TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 891

ADOPTING CHAPTER 308 OF THE ORDINANCES OF THE TOWNSHIP OF UPPER DEERFIELD ESTABLISHING STANDARDS AND REGULATIONS CONCERNING PUBLIC ENTERTAINMENT AND OR SPECIAL EVENTS.

WHEREAS, there have been requests by property owners for public entertainment/special events guidelines to have an event and there have been previous public entertainment/special events activities without guidelines: and

WHEREAS, there is a need to create standards and regulations for public entertainment/special events activities to allow for the comfort, repose, health, peace and safety of others; and

WHEREAS, the Township Committee of Upper Deerfield Township finds and determines that it is necessary for the protection of the health, safety and welfare of the residents of Upper Deerfield Township to adopt this ordinance establishing standards and regulations concerning public entertainment/special events that shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, request donations or sell or give tickets to an actual or reasonably anticipated revenue generating indoor or outdoor event on public or private property.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of Upper Deerfield Township to adopt the following ordinance as Chapter 308 of the Upper Deerfield Township Code.

§ 308. Public Entertainment/Special Events

§ 308-1. Purpose. The purpose of this chapter is to establish standards and regulations concerning public entertainment/special events that shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, request donations or sell or give tickets to an actual or reasonably anticipated revenue generating indoor or outdoor event on public or private property

§ 308-2. Definition.
PUBLIC ENTERTAINMENT — Means and includes all or any of the following types and places of entertainment open to the public generally: theatrical or variety performance, plays, dances, exhibitions of any nature, theaters, opera house, music halls, revenue generating and indoor or outdoor events open to the public or any other types and places of public entertainment.

SPECIAL EVENT — means to permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, request donations or sell or give tickets, to an actual or reasonably anticipated revenue generating outdoor event on public or private property.

§ 308-3. Applicability.

A. This chapter shall not apply to any regularly established permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, school or other similar permanently established place of event which do not exceed the maximum seating capacity of the structure where the event is held.

B. This chapter shall not apply to government-sponsored events nor to events required to be licensed by other ordinances and regulations of the Township of Upper Deerfield nor to activities regulated by the statutes of the State of New Jersey.

§ 308-4. Licensed required.
In order to provide Township authorities with the necessary information so they may maintain the public safety and order, no person shall exhibit, give, have, maintain or conduct or cause to be exhibited, given, made, maintained or conducted any type of public entertainment or special event without first obtaining the appropriate license and paying the required fee, if any.

§ 308-5. Licensing fee. A license fee for each license shall be $100 for each event.

§ 308-6. Application for license; application information.

A. Applications for a license to hold an actual Public Entertainment/Special Event shall be in writing to the governing body of this municipality at least 30 days in advance of such event. The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct, to the best knowledge of the applicant, and shall be signed and sworn to or affirmed by the individual making application. In the case of an individual, signing of the application shall be by a natural human being, by an officer in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group, or, if there are no officers, by all members of such association, society or group.

B. The application shall contain and disclose:

(1) The name, age, residence and mailing address of persons required by Subsection A to sign the application and, in the case of a corporation, a certified copy of the certificate of incorporation, together with the name, age, residence and mailing address of each person holding 10% or more of the stock in said corporation.

(2) The name, age, residence and mailing address of all people contributing $100 or more to the production of said event.

(3) The address and legal description of all property upon which the event is to be held, together with the name, residence and mailing address of the record owner or owners of all such property.

(4) Proof of ownership of all property upon which the event is to be held, or statement made upon oath or affirmation by the record owner or owners of all such property that the applicant has permission to use such property for an outdoor event.

(5) The nature or purpose of the event.

(6) The date and hours during which the event is to last.

(7) The maximum number of people the applicant shall permit at any time, not to exceed the maximum number which can reasonably assemble at the location of the event, in consideration of the nature of the event.

(8) The maximum number of tickets to be sold, if any.

(9) The plans of the applicant to limit the maximum number of people to assemble.

(10) The plans for fencing the location of the event, and the gates contained in such fence.

(11) The plans for supplying potable water, including the source.

(12) The plans for providing toilet and lavatory facilities, including the source, number and location, type and means of disposing deposits of waste.

(13) The plans for holding, collecting and disposing of solid waste material.

(14) Plans to provide medical facilities, including the medical location and names and addresses of any physicians and nurses if required. Provisions for emergency ambulance service.

(15) The plans, if any, to provide power for the event, including the source.

(16) The plans for parking vehicles, including size and location of lots, points of highway entry and interior roads, including routes between highway access and parking lots. If a shuttle service is proposed, written approval from the property owner where the vehicles will be parked is required. Approved state permits must be furnished if required.

(17) The plans for telephone service, including the source, number and location of telephones.

(18) The plans to illuminate the location of the event if required.

(19) The plans for security, including the number of guards, the deployment, their names, addresses, credentials and hours of availability.

(20) The plans for fire protection, including the number, type and location of all protective devices, including the alarms and extinguishers, and the number of emergency fire personnel to operate the equipment.

(21) The plans for sound control and sound amplification.

(22) The plans for food concessions and concessionaires who will be allowed to operate on the grounds, including the names and addresses of all concessionaires and their license or permit numbers. Cumberland County Health Department approval required for any food concessionaires.

(23) Bond required for any damage incurred by trespass, vandalism or otherwise, and for any costs incurred in cleaning up any waste material produced or left by the event, if the event is not held on the applicant's property.

(24) A Certificate of Insurance showing the Township of Upper Deerfield as an additional insured for the event and a hold harmless agreement which shall indemnify and hold harmless the municipality or any of its agents, officers, servants and employees from any liability or causes of action which might arise by reason of the granting of this license**.**

(25) Applicant will need to be in compliance with any state or local laws and comply with all regulations established by the NJ Alcoholic Beverage Control.

§ 308-7. Investigation; report

A. Upon receipt of a completed application, the Clerk's Office shall engage the Zoning Office, Construction Office, State Police, Public Works, Fire Marshall, EMS, Recreation and/or the Cumberland County Health Department to investigate any concerns presented by the application, or any circumstances reasonably bearing on the proposed events or entertainment.

B. If so engaged to investigate by the Township Clerk, the Zoning Office, Construction Office, State Police, Public Works, Fire Marshall, EMS, Recreation and Cumberland County Health Department shall report their respective investigations and findings to the Clerk, who will thereafter forward in writing any special requirements mandated by those departments and agencies to the Township Committee for its approval. Any special requirements for the event or entertainment adopted by Township Committee shall be communicated in writing to the applicant within ten (10) days after their adoption.

§ 308-8. Conditions for issuing licenses.

A. The licensee shall comply with the special requirements adopted by Township Committee.

B. The license shall also permit only the maximum number of people stated in the license. The licensee shall not sell tickets to, nor permit at the licensed location, more than the maximum permissible number of people.

C. The licensee shall not permit the sound of the event to carry unreasonably beyond the closed boundaries of the location of the event.

D. No such event shall be conducted between the hours of 10:00 pm and 10:00 am.

§ 308-9. Issuance of license.
The application for a license shall be processed within 21 days of receipt and shall be issued when all conditions are complied with.

§ 308-10. Revocation of license.
The license may be revoked by the governing body of this municipality at any time if any of the conditions necessary for the issuance of or contained in the license are not complied with or if any condition previously met ceases to be complied with.

§ 308-11. Enforcement; violations and penalties.

A. The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.

B. The holding of any outdoor event in violation of any provision or condition contained in this chapter shall be viewed as a public nuisance and may be abated by the Township as such.

C. Any person who violates any section of this chapter or any condition upon which he is granted a license may be fined not less than $1,000 nor more than $20,000. Each violation shall be considered a separate offense.

BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield that all ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance which shall remain in full force and effect.

This Ordinance shall take effect in the time and manner prescribed by law.

NOTICE

Notice is hereby given that the foregoing proposed Ordinance was introduced and passed by the Township Committee of the Township of Upper Deerfield, in the County of Cumberland, at a meeting thereof held on July 27, 2026, and will be further considered for final adoption at a public hearing to be held by said Township Committee on Thursday, August 6, 2026, at 7:00 P.M., then prevailing time, at the Municipal Building, Seabrook, New Jersey. Copies of the ordinance are available in the Clerk's office.

Township Clerk
Roy Spoltore