

Chapter 69
PUBLIC ENTERTAINMENT

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[HISTORY: Adopted by the Borough Council of the Borough of South Greensburg at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Amendments noted where applicable. Repealed and replaced by Ord. No. 2013-04 on 5-13-2013, effective 5-13-2013]

GENERAL REFERENCES

Amusements and amusement devices — See Ch. 51.

§ 69-1. Permit required.

It shall be unlawful for any person, firm, corporation or other entity to conduct or promote "public entertainment," defined as to include, but not limited to, a carnival, circus, festival, fair, dramatic performance or other exhibition or special event in the Borough of South Greensburg without first having made application for and received a permit from the Mayor acting on behalf of the Borough Council in accordance with the conditions and limitations as set forth in this Chapter. The term "public entertainment" shall not include any musical or other performance given for entertainment of persons present at any public eating or drinking establishment.

§ 69-2. Application procedures.

- A. The applicant for such permit shall file an application, in writing, with the Mayor, which application shall be accompanied by the following information and assurances in a detailed plan:
 - (1) The type of public entertainment.
 - (2) The anticipated number of attendees, including the number of admission tickets to be sold, if any, and the approximate capacity of any and all buildings to be used.
 - (3) The amount of space and plan of the area where exhibition would take place.
 - (4) The number of entrances to be opened for admittance to any building, and if applicable, the number of entrances to be used solely for admission to the seating area or areas.
 - (5) The number of staff, including security and sanitation personnel.
 - (6) The parking facilities available.

- (7) The number of sanitary facilities to be provided, specifying by number whether the facilities are permanent or temporary.
 - (8) The number of trash and litter receptacles available and the frequency with which trash and litter will be removed from the location of the public entertainment.
 - (9) The days and hours of operation, subject to the restrictions set forth in § 69-3 of this Chapter.
 - (10) Such other relevant information as the Mayor may reasonably require.
- B. The applicant shall furnish evidence that a public liability insurance policy shall be in force and effect at the time the public entertainment takes place, including time for preparation, wind down and clean up. No permit shall be issued until the Mayor is satisfied that the owner, operator and/or sponsor of such public entertainment event has purchased suitable insurance to provide protection against foreseeable risks with respect to the operation of such exhibition or special event.
 - C. The applicant shall furnish evidence regarding the safety of equipment to be used at the public entertainment, if any. No permit shall be issued until the Mayor is satisfied that the evidence of safety is sufficient with respect to the operation of equipment at the public entertainment. Where applicable, proof of license or certification by the applicable agency of the Commonwealth of Pennsylvania shall be supplied to the Mayor.
 - D. The applicant shall furnish to the Mayor a good and sufficient bond in the sum of one thousand dollars (\$1,000.) which shall be in force for thirty (30) days and made to the Borough of South Greensburg, conditioned that the sidewalks, streets and alleys of the Borough will be restored to the same condition as prior to the public entertainment. All litter and rubbish from the grounds used and the sidewalks, streets or alleys adjacent thereto shall be cleared immediately after each day or night session and at the conclusion of the public entertainment. Said bond shall cover all customary responsibilities of the applicant, including, but not limited to, litter and rubbish clean up, removal of temporary sanitary facilities and sidewalks, streets and alleys repair and maintenance.
 - E. The application and plans as required shall be submitted to the Mayor at least ten (10) days prior to the date of the public entertainment.
 - F. The Mayor first shall notify the Police Department and Fire Department of the receipt of plans as required under Subsections A through E hereof and shall forward copies of these plans to the Police Department and Fire Department for review and comment prior to granting the application..
 - G. The Mayor shall have the authority to order additional staffing or any additional authority as needed to ensure the health safety of the public.
 - H. Nothing in this section shall be construed in any fashion whatsoever as limiting the liability of those responsible for the management and operations of the public entertainment.
 - I. If the Mayor finds that all of the limitations and requirements of the permit and this Chapter have been complied with or will be complied with by the applicant, the Mayor shall issue the permit conditional upon such reasonable limitations and requirements as the Mayor may deem necessary for the health and safety of persons and property.
 - J. The permit shall only be in effect for those days specified on the application.
 - K. The fee for each permit to be issued pursuant to the requirements for this Chapter shall be set by the Council for the Borough of South Greensburg.
 - L. The Mayor may appoint a designee to carry out any duties granted to the Mayor hereunder.

§ 69-3. Hours of operation; rules of conduct.

A. All public entertainment shall operate between the following hours only:

(1) Monday through Saturday: 9:00 a.m. to 11:00 p.m.

(2) Sunday: 11:00 a.m. to 11:00 p.m.

B. The owner, operator and/or sponsor of such public entertainment shall not permit unnecessarily loud noises to issue from the premises on which such public entertainment is located, and shall not permit unnecessarily loud noises to issue from the premises on which such public entertainment is located, and shall not otherwise permit any activity or conduct which may constitute a threat to the health and safety of the public.

§ 69-4. Suspension or revocation of license; appeals.

Any permit granted under this Chapter may be suspended or revoked by the Mayor of the Borough of South Greensburg in any instance where the Mayor finds that the holding of any such entertainment or the place where the same is held or proposed to be held shall constitute a threat to the health or safety of the public. Any applicant or holder of a permit aggrieved by any decision under this Chapter, may, within ten (10) days following said decision, file a written appeal therefrom with the South Greensburg Borough Council, whereupon the Borough Council shall promptly conduct a hearing and affirm, modify or reverse the decision appealed from. The decision of the Borough Council shall be final.

§ 69-5. Violations and penalties.

Any person violating any of the provisions of this Chapter shall be guilty of a summary offense. Upon conviction thereof in a summary proceeding, the violator shall be sentenced to pay the costs of prosecution and a fine of not more than six hundred dollars (\$600.). Each violation of this Chapter and/or each day of any violation of this Chapter shall be considered a separate violation.