TOWNSHIP OF LIGONIER ORDINANCE 2010-OR- 02

AN ORDINANCE REGULATING SPECIAL EVENTS; ESTABLISHING PERMIT AND APPLICATION REQUIREMENTS, STANDARDS AND PROCEDURES; PROVIDING FOR ADMINISTRATION AND ENFORCEMENT INCLUDING PENALTIES; AND OTHER MATTERS PERTAINING THERETO.

WHEREAS, Article XV, Section 1506 of the Second Class Township

Code, Act of May 1, 1933, (P.L. 103, No. 69), as amended, 53 P.S. §66506, authorizes
the Board of Supervisors to make and adopt ordinances to promote and protect the
public safety and health of the citizens, to maintain the peace, to protect and provide for
the proper care and control of facilities and property, and to regulate the conduct of
places of special events such as public gatherings for entertainment, amusement, and
recreation events within the Township of Ligonier (hereinafter "Township"); and

WHEREAS, Township has, and may in the future, be requested to permit the gathering of substantial numbers of people for the purposes of special events, including, but not limited to, public entertainment, amusement, recreation of various designations and many other types of public assemblage, which will have a substantial impact on traffic flow and public safety services provided by Township; and

WHEREAS, the Board of Supervisors of Township takes notice that special events may create difficult or unsafe conditions due to excessive vehicular and pedestrian traffic, the need for proper solid waste disposal, sanitation and sewage disposal facilities, and the need to control excessive noise, disorderly or lewd conduct,

and other illegal conduct or acts, all of which constitute a direct threat to public health, safety and welfare; and

WHEREAS, the Board of Supervisors has determined that an Ordinance, which prescribes the procedure, rules and regulations for conducting special events, is necessary to protect the health, welfare and safety of the citizens of Township.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is enacted and ordained, by the Board of Supervisors of this Township, as follows:

SECTION I. TITLE.

This Ordinance shall be known as and cited as the Township of Ligonier Special Events Ordinance.

SECTION II: DEFINITIONS.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When not consistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number, and the word "shall" is always mandatory and not merely directory.

- 1. <u>Township</u> is the TOWNSHIP OF LIGONIER, Westmoreland County, Pennsylvania.
- 2. <u>Board of Supervisors</u> is the BOARD OF SUPERVISORS OF LIGONIER TOWNSHIP, Westmoreland County, Pennsylvania.
- 3. <u>Generalized Site Plan</u>: referred to as (GSP): A site plan that has been prepared by the applicant. This plan is not required to have an engineer's seal.
- 4. Special Event: Any public gathering or assembly of people where one thousand (1000), or more can reasonably be expected to attend, planned, sponsored or held, for the purpose of activities, which include, but which are not limited to, athletic competitions, carnival, concerts, dances, dramas, exhibitions, festivals, musical events, marathons, parades, races, rides, theater productions, or any gathering or

- assembly, regardless of the number of expected attendees, which requires off-site parking or traffic control.
- 5. <u>Special Events Application</u>: (referred to as "SEA") a custom application designated for special events of the type listed in Section II, 4.
- 6. <u>Special Events Committee</u>: (referred to as "SEC") a group formed to review the special event application, and consisting of designated representatives from the following state and local agencies, or any other state and local agency not listed below that may be affected by the event.

Ligonier Township Police
Ligonier Borough Police
Pennsylvania State Police
Westmoreland County Department of Public Safety
Ligonier Valley Ambulance
Ligonier Township Supervisors
Ligonier Township Zoning Officer
Ligonier Valley Chamber of Commerce
Ligonier Fire Department located in Event Area
Ligonier Township Emergency Management
Coordinator

7. <u>Sponsor</u>: any person, association, partnership, firm, corporation, company or organization, or legal entity whatsoever, seeking to initiate, organize, promote, permit, conduct, or to advertise, a special event as defined in this chapter.

SECTION III: PROHIBITED ACTIVITY

It shall be unlawful for any sponsor or owner of property to initiate, organize, promote, permit, conduct, or cause to be advertised, a special event within the corporate limits of the Township of Ligonier prior to obtaining a permit granted by the Board of Supervisors of said Township. A separate permit shall be required for each such special event for the period of time designated in the permit.

SECTION IV: PERMIT REQUIREMENTS

The application for a permit for a special event shall be subject to review and approval by the Board of Supervisors of Ligonier Township in accordance with the provisions of this Ordinance as follows:

- 1. The Special Event Permit shall specify the length of time allowed for the Special Event and no activities may be held beyond the period granted for the Special Event.
- 2. No applicant shall be under eighteen (18) years of age.
- 3. No permit may be transferred or assigned.
- 4. In case of dispute over the number of people reasonably anticipated to attend the public gathering, the decision of the Board of Supervisors of Township, or of the person, employee, or agent designated by the Board of Supervisors to issue permits, shall control, based on all facts available and brought to its attention from any source.
- 5. Should more than one application for the same period of time be received for a Special Event Permit, the Ligonier Township Board of Supervisors may, in their discretion, limit the number of such Special Events to be held if more than one such special event will negatively impact the public health, safety, and/or welfare of the residents of Ligonier Township.
- 6. No sponsor, owner of property, or person in charge of the Special Event shall initiate, promote, permit, conduct or cause to be advertised, a Special Event unless a Permit has been issued pursuant to this Ordinance.

SECTION V: APPLICATION

Written application for each Special Event shall be made to the Board of Supervisors of Township on a the form attached to this Ordinance, or on a form revised and approved by the Board of Supervisors by Resolution from time to time, subject to the following requirements:

- 1. Time for Application:
 - A. For gatherings numbering 1,000 to 2,000 persons, written application must be made thirty (30) days prior to the scheduled special event; and for gatherings or assemblies numbering 2,000 or more persons, written application must be made sixty (60) days prior to the date of the scheduled event.
 - B. For special events, regardless of the number of

expected persons who will attend which require off-site parking or traffic control, written application must be made at least sixty (60) days prior to the scheduled special event.

- 2. Applications shall be made on the forms specified by the Board of Supervisors of Ligonier Township and shall be subject to review and approval in accordance with the provisions of this Ordinance.
 - A. Prior to submission of a formal Application, a sponsor is encouraged to request a Preapplication Conference to identify problems or issues early in the process.
 - B. The following information will be needed for a Preapplication Conference:
 - 1) Parcel identification number or address of the property involved in the event;
 - . 2) Size of the parcel(s);
 - Proposed use, date/time of event, estimated public attendance; and
 - 4) A brief overview of the proposal.
- 3. Special Event Applications shall be filed with the Township Zoning Officer or any other person designated by Resolution of the Board of Supervisors, and must meet the following Basic Submission Requirements before approval can be granted:
 - A. The full legal names, addresses and telephone numbers of all sponsors.
 - B. The full legal name and address of the owner and person in charge of the property to be utilized for the Special Event.
 - C. A signed Special Event Application by the sponsor. If the applicant is a partnership or joint venture, all partners and parties to the joint venture shall sign as applicants. If the applicant is

a corporation, copies of the Articles of Incorporation and Corporate Resolution authorizing the application must be attached to the application.

- D. The location and address of the property to be utilized for the special event.
- E. A narrative statement as to the purpose of the public gathering/special event to be held and a program of the event attached to the narrative statement if prepared and available.
- F. A general site plan, architectural rendering, or diagrammatic plan and topographic map of the proposed site of the Special Event showing the locations and dimensions of the area where the event is to be conducted, with areas identified and labeled for spectators or persons attending the event, all existing structures and those structures to be constructed, proposed parking area, service roads and a plan for traffic control, facilities for potable water, sanitary needs, sewage disposal. and medical services, arrangements for food and beverage storage and its preparation and service. and plan for security, personnel needs, camping facilities, if applicable, and plans for enclosure of the proposed site during the event.
- G. Proof that all permits and licenses required under federal, state and local statutes, ordinances and regulations have been, or will be issued for the event. Any regulation under this ordinance may be superseded by any federal, state or local law.
- H. A statement of the number of persons expected to attend such event and the expected duration of the activities.
- I. A statement regarding the first day upon which public announcement, promotion, or advertising is to be made.
- 4. The following specific information and details are required for the Special Events Permit Application:

- A. Details of food preparation and service providers, if applicable, and proof that these same providers will comply with state and county rules and regulations relating thereto.
- B. Sanitary and waste disposal facilities information and providers thereof, along with the written approval of the Department of Environmental Protection or other government agencies indicating that the plan for water supply, toilet facilities, washing facilities and food preparation and service, if applicable, conform to the state and county rules and regulations relating to public health.
- C. Transportation and parking facilities plan showing on-site and/or off-site parking that will be needed, and whether such parking is available within or adjacent to the premises upon which the special event is to be conducted, to show that the transportation and parking facilities will be adequate for the expected number of persons in attendance.
 - Adequate ingress and egress from parking areas shall be included to facilities along with the details relating to the movement of vehicles to and from such areas
 - 2) If off-site parking is necessary to accommodate attendees of the special event, all details of the transport of the public to and from the special event must be outlined and explained to assure the safety of the attendees and general public
 - 3) Location and placement of directional signs, which may not be in Township roads unless authorized, and the plan for removal of said signs within 48 hours of the close of the special event.
- D. Security plan for preserving order during the event, protection of surrounding areas, including specific reference to the number of security personnel assisting in the control of traffic and the

- supervision of those attending, and providers of services for the event.
- E. Plan or proposal for on site medical facilities, identification of the provider(s) of medical services, proof that such providers will be in conformance with the rules and regulations of the state and county agencies responsible for oversight of said providers.
- F. Janitorial services and post-gathering trash removal and site restoration and providers thereof.
- G. Details of lighting and other utility services needed for the Special Event
- H. Plans for construction of stage and any other structures to be erected, along with the details for use of amplification equipment, which cannot be used closer than 500 feet from any adjoining residential use.
- I. Certificates of Insurance issued by an insurance company licensed to do business in Pennsylvania, evidencing Comprehensive General Liability, or Special Event Public Liability, in an amount of at least \$1,000,000.00 (One Million Dollars) for personal injury and \$100,000.00 (One Hundred Thousand Dollars) for property damage, which policies shall name the Township as additional named insured.
- J. A statement containing the names and addresses of licensed ticket printers to be used and the plans for assuring the return of monies upon the termination or cancellation of the event as well as the means of notifying potential and existing ticket holders of such cancellation, where the anticipated number of people attending is over 2,000 persons.
- K. Examples of proposed advertising of the event, if any.
- L. Applicants' statement that they shall abide by the terms and provisions of this Ordinance, and all laws, rules and regulations of the United States,

Commonwealth of Pennsylvania, County of Westmoreland and Township of Ligonier.

- M. Any other information deemed necessary by the Board of Supervisors to assist it in its review of the application for Special Event Permit.
- 5. Each application shall be accompanied with a cash fee, specified in this Ordinance, or as set by the Board of Supervisors by Resolution to cover the cost of inspection, investigation, issuance, and administration of the permit based upon the anticipated number of persons expected and/or a minimum fee as follows:

PERSONS REASONABLY ANTICIPATED FEE

1000 to 5000	\$ 25.00
5001 to 10,000	50.00
10,001 and above	100.00
Minimum fee	25.00

No part of the Permit Fee is refundable. Exempt from this fee are Ligonier Township controlled entities.

- 6. The Board of Supervisors or their designee, in its discretion, may schedule a public hearing to accept evidence as to whether a permit may be issued under this Ordinance; or, the Board may proceed to approve or deny the application for Special Event Permit, after considering all information required by this Ordinance; and/or the Board may attach such conditions to the issuance of a Special Event Permit as it deems necessary to ensure that the proposed use meets the standards set forth in this Special Events Ordinance so as to prevent, or minimize, adverse impacts on other properties in the neighborhood, The Board may consider any information relevant to the issuance of the Special Events Permit, including, but not limited to, the following:
 - A. Reports from Township staff, appropriate County departments, State and Federal agencies and/or the Special Events Committee with their findings and recommendations to the Board of Supervisors

- B. Analysis of the layout of the site and adjoining sites to assess the compatibility of the expected use and proposed activity or event on the adjacent and nearby land uses.
- C. Consideration of the proximity of residential uses, the potential for noise, level of disturbance to adjoining properties, due to facts such as artificial lighting and use of amplification equipment, ability of the applicant to maintain order, potential for traffic congestion and damage to private property, impact and excess costs expected to be incurred by Township for public safety and law enforcement, and any other factors that the Board determines may be relevant to safety, annoyance or inconvenience of the residents and property owners of Township.

SECTION VI. CONDITIONS FOR APPROVAL OF SPECIAL EVENTS PERMIT:

- 1. Any Permit issued by the Board of Supervisors of Township, or its duly appointed agent, shall be expressly conditioned upon satisfaction and completion or the conditions recited in this Section a minimum of five (5) days prior to the first day upon which the Special Event is to commence.
- 2. Failure to satisfy the following conditions within the time frame set forth above shall constitute grounds for the immediate revocation of the Permit by the Township and the cancellation of the Special Event:
 - A. Sanitary Facilities: Written approval of the Pennsylvania Department of Environmental Resources or other responsible governmental agency, indicating that applicants' plan for swimming, potable water supply, sanitary toilet facilities, sewage disposal facilities, washing facilities, and food preparation and service facilities conform with applicable laws, ordinances, rules and regulations relating to the public health.
 - B. Public Safety:

- a plan, and means to implement the plan, exists to provide for adequate traffic control and crowd control, which plan must include one security person for every fifty (50) motor vehicles reasonably anticipated to be at the location and one security person for each one hundred fifty (150) persons reasonably anticipated to be in attendance. Identification of the security personnel, or company or persons supplying this service must be provided.
- 2) Enclosures: Applicants must demonstrate that a plan, and means to implement the plan, exists to have the location where the Special Event is to be held enclosed with snow fencing or other similar material of equivalent strength of not less than four (4) feet in height, if admission is charged and attendance is reasonably expected to exceed 1,000 persons.
- demonstrate that a plan, and a means to implement the plan, exists to provide sufficient medical services to the Special Event. Each Special Event shall have as a minimum one ambulance staffed by two adult individuals trained in first-aid techniques in attendance at all times. Identification of the company or person supplying this service must be provided.
- 4) Parking Facilities: Applicants must demonstrate that a plan, and a means to implement the plan, exists to provide adequate parking facilities appropriate to the anticipated number of persons in attendance. There must be adequate parking facilities to accommodate one vehicle for every four persons reasonably anticipated to be in attendance. There must also be provided adequate ingress and egress to and from parking areas to facilitate the movement of any vehicle at any time to or from the parking area and to permit access by emergency vehicles.

5) Structures: All facilities, including structures, stages, lighting facilities, sanitary facilities and other utilities to be specially assembled, constructed, installed, or erected for the public gathering must be in place and be approved by appropriate state and federal regulatory agencies, if its regulations apply, and by the Township or its duly appointed agent.

SECTION VII. CONFORMANCE WITH OTHER LAW

This Ordinance shall in no way be a substitute for, nor eliminate the necessity of, complying with any and all federal and state laws, rules and Regulations, county and township ordinances which are now, or may be in the future, in effect which pertain to the conduct of Special Events.

SECTION VIII. PENALTIES

Any person who initiates, organizes, promotes, permits, conducts or causes to be advertised a Special Event without obtaining the permit provided in this Ordinance, or who knowingly conducts, permits or allows a Special Event with a permit, but in violation of the terms and provisions of this Ordinance and of the permit granted, or who shall counsel, aid or abet such violation or failure to comply, upon conviction thereof by any District Magistrate, shall be subject to a fine of not more than Six Hundred (\$600.00) Dollars, together with costs. In default of the payment of any fine, the defendant shall be sentenced to jail for a period not exceeding thirty (30) days.

SECTION IX. SEVERABILITY

The provisions of this Ordinance shall be severable and, if any provisions hereof shall be held to be unconstitutional, invalid or illegal, by any court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as legislative intent that this Ordinance would have been enacted had such unconstitutional, invalid or illegal provisions not been included herein.

SECTION X. EFFECTIVE DATE

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

ORDAINED AND ENACTED at a public meeting of the Board of Supervisors of the Township of Ligonier, held on the May of ________, 2010, quorum being present thereat.

LIGONIER TOWNSHIP SUPERVISORS

By Sungh Kun Chairman

By William & Forwal Supervisor

By Coop all J

ATTEST:

Asst. Secretary,

Ligonier Township

(SEAL)

EXHIBITS

SPECIAL EVENT PERMIT APPLICATION

applications must be filed by 2 pm on the date of the required submission date

Name of Event	
Name of Applicant	
Address	
Email	
Phone	,
Cell Phone	
Fax	·
Property owner of record	
Property owner address	
Property owner phone	
Location of property	
Tax Map Parcel Number	
Acreage	•
Present Zoning of Parcel	
	,
If Applicant is not the owner of the property, Indiauthority to apply. Attach appropriate document Power of Attorney, see attached form). The appresent for any public hearings.	tation of the owner's consent (ie. olicant or a representative must be
To the Board of Supervisors of Ligonier Townsh Pennsylvania. The above named owner(s) here ndicated above for the described property and a part of this application and certify that the infor SIGNATURES OF OWNER(S) OR AGENT AND	by petition(s) for the approval as shown on the attached plat made mation provided is correct.
Signature of Applicant	Date

EVENT INFORMATION:

TYPE OF Exhibition	EVENT: □Concert □Parade □Sporting Event □Fair/Festival □Race □
	□Other (specify)
EVENT T	TLE:
EVENT D	ATE:
EVENT R	AIN DATE(if any):
ACTUAL	EVENT HOURS
SET UP/A	SSEMBLY DATE:
TEAR DO	WN/BREAKDOWN DATE:
	BREAKDOWN: (describe the scope of the setup/assembly work specific details):
FEES/PR	DCEEDS/REPORTING
Estimated Estimated Amusemer	Is your organization a tax-exempt, non-profit organization (If YES, you must provide proof of your exemption with this application Will fees be charged to participants? If yes, amount \$ Will fees be charged to spectators? if yes, amount \$ Will fees be charged to vendors? If yes, amount \$ Will fees be charged for parking? If yes, amount \$ oney generated from this event be # of participants (include volunteers) # of spectators It Tax Estimation: It Tax Estimation: It ission fees charged \$
	SCRIPTION INFORMATION: (Please provide a detailed description of your ude details regarding all components of the event (attach additional sheets if

YES	NO ☐ Will items or services be sold at the event? ☐ Does this event involve a moving route of any kind along streets, sidewalks, etc? If Yes, attach a detailed map of the proposed route, indicate direction of travel, and provide a written narrative explaining route.
0	 □ Does this event involve the closure of any streets, sidewalks, roadways etc? If Yes, list street(s) requiring closure as a result of this event. Include street name(s) date and time of closing and reopening. □ Does this event involve a fixed venue site? If Yes, attach a detailed layout diagram of the proposed site.
	dition to the route map and/or site diagram required above, please attach a am showing the overall layout and setup locations for the following items:
1)	Food Concession and/or Food Preparation Areas Describe how food will be served at the event: If food will be cooked on site please specify method: □Gas/Propane □Electric □Charcoal □Other (specify):
2)	Portable Toilet Facilities Number of standard portable toilets to be supplied: Number of ADA Accessible toilets to be supplied: (Standard is one for every 200 people and 10% should be ADA Accessible)
3)	Trash & Recycling Receptacles & Management You must properly dispose of waste and garbage throughout the term of your event and, immediately upon conclusion of the event, the area must be returned to a clean, pre-event condition. The Township does not provide sanitation services for special events. Please describe in detail your waste management and clean-up plan for your event:
	detail the number and describe how the following items will be used in your event additional sheets, if necessary):

4) First Aid Facilities and Ambulance Location 5) Tables & Chairs 6) Fencing, barriers and or barricades 7) Generator locations and/or Source of Electricity 8) Canopies or Tent Locations 9) Booths, Exhibits, Displays or Enclosures 10) Vehicles and/or Trailers 11) Other related event components not covered above 12) Scaffolding, bleachers, platforms, stages, grandstands and other structures Other
SAFETY/SECURITY/ACCESSIBILITY
Please describe your procedures for both Crowd Control and Internal Security
It is the applicant's responsibility to comply with state or federal ADA accessibility requirements.
Please indicate your arrangements for providing First Aid Staffing & Equipment:
Ambulances # Provided by: Emergency Medical Technicians # Provided by: First Aid Stations # Provided by: Other # Provided by: Provided by: Provided by:
YES NO Is this a night event? If Yes, please describe how the event and the surrounding area will be illuminated to ensure safety of the participants and spectators:
PARKING PLAN/SHUTTLE PLAN/MITIGATION OF IMPACT
Please provide a detailed description of your parking and/or transportation/shuttle plans:
It is the responsibility of the Applicant to notify any nearby residents, businesses etc impacted by the event.
ENTERTAINMENT/ATTRACTIONS/RELATED ACTIVITIES
YES NO

		□ Will musical entertainment be provided at your event? If Yes, please indicate:
		Type of music # of stages # of bands
	·- <u>-</u>	□ Will amplified sound be used? If Yes, please indicate: Start time am/pm Finish time am/pm
YES	NO	□ Any signs or banners either on premise or off-premise? If Yes, complete a Sign Permit Application and submit to the Township Office.
YES	NO	☐ Any lighting? If Yes, please describe and give location.
YES	NO	☐ Any tents or canopies? If yes, please indicate size, number and location.
YES	NO	☐ Any fireworks, rockets, or other pyrotechnics on site? If Yes, complete a Fireworks Permit Application and submit to the Township Office. Please also describe here:
PRON	MOTION	I/ADVERTISING/MARKETING:
YES	NO	☐ Will this event be promoted, advertised or marketed in any manner? If Yes, please describe:
YES	NO	□ Will there be any live media coverage during the event? If Yes, please explain:
Media	Directo	or and Phone Contact Information
Before certific amour	e final ap cate of g nt of \$1,	REQUIREMENTS: oproval will be granted, the applicant must provide an original and current peneral liability insurance including bodily injury and property damage in thie 000,000 per occurrence and aggregate of \$2,000,000. Insurance coverage tained for the duration of the event.
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SPECIAL EVENT PERMIT CONTROL PAGE

DESCRIPTION	Required	Submitted	Waived .	Date Submitted
Completed & Signed Application Form				
Application Fee				
Professional Event Organizer - Letter				
Certificate of Insurance				
Detailed Setup/Assembly/Construction Plan				
Projected Event Budget				
IRS 501 C Tax Exempt Documentation				
Detailed Route Map & Narrative		,		
Detailed Map/Site Diagram				
Final Event Financial Report				
Remittance of User Fees				
Remittance of Reimbursement Fees				
Other:				
Other:				
Other:				
APPLICATION APPROVAL:				
Date	Chair	man, Ligonie	r Twp Super	visors

Notes:

SPECIAL POWER OF ATTORNEY AFFIDAVIT

COMMONWEALTH OF PENNSYLVANIA COUNTY OF WESTMORELAND

This day of
the owner/contract purchaser (circle one) of
(describe land by tax map number) make, constitute, and appoint
my true and lawful attorney-in-fact, and in my name, place and stead giving unto said full power and authority to
place and stead giving unto said full power and authority to do and perform all acts and make all representation necessary, without any limitation
do and perform all acts and make all representation necessary, without any limitation
whatsoever, to make application for said Special Event Application.
The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on, 20, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Ligonier Township Office of Westmoreland County stating the terms of this power have been revoked or modified.
Owner/Contract Purchaser/Authorized Agent
(Circle one)
(Ollole Olle)
\cdot
COMMONWEALTH OF PENNSYLVANIA:
County of
Subscribed and sworn to before me this day of, 20
in my County and State aforesaid, by the aforenamed Principal.
Notary Public
My Commission Expires:
OFFICE USE ONLY
Project Name: Date Accepted, 20
Project Ivanie.

ADJACENT PROPERTY OWNERS LIST

The following are the names and addresses of property owners either abutting, adjoining, or across the street within 200 feet of the property subject to this special event application (please print or type).

Map#	Name	Address
	· · · · · · · · · · · · · · · · · · ·	
		· ·
	·	

Please return this Special Events packet and any information relevant necessary to process your application to:

Ligonier Township One Municipal Park Dr Ligonier PA 15658

Revised 10/28/09