

**TOWNSHIP OF MILLSTONE  
470 STAGE COACH ROAD  
MILLSTONE TWP., NEW JERSEY 08510**

**MUSICAL, PUBLIC ENTERTAINMENT, AMUSEMENT OR PRIVATE PARTY APPLICATION**

Fee: \$1,500.00 (no fee for private parties)

Received: Check # \_\_\_\_\_

**4-4.2**

a. Application Procedure - Applicant shall file a verified application with the Township Clerk at least sixty (60) days prior to the date or dates upon which such event is to take place.

1. Name: \_\_\_\_\_

Address: \_\_\_\_\_

Location of event: \_\_\_\_\_

Home Telephone, Cell Phone and Fax #: \_\_\_\_\_

2. Signature of Applicant: \_\_\_\_\_

Signature of all property owners: \_\_\_\_\_

3. Number of attendees: \_\_\_\_\_

Date/s of event: \_\_\_\_\_

Duration of event: \_\_\_\_\_

4. Will there be food and at the event: \_\_\_\_\_

Will there be alcohol at the event: \_\_\_\_\_

Is shelter required for overnight guests: \_\_\_\_\_

Will toilet and other sanitary facilities be available: \_\_\_\_\_

Are medical and hospital, including first aid and ambulance service required: \_\_\_\_\_

What kind of parking will be available during the event: \_\_\_\_\_

Public safety (# of guards/traffic control): \_\_\_\_\_

5. Each application shall have attached thereto the written recommendations of the following with respect to the adequacy of the provisions proposed under the above:

- (a) The New Jersey State Police having jurisdiction of Millstone Township.
- (b) The Township Fire Chief.
- (c) The Township Engineer.
- (d) The Township Sanitation Officer
- (e) The Monmouth County Board of Health.

Township Committee Agenda Date: \_\_\_\_\_ (Approved)\_\_\_\_\_ (Denied)\_\_\_\_\_

\_\_\_\_\_  
Township Clerk

\_\_\_\_\_  
Date

## **4-4 MUSICAL, PUBLIC ENTERTAINMENT, AMUSEMENT OR PRIVATE PARTY.**

### **4-4.1 Special Permit Required.**

- a. No person shall maintain, conduct, promote or operate on any lands or premises within the Township other than in established auditoriums or other places licensed or permitted for public occupancy as limited by law or zoning, any use thereof for the purposes of mass musical, public entertainment or amusement of various designations or participation therein, including, but not limited to, "pop festival," "rock music festival," "rock festival," "jazz festival," "rock and roll music festival," "music festival," "recorded music," "mansion party," "rehab party," "pool party" or other such combinations thereof, except pursuant to a special permit issued therefor by the Township as hereinafter provided.
- b. No owner, lessee, licensee or other person having any right to or interest in any real property within the jurisdiction of the Township shall license, rent, lease or otherwise permit the use of such real property or any part thereof for the use of mass musical, public entertainment or amusements of various designations or participation therein as defined under subsection 4-4.1a. above, other than in established theaters, auditoriums or other places licensed for public occupancy as limited by law, except pursuant to a special permit issued therefor by the Township Committee as hereinafter provided.
- c. No mass musical, public entertainment or amusements as defined in subsection 4-4.1a. as set forth in this section shall be permitted at any residence for a fee or charge or to promote the sale or use of any product or service including a contribution to a charitable organization, unless such event is run by an IRS Code Section 501(c)(3) organization.
- d. No party, private or open to the public for which no fee or charge is required and is to be attended by more than one hundred fifty (150) people, including any residents of a home, employees, agents, entertainers, DJ's, caterers or servers shall be permitted without a permit under this section.

(1971 Code §40-1; Ord. No. 2014-14; Ord. No. 2016-12)

### **4-4.2 Application; Provisions for Granting Special Permits.**

The Township Committee may issue a special permit herein upon written application made by such person who proposes to maintain, conduct, promote or operate such mass musical, public entertainment or amusement, as defined in subsection 4-4.1a., or private party, as defined in subsection 4-4.1d. or participation therein together with the owner, lessor or licensor who proposes to rent, lease, license or otherwise permit such mass musical or public entertainment or participation therein, all hereinafter designated as "applicant." (Ord. No. 2016-12)

a. *Application Procedure.*

1. The applicant shall file a verified application with the Township Clerk at least sixty (60) days prior to the date or dates upon which such event is to take place.
2. The application shall be signed by all persons actually in charge of the event, and the property owners on whose property the proposed event is to take place.

3. The application shall state:
  - (a) The number of persons expected to attend such event and the location thereof.
  - (b) The date or dates thereof.
  - (c) The duration of the event.
4. The application shall further state in specific detail what provisions are proposed for the accommodation of the persons attending, in the following particulars:
  - (a) Food and drink.
  - (b) Shelter (if overnight stay is requested).
  - (c) Toilet and other sanitary facilities.
  - (d) Medical and hospital care, including first aid and ambulance service.
  - (e) Parking of cars, indicating parking areas and means of ingress and egress.
  - (f) Public safety, indicating the kind and number of guards or special police assisting in the control of traffic and supervision of those attending the event.
5. Each application shall have attached thereto the written recommendations of the following with respect to the adequacy of the provisions proposed under the items set forth in subparagraph 4 above:
  - (a) The New Jersey State Police having jurisdiction of Millstone Township.
  - (b) The Township Fire Chief.
  - (c) The Township Board of Health.
  - (d) The Township Sanitation Officer.
  - (e) The Township Engineer.
  - b. The Township Committee, after public hearing thereon held within thirty (30) days after submission of such application, held pursuant to the publication of a notice of hearing published at least once in the official newspaper of the Township at least ten (10) days prior to such hearing, after considering the application and after causing due investigation and report to it, and after considering the facts and circumstances in the premises, and after giving due regard to the recommendations of the State Police, the Fire Chief, the Sanitation Officer, the Board of Health and the Township Engineer, may issue a special permit upon such terms and conditions as it deems necessary and proper to ensure the public health, safety and welfare.
  - c. The applicant, prior to the event, shall post a bond suitable to the Township Committee as to amount and surety, to ensure cleanup and restoration of the area at which such event takes place within forty-eight (48) hours after the close of the event.

- d. A fee as specified in Section 5-4 shall accompany each application.
- e. No permit shall be issued for any site that has outstanding enforcement actions for ordinance violations or building code and subcode violations. (Ord. No. 2016-12)

(1971 Code §40-2; New; Ord. No. 2014-14; Ord. No. 2016-12)

#### **4-4.3 Exceptions.**

This section shall not be applicable where there are less than one hundred fifty (150) people attending such an event as defined in subsection 4-4.1a. above or there are less than one hundred fifty (150) people for any event as defined in subsection 4-4.1d. above and where such event does not exceed a period of more than four (4) consecutive hours between the hours of noon and 9:00 p.m. prevailing time, and provided further that the New Jersey State Police, Hamilton Barracks and the Township Clerk are notified of the event at least forty-eight (48) hours in advance thereof by written notice duly receipted by the New Jersey State Police, Hamilton Barracks. (1971 Code § 40-3; New; Ord. No. 2014-14; Ord. No. 2016-12)

#### **4-4.4 Concurrent Remedy.**

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 or other law enforcement authority to avoid or prevent any violation or attempted violation of this law, such as, but not limited to, an injunction or restraining order. (1971 Code §40-5)

#### **4-4.5 Applicability of Other Laws.**

This act is in addition to any other law, ordinance or regulation affecting the subject matter herein and is not in limitation thereof. (1971 Code §40-6)

#### **4-4.6 Violations and Penalties.**

Any person who shall violate or aid in, take part in or assist in the violation of this law, shall be liable, upon conviction, to the penalty stated in Chapter I, Section 1-5. Each and every day that such violation occurs or continues to exist shall be considered a separate and specific violation. (1971 Code §40-4)