license authorized to be issued hereunder shall be issued subject to all provisions of this chapter.

§ 158-6. License fee. [Amended 5-25-2004 by Ord. No. 2004-22]

The fee to be paid upon issuance of a license shall be \$100 for each event or \$0.10 per person anticipated to be involved in the event sought to be licensed, inclusive of all personnel and all spectators or members of the audience, whichever fee is greater. All license fees shall be in addition to the fee required to accompany the application.

§ 158-7. Limitations with respect to persons and vehicles.

No outdoor show, concert, festival, dance, theatrical performance, exhibition or public gathering for purposes of amusement shall be permitted or licensed whatever if the event sought to be licensed contemplates a gathering of more than 1,000 persons or if the area allowed for the parking of motor vehicles is less than 50 cars per acre for the anticipated number of persons involved in occupying the premises.

§ 158-8. Responsibilities of licensee.

- A. No person or party licensed hereunder shall allow, suffer or permit any exhibition, performance or gathering of persons for any unlawful purpose or to be conducted in any unlawful disorderly, obscene or lewd manner.
- B. No outdoor show, concert, festival, dance, theatrical performance, exhibition or public gathering for purposes of amusement shall allow any performer to perform or be displayed in the nude.
- C. No outdoor show, concert, festival, dance, theatrical performance, exhibition or public gathering for purposes of amusement shall be allowed which shall depict sexually suggestive acts or subjects offensive to public morals and decency.
- D. No outdoor show, concert, festival, dance, theatrical performance, exhibition or public gathering for purposes of amusement shall allow the use of any moving pictures or other media which is obscene, lewd, indecent or offensive to public morals and decency.

- E. Any licensee hereunder shall not permit any employees or agents of the applicant, any spectators or any persons on the licensed premises during the period of time licensed to completely undress or go about in the nude or become undressed or go about in a lewd, obscene or indecent manner.
- F. The licensee shall allow the state police, any special police of the Township or any other persons duly authorized by the Township to inspect the licensed premises or any part thereof and to observe the persons upon the premises and the performances, exhibitions and shows for public gathering at any time either prior to or during the period of time licensed, to detect violations of this chapter or any other ordinance of the Township or of any law of the federal government or the State of New Jersey. **[Amended 12-27-1977 by Ord. No. 77-21]**
- G. The licensee shall take all proper means to assist in the orderly conduct and presentation of its event and to maintain a flow of traffic and the use of the premises without congestion of traffic. For such purposes, the licensee shall employ or obtain sufficient personnel to carry out said objectives.
- H. The licensee shall maintain at its own expense one or more persons or agents responsible for the proper conduct of the event licensed, who shall remain upon the premises licensed at all times during the period in which the license shall be in effect.
- (1) The name, address and description of the person, persons or agents responsible shall be furnished to the Township before the beginning of the licensed period, and in the event that any change is made in a person or persons or agents responsible herein designated, notice of such change, with the names and addresses and descriptions of the persons to be substituted, shall be furnished to the Clerk of the Township upon at least 24 hours' notice.
 - (2) The Mayor or other authorized officers or agents of the Township for such purpose may require the licensee to introduce the person, persons or agents responsible for the conduct of the event to the Mayor of the Township or such other authorized officer or agent of the Township as the Township may designate to the licensee.

§ 158-9. Revocation or suspension of license.

- A. In the event that any of the provisions of this chapter shall be violated, the Township Committee, through its authorized officers or agents, may terminate or suspend any license issued hereunder. Such suspension or revocation shall be determined as follows:
- (1) The Mayor or other person authorized by the Township Committee shall cause a written notice of the alleged violations of this chapter or of any other laws involved to be served upon the licensee or any of the agents of the licensee upon the premises, together with a notice of the time and place of hearing, to be held not less than 24 hours after service, directing the licensee to show cause before the Township Committee why the license should not be suspended or revoked.
 - (2) At the hearing, the Township Committee shall hear all of the evidence offered by the Township and the licensee which is material to the issue and shall make a

prompt determination of its findings. If the findings be in favor of the licensee, the charges will be dismissed; but if the findings be against the licensee, the license issued may be revoked entirely or suspended upon such conditions as the Township Committee may direct. In the event of full revocation, the event licensed shall be terminated immediately and no further outdoor show, concert, festival, dance, theatrical performance, exhibition or public gatherings for purposes of amusement shall be held under the license granted therefor and any persons remaining upon the licensed premises may be dispersed immediately by any peace officer of the Township and by such other persons or agents as may be properly authorized by the Township.

- B. In the event that it shall reasonably appear to the Clerk of the Township or any other official designated by the Township Committee for such purpose that the number of persons gathered or gathering upon or for entry upon the licensed premises for any outdoor show, concert, festival, dance, theatrical performance, exhibition or public gathering for purposes of amusement licensed hereunder shall exceed 1,000 persons, the Clerk or other authorized official may give notice to the licensee immediately to withhold proceeding with the event licensed and shall then inform the Mayor or Township Committee promptly of said action. The licensee may thereupon request a hearing before the Township Committee forthwith and said hearing shall be held as promptly as possible.
- C. No license fee or portion thereof shall be refunded following revocation or suspension of any license issued.

§ 158-10. Service of notice.

Whenever notice is required to be given to the applicant or licensee hereunder, such service of notice may be made by registered or certified mail directed to the person and address listed in the application or otherwise personally upon the applicant or any of the agents of the applicant upon the licensed premises.

§ 158-11. Violations and penalties. [Amended 12-27-1977 by Ord. No. 77-21]

Any person who violates any provision of this chapter shall, upon conviction thereof, be deemed guilty of a Class C violation, punishable as provided in Chapter 1, General Provisions, Article II.

§ 158-12. Concurrent remedies.

Nothing contained herein shall be deemed or construed so as to prevent the enforcement of any other remedy at law, concurrent or otherwise, available to the Township of Hillsborough or other law enforcement authority to avoid or prevent any violation or attempted violation of this chapter, such as but not limited to an injunction or restraining order.

§ 158-13. Applicability of other laws.

This chapter is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof.

§ 158-14. Right of waiver.

Notwithstanding any other provisions of this chapter, the Township of Hillsborough hereby reserves the right to waive any or all sections of this chapter when it appears that the best interest of the Township of Hillsborough shall be served by the waiving of said provisions. Any waiving of said provisions shall not be considered a precedent which would affect subsequent enforcement or nonenforcement of the provisions of this chapter. In the event the Township of Hillsborough does waive any provision, it shall be done by resolution at a regular or special meeting of the Township Committee.