

Chapter 118

CARNIVALS, CIRCUSES AND TRAVELING SHOWS

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[HISTORY: Adopted by the Mayor and Council of the Borough of Wood-Ridge 12-26-75 by Ord. No. 700 as Section 4-8 of Chapter IV of the 1975 Revised General Ordinances of the Borough of Wood-Ridge. Sections 118-2 and 118-7 amended and § 118-9 added at time of adoption of Code; see Ch. 1, General Provisions, Art. III. Other amendments noted where applicable.]

GENERAL REFERENCES

General penalty — See Ch. 1, Art. II.
Board of Health — See Ch. 37.
Licensing — See Ch. 168.

§ 118-1. License required; application for license.

The following regulations shall apply to each and every carnival, circus, traveling show, music festival or any large gathering to be hereafter conducted in the borough:

- A. License required. No carnival, circus, traveling show, music festival or any large gathering for entertainment purposes shall be opened or operated in the borough, unless and until a license has been issued in accordance with this chapter.
- B. Application for license.
- (1) No license for carnival, circus, traveling show, music festival, or any large gathering for entertainment purposes shall be considered or issued until a written application has been signed by the person desiring to operate such circus or show and the application filed with the Borough Clerk. The proper fee shall be paid to the Clerk and copies of the application shall be filed with the Police Department, the Fire Department and Board of Health. The aforesaid Boards shall submit their comments concerning the application to the Mayor and Council prior to the issuance of any approval of the Mayor and Council.
 - (2) The license application and proper fee shall be delivered to the Borough Clerk at least thirty (30) days before the Borough Council meeting at which the application is to be considered.
 - (3) All such applications shall be made on forms to be provided by the borough.
 - (4) The application shall state the names and addresses of all parties interested in and intended to benefit from the contemplated profits of the venture and the amount of percentage thereof. If the stated beneficiary or any part of the profits is a charitable, patriotic or religious group, body or corporation of the borough, its proper officers shall approve the application and verify the statements made in the application as to it, in writing.

§ 118-2. License fee. [Amended 12-19-83 by Ord. No. 22-83¹]

The fee shall be three hundred dollars (\$300.) per day for each carnival, circus, traveling show, music festival or any large gather-

¹ Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III. Original Subsection 4-8.3, which prohibited gambling, noise, profanity and unlawful enterprises and which immediately followed this section, was deleted at time of adoption of Code; see Ch. 1, General Provisions, Art. III.

ing for entertainment purposes that is licensed to operate and the total amount of the fee shall accompany the application. If the application is denied, one hundred dollars (\$100.) of the tendered fee shall be retained by the borough as a processing fee for checking application, applicant and incidental clerical work. However, any religious, charitable, educational or fraternal organization sponsoring any carnival, circus or traveling show, music festival or any large gathering may apply to the Mayor and Council for exemption from the payment of such fee.

§ 118-3. Responsibility for employees.

Each licensee shall be responsible for any and all acts of his agents, employees and servants on the licensed premises.

§ 118-4. Suspension of licenses.

Any violation of any one (1) or more of such rules shall be sufficient grounds for suspension of any license. The borough shall reserve the right to suspend a license upon reasonable grounds of a probable violation of one (1) or more of such rules by licensee or his agent, employee or servant.

§ 118-5. Revocation of licenses; notice of hearing.

The Chief of Police or his immediate subordinate shall have the right to revoke any license for a violation of any such rules. The licensee shall be accorded a public hearing on no more than five (5) days' notice after revocation.

§ 118-6. Site owner's consent.

Each application shall contain the written consent of the owner of the site where carnival, circus, traveling show, music festival or any large gathering for entertainment purposes is proposed to be conducted.

§ 118-7. Certified check or cash bond to ensure cleanup.²

Each applicant for license shall deposit with the Borough Clerk, at time of filing application, a certified check or cash bond in the amount of one thousand dollars (\$1,000.) to guarantee that upon the expiration of the license, the licensed premises and the adjacent public roads and immediate vicinity of the licensed premises shall be broom-cleaned within forty-eight (48) hours after the conclusion of the event. The Borough Clerk shall return the bond to the applicant after he is satisfied that the area has been broom-cleaned. In the event that the area has not been broom-cleaned to the borough's satisfaction, the bond shall be forfeited, and the applicant shall be subject to penalties provided in § 118-9 of this chapter.

§ 118-8. Exemptions from provisions.

The following shall be exempt from the provisions of this chapter and shall not need a license hereunder:

- A. Athletic events, such as football, baseball, softball, basketball and similar events, shall not require a license hereunder.
- B. Any enterprise managed or controlled by a borough license operating under regulations issued by the State Division of Alcoholic Beverage Control Commission or Legalized Games of Chance Control Commission shall not require an additional license hereunder.

§ 118-9. Violations and penalties.³

Any violation of the provisions of this chapter shall be punishable as provided in Chapter 1, General Provisions, Article II.

² Editor's Note: Amended at time of adoption of Code; see Ch. 1, General Provisions, Art. III.

³ Editor's Note: Added at time of adoption of Code; see Ch. 1, General Provisions, Art. III.