

**DRAFT**

ORDINANCE NO. \_\_\_\_\_

**NORTHAMPTON TOWNSHIP  
BUCKS COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE CODE OF NORTHAMPTON TOWNSHIP,  
SPECIFICALLY CHAPTER 13, LICENSES, PERMITS AND GENERAL BUSINESS  
REGULATIONS, TO ADD PART 4, SPECIAL EVENTS, TO ADD CRITERIA AND  
REGULATIONS RELATED TO THE ISSUANCE OF PERMITS FOR SPECIAL  
EVENTS IN THE TOWNSHIP IN ADDITION TO AMENDING CHAPTER 1,  
ADMINISTRATION AND GOVERNMENT, PART 2, BOARDS, COMMISSIONS AND  
COUNCILS, PART F, PLANNING COMMISSION, SECTION 1-252, MEMBERSHIP,  
TO AMEND THE NUMBER OF MEMBERS**

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** by the Board of Supervisors of Northampton Township as follows:

**SECTION 1. PART 1, Chapter 13., Licenses, Permits and General Business Regulations,** is hereby amended to add **Part. 4., Special Events,** as follows:

**Part. 4.       Special Events**

**§13-401.      Purpose**

1. The purpose of this chapter is to provide for the health, welfare, and safety of residents and visitors to the Township by regulating special events.
  - a. There are many locations and occasions for the holding of special events within the Township that may draw large numbers of people to attend, including, but not limited to, parades, promotional gatherings, fundraisers, car shows and meets.
  - b. Such events often require or need certain services provided by the Township, such as traffic control, police protection, special parking regulations, ambulance, fire safety, closing of streets to public traffic, and other municipal, quasi-municipal, or other emergency or special services to protect the health, safety, and welfare of participants and residents of the Township, neighbors, or other persons who may be impacted by such event.
  - c. It is necessary that the Township be made aware in advance of such special events so that special services can be provided and so that the appropriate municipal, police, fire, ambulance, and other services are aware of such special events to provide the services needed.

- d. The required or necessary services provided by the Township for such special events entail costs which should be borne by the sponsors or hosts of such special events.
2. That it is deemed necessary for the proper management, care, and control of the Township and its finances and maintenance of peace, good government, and welfare of the Township for its residents to require all sponsors or hosts of special events to receive permit approval for such events. In addition, it is necessary to arrange in advance for all necessary special services, to provide for the payment of all costs or expenses incurred by the Township for the delivery of such special services, and to provide the necessary insurance performance bond to protect the Township, its residents, and other persons who may be impacted by such special events.

#### **§13-402. Definitions**

1. As used in this chapter, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:
  - a. **Host** means the owner or owners of any property or persons responsible for the real estate upon which the special event is held or planned to be held.
  - b. **Person** means any person, partnership, corporation, association, firm, joint venture, organized group, organization, or entity.
  - c. **Special event** means a planned or organized outdoor activity or contest that will draw a group of 250 persons or more known or estimated participants or attendees, or both, to a defined geographical location or area, as a result of which special services shall be required. The term "special event" shall include, but is not limited to, parades, promotional gatherings, fundraisers, car shows and meets. The Township shall have the right to make the final determination as to the estimated number of attendees. Further, based on the nature of the special event, the Township reserves the right to require compliance with the special event permit process for a lesser number of attendees.
    - i. The Northampton Township Police Department shall establish there own administrative permit process for block parties, but reserves the right to require compliance with the special event permit process based on the nature and scope of the event.
  - d. **Special services** shall include any services provided by the Township for such special event, including but not limited to traffic control, crowd control, special parking or no parking signs or provisions, closure of streets or other activities on public rights-of-way, police services, ambulance or other emergency medical services, fire protection, sanitary facilities, clean up, waste disposal, illumination, food, water, trailer facilities, communication, noise



control and abatement, and any other special service, other than listed above, which a particular special event might need.

- e. *Sponsor* means the person responsible for organizing, promoting, conducting or causing to be conducted a special event or amusement.

#### **§13-403. Permits**

1. It shall be unlawful for any person to conduct a special event without registering such special event with the Township at least 60 days in advance.
  - a. For registration of such special event, the sponsor or host holding or conducting the special event, shall obtain a permit from the Township's Fire Marshal for a fee in the amount set forth by the Township's fee schedule.
  - b. No permit allowing a special event shall be issued by the Township without the applicant having first provided to the Township a written application on the permit form detailing the following:
    - i. The name, mailing, and street address in addition to the daytime and emergency telephone number or numbers of the sponsor or host of the event;
    - ii. The primary contact person for the special event;
    - iii. The proposed dates and times when the special event is to be held or conducted;
    - iv. The exact location of the property to be used for the special event, including the street address and tax map parcel number;
    - v. The name, address, and telephone number of the record owner of the property upon which the event will occur;
    - vi. The organization, society, or club, if any, for whose benefit the event is to be held;
    - vii. The nature of the building structure and devices to be used;
    - viii. A detailed description of all activities being planned as part of the special event;
    - ix. The estimated minimum, probable, and maximum participants and attendees expected to attend the special event. The Township shall have the right to make the final determination as to the estimated number of attendees.
    - x. A schedule including the duration of the event and periods when higher levels of traffic are expected;
    - xi. A request detailing each special service, as defined above, to be provided by the Township. During the course of the review, the Township reserves the right to determine the scope of special services required.
    - xii. Proof of insurance as required by this chapter and performance bond if required;

- xiii. Proof of approval from any outside agency having jurisdiction;
  - xiv. All other information that may reasonably be required by the Township to ensure the responsibility of the sponsor or host of the event and to protect the health, safety, and welfare of the citizens of the Township.
- c. Any costs for any special services as defined herein this chapter shall be paid separately in advance of the event and in accordance with any agreement or arrangement for the payment of such special services, which include, but are not limited to, employee hours including benefits, hourly wages, equipment costs, and any other costs or charges incurred by the Township in providing special services for the special event. The total amount of such permit fee, including payment of special services, shall be determined by the Township after review of the application and review of the required or requested special services. Based on the nature of the event, the Township reserves the right to establish an escrow and/or escrow agreement to cover unanticipated expenses.
  - d. Due to the unique nature of each special event, the Township reserves the right to request any additional information that may be necessary in order to conduct a thorough review of the demand for services created by the special event. Further, the Township reserves the right to waive or modify any requirements contained herein, including events that are officially sanctioned by Northampton Township.

**§13-404. Approval of Special Services**

- 1. Upon receipt of the permit application and completed information at least 60 days prior to the special event, the Fire Marshal or his/her designees, including, but not limited to, the Police Chief, Fire Services including the Fire Chief and Fire Marshal, Public Works, and rescue squad, shall review the information and permit application and coordinate with the applicant. The purpose of the review shall be to ascertain what, if any, special services shall be necessary or required to protect the health, welfare, and safety of the expected participants and attendees of the event, the residents of the Township, neighbors, and any others who may be impacted.

**§13-405. Required Inspections**

- 1. Upon submission of an application for permit to hold or conduct a special event in accordance with this chapter, the Fire Marshal shall coordinate all inspections at the property to ensure compliance with the Township's codes and ordinances. Such inspections shall include, but are not limited to, inspections to ensure compliance with the Township's building code, property maintenance code, zoning code, fire code, and all other applicable codes and ordinances. Said inspections shall also include



all reviews by the Township to ensure appropriate, safe, and adequate parking facilities for all attendees, participants, and employees of the special event.

**§13-406. Permit Denial**

1. The Fire Marshal reserves the right to deny approval of any special event if compliance with this chapter is not met and/or it is determined that the special event could adversely impact the health, welfare, and safety of residents and visitors to the Township.
  - a. An appeal of permit denial or an appeal of any of the provisions contained herein shall be made to the Township Manager.

**§13-407. Responsibilities of Permittees, Sponsors, and Hosts**

1. Any person permitted to conduct a special event shall comply in full with all ordinances of the Township and statutes of the Commonwealth of Pennsylvania and take all necessary action required to prevent the use of loud or noisy devices or activities or the occurrence of any disorderly conduct by patrons, attendees, or employees of the permittee, sponsor, or host.
2. Any person permitted to conduct a special event shall not engage in any illegal activities or engage in any conduct which violates any ordinance, statute, law, or enactment of Northampton Township or the Commonwealth of Pennsylvania.
3. Participants in any special event shall not engage in any loud, boisterous conduct, or allow loud noise, talk, or music to a degree that causes annoyance to the residents of the Township as set forth in the Township's ordinance regulating noise.
4. Any and all temporary lighting for such special event shall be directed away from the abutting streets and properties using shielding devices to prevent unreasonable glow beyond property lines.
5. Any permittee, sponsor, or host of a special event shall be obligated to comply with the requirements of any agency having jurisdiction, including, but not limited to, the Bucks County Health Department.
6. The individual or organization sponsoring or conducting the special event shall be responsible for damage caused to Township property by the participants, attendees, and employees of the event.
7. Failure of any permittee, sponsor, or host to comply with the requirements of this section shall be grounds for immediate revocation of the permit.

**§13-408. Insurance Requirements**

1. The permittee, sponsor, or host issued a permit for the staging of any special event as defined by this section shall supply the Township with a valid, prepaid policy of bodily injury and property liability insurance, insuring the permittee, sponsor or host and the Township, for all manner of bodily injury, death, or like occurrences and property damage liability in an aggregate amount of \$2,000,000.

**§13-409. Performance Bond**

1. If requested, the applicant for any special event permit shall post with the Township a performance bond with a surety company acceptable to the Township in the amount of \$10,000.00 or in a different amount as established by the Northampton Township depending on the scope of the event. The condition of such bond shall be that the applicant shall at all times follow and comply with all Township ordinances and regulations, pay all required fees, and comply with all Township requirements. Such bond shall be subject to forfeiture in the event that there is not compliance with all Township requirements and shall be held by the Township for payment of any unanticipated or excessive costs incurred by the Township not paid at the time of application. If approved by the Township, an alternate form of financial security may be accepted.

**§13-410. Township Liability**

1. The Township, directly or indirectly, is not the guarantor of the safety of any special event and the Township retains all attributes of sovereign immunity with regard to the activities of its officials and employees with respect to the inspection of any special event.

**§13-411. Indemnification**

1. The applicant for permit, as a condition precedent to acceptance of the permit, shall indemnify and save harmless the Township, its officials, employees, and agents, from any claim for damages resulting from the operation of any special event for which a permit has been issued.

**§13-412. Penalties**

1. Any person who shall violate any provision of this chapter shall, upon conviction thereof, be sentenced to pay a fine of not more than \$1,000.00 a day for every day that the violation exists, and in default of payment, to imprisonment for a term not to exceed 30 days. Every day that a violation of this chapter continues shall constitute a separate offense.

**SECTION 2. Chapter 1, Administration and Government, Part 2, Boards, Commissions and Councils, Part F, Planning Commission, Section 1-252, Membership,** is hereby amended to delete “seven” and replace with “five.” All other language shall remain as written.

**SECTION 3. SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

**SECTION 4. REPEALER.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**ORDAINED** and **ENACTED** by the Board of Supervisors of Northampton Township

this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

BOARD OF SUPERVISORS  
NORTHAMPTON TOWNSHIP

\_\_\_\_\_  
Adam Selisker, Chairman

ATTEST: \_\_\_\_\_  
Paula Gasper, Secretary

11/27/23