



**BOROUGH OF ROSELLE
108 WEST THIRD AVENUE
ROSELLE, NEW JERSEY 07203
TELEPHONE: (908) 259-3010**

ENTERTAINMENT LICENSE APPLICATION

FOR A LICENSE FOR AN OWNER, OPERATOR, MANAGER, OR ENTERTAINER FOR A PUBLIC PLACE OF ENTERTAINMENT

Filing Requirements:

- A non-refundable licensing fee of \$300 by check, made payable to the Borough of Roselle is to be submitted along with this application to the Borough Clerk.
- Applicant shall present photo identification with this application.
- At the time of the application, a picture shall be taken of the applicant by the Roselle Police Department.
- If the identify of any person changes, notice shall be provided in writing to the Borough Clerk forthwith.
- The Borough Clerk, upon presentation of the application and before acting upon the same, shall refer the application to the Police Department which shall make a full investigation as to the truth of the statements contained therein.
- The application shall be approved or denied within ten (10) business days after submission of all required information and payment of the required fees.

<u>For Office Use Only</u>
Date Complete Application Received: _____
Appropriate Fees Received: \$300 Yes__ No __
Referred to Police Department: (date) _____
Report from Police Department: _____
Applicant Agrees to Extension of Time: ____ If Incomplete, Notice Sent: _____
Action Taken: ____ Issued ____ Renewed ____ Denied
If Denied, Applicant Notified: _____
Receipt #: _____
Check #: _____

PLEASE PRINT

APPLICANT NAME: _____

APPLICANT TYPE (Check one)

INDIVIDUAL () PARTNERSHIP () CORPORATION () OTHER ()*

***IF APPLICANT TYPE IS "OTHER", PROVIDE A FULL EXPLANATION AND DESCRIPTION THEREOF:**



**BOROUGH OF ROSELLE
108 WEST THIRD AVENUE
ROSELLE, NEW JERSEY 07203
TELEPHONE: (908) 259-3010**

ENTERTAINMENT LICENSE APPLICATION

**FOR A LICENSE FOR AN OWNER, OPERATOR, MANAGER, OR ENTERTAINER FOR A PUBLIC
PLACE OF ENTERTAINMENT**

ADDRESS: _____

(If applicant is an individual, use applicant's residential address)

TOWN: _____

STATE/ZIP CODE: _____

TELEPHONE NUMBER(S): _____

**IF APPLICANT IS A PARTNERSHIP, PROVIDE THE FULL NAMES, RESIDENCE ADDRESSES, DATES
AND PLACES OF BIRTH FOR EACH PARTNER:**

***If additional space is needed, please attach pages to this application**

**IF APPLICANT IS A CORPORATION, PROVIDE THE FULL NAMES, RESIDENCE ADDRESSES, DATES
AND PLACES OF BIRTH OF EACH MAJOR OFFICER AND EACH STOCKHOLDER (OWNING OR
HAVING LEGAL OR EQUITABLE INTEREST OF 10% OR MORE), THE NAME AND ADDRESS OF
THE REGISTERED AGENT:**



**BOROUGH OF ROSELLE
108 WEST THIRD AVENUE
ROSELLE, NEW JERSEY 07203
TELEPHONE: (908) 259-3010**

ENTERTAINMENT LICENSE APPLICATION

**FOR A LICENSE FOR AN OWNER, OPERATOR, MANAGER, OR ENTERTAINER FOR A PUBLIC
PLACE OF ENTERTAINMENT**

***If additional space is needed, please attach pages to this application**

**IF APPLICANT IS AN "OTHER" ENTITY, PROVIDE THE FULL NAMES, RESIDENCE ADDRESSES,
DATES AND PLACES OF BIRTH OF EACH PERSON OWNING OR HAVING LEGAL OR EQUITABLE
INTEREST OF 10% OR MORE OF THE TOTAL CAPITAL OF SAID ENTITY, THE NAME AND
ADDRESS OF THE REGISTERED AGENT:**

***If additional space is needed, please attach pages to this application**

NAME AND ADDRESS OF EMPLOYER (IF APPLICABLE):

***If applicable, provide credentials establishing the employer-employee relationship**

**IS THE APPLICANT OR THE EMPLOYER OF THE APPLICANT, OR ANY PARTNERS, OFFICERS OR
STOCKHOLDERS THEREOF EVER BEEN ARRESTED OR CONVICTED OF A CRIME, OR THE
VIOLATION OF ANY MUNICIPAL ORDINANCE OTHER THAN TRAFFIC OFFENSES? _____**

**IF THE ANSWER TO THE ABOVE QUESTION YES, NAME THE PERSON ARRESTED, CONVICTED,
OR FOUND IN VIOLATION AND PROVIDE THE DATE OF ARREST, CONVICTION OR VIOLATION,
THE CRIME, CHARGE OR VIOLATION INVOLVED AND THE DISPOSITION THEREOF:**



**BOROUGH OF ROSELLE
108 WEST THIRD AVENUE
ROSELLE, NEW JERSEY 07203
TELEPHONE: (908) 259-3010**

ENTERTAINMENT LICENSE APPLICATION

**FOR A LICENSE FOR AN OWNER, OPERATOR, MANAGER, OR ENTERTAINER FOR A PUBLIC
PLACE OF ENTERTAINMENT**

NUMBER OF PLENARY RETAIL CONSUMPTION LICENSES HELD BY APPLICANT: _____

**DESCRIBE, WITH SPECIFICITY, THE NATURE AND TYPE OF ENTERTAINMENT TO BE PROVIDED
ON THE LICENSED PREMISES:**

**PROVIDE APPROPRIATE EVIDENCE OF THE GOOD CHARACTER AND BUSINESS RESPONSIBILITY
OF THE APPLICANT SO AN INVESTIGATOR MAY PROPERLY EVALUATE APPLICANT'S
CHARACTER AND RESPONSIBILITY:**

***If additional space is needed, please attach pages to this application**

BOROUGH OF ROSELLE
ENTERTAINMENT LICENSE APPLICATION
FOR A LICENSE FOR AN OWNER, OPERATOR, MANAGER, OR ENTERTAINER FOR A PUBLIC
PLACE OF ENTERTAINMENT

I _____ do swear or affirm under oath that the statements contained in this application are true and correct. This statement is executed with the knowledge that false statements, untrue statements, misrepresentations or failure to reveal Information Requested may be deemed sufficient cause for the refusal to issue said license or revocation of a license issued hereunder.

SIGNATURE

DATE

PRINT NAME

BOROUGH OF ROSELLE
ENTERTAINMENT LICENSE APPLICATION
FOR A LICENSE FOR AN OWNER, OPERATOR, MANAGER, OR ENTERTAINER FOR A PUBLIC
PLACE OF ENTERTAINMENT

BOROUGH USE ONLY

The following department Heads have conditionally approved your application for the above function.

Approved Denied

[] [] _____ _____
Signature Date
Police Chief

[] [] _____ _____
Signature Date
Fire Chief

[] [] _____ _____
Signature Date
Borough Engineer

[] [] _____ _____
Signature Date
Construction Official

[] [] _____ _____
Signature Date
Zoning Officer

[] [] _____ _____
Signature Date
Board of Health

COMMENTS: _____

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Roselle, County of Union, New Jersey as follows:

SECTION 1. The Code of the Borough of Roselle, in the County of Union, New Jersey is hereby amended by the addition of new Chapter 33, which shall read as follows:

CHAPTER 33 ENTERTAINMENT LICENSE.

33-1 License Required.

It shall be unlawful for any public dance hall, public assembly hall, nightclub, cabaret, theater, movie house, social club, restaurant and/or any person, partnership or corporation holding a plenary retail consumption license, occupying any buildings or parts of buildings, to furnish in or on those premises occupied by the aforesaid establishments entertainment of any kind or nature, whether or not an admission charge, cover fee or minimum is charged, without first obtaining a license therefor from the Borough Of Roselle.

Entertainment shall be construed as including but shall not be limited to bands; musicians; musical instruments; vocalists; disc jockeys; rappers; comedians; dancers; actors; models; fashion shows; contests; tournaments; or any other activity which uses a video cassette recorder; video cassette player; compact disc; turntables; audio/video cassettes; motion pictures; radio/television, via cable or otherwise; transmission of special events including but not limited to concerts; sporting events; juke boxes; disco; dancing; or any other activity which serves to in any way entertain. Entertainment shall also include any form of entertainment defined in New Jersey Statutes Annotated; New Jersey Administrative Code; the Ordinances of the Borough of Roselle; or any other provisions of law.

33-2 Age restriction for entertainers.

No licensee shall engage, employ, allow, permit or use entertainers under the age of 18 years.

33-3 Application for License.

A. Any person desiring a license under this chapter shall file with the Borough Clerk an original and four copies of an application, under oath, in writing,

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

on a form furnished by the Borough Clerk.

B. The application shall set forth the following information:

- (1) The applicant's name, business name and business address.
- (2) Whether the applicant is an individual, a partnership, a corporation or another entity, and, if another entity, a full explanation and description thereof.
- (3) If the applicant is an individual, the applicant's residence address and date and place of birth.
- (4) If the applicant is a partnership, the full names, residence addresses, dates and places of birth of each partner.
- (5) If the applicant is a corporation or other entity, in the case of a corporation, the full names, residence addresses, dates and places of birth of each major officer and each stockholder, the name and address of the registered agent and the address of the principal office. The term stockholder, as used herein, means and includes any person owning or having an interest, either legal or equitable in 10% or more of the stock issued and outstanding of the applicant corporation. In the case of another entity, the full names, residence addresses, dates and places of birth of each person owning or having any interest, either legal or equitable, aggregating in value 10% or more of the total capital of said entity, the name and address of the registered agent, if any, and the address of the principal office.
- (6) If the applicant is employed by another, the name and address of the employer, together with credentials establishing the exact relationship.
- (7) Whether the applicant or the employer of the applicant, or any partners, officers or stockholders thereof have ever been arrested or convicted of a crime, or the violation of any municipal ordinance other than traffic offences, and, if so, the name of the person arrested, convicted, or found in violation, the date of arrest, conviction or violation, the crime, charge or violation involved and the disposition

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

thereof. The term officers, as used herein, means and includes the president, vice presidents, secretary and treasurer of a corporate applicant.

(8) The number of plenary retail consumption licenses held by the applicant.

(9) A specific description of the nature and type of entertainment to be provided on the licensed premises.

(10) Appropriate evidence as to the good character and business responsibility of the applicant so that an investigator may properly evaluate his character and responsibility.

(11) If the Chief of Police determines that fingerprints are necessary for proper identification, the applicant shall be fingerprinted and the fingerprint records shall be immediately processed for classification and identification.

C. Upon receipt of such application, the Borough Clerk shall submit the same to the Police Department, Fire Department, Borough Engineer, Construction Official, Zoning Officer and Board of Health for reports with reference to the compliance or noncompliance of the licensed premises with municipal and state rules, regulations, statutes and ordinances and the truth of the matters contained in the application.

D. Upon receipt of such application and reports, the Borough Clerk shall submit same to the Borough Council, or such official as designated by the Borough Council, for approval or rejection.

E. The Borough Council or such official as designated by the Borough Council shall approve the issuance of such license unless it reasonably finds that the applicant's character and business responsibility are not satisfactory; that a violation of municipal or state rules, regulations, statutes and ordinances exist; that untrue matters are contained in the application for such license; that the issuance of such license will tend to create a nuisance; or that the issuance of such license will adversely affect the good government, order and protection of persons and property and the preservation of the public health, safety and welfare of the Borough of Roselle and its inhabitants. The Borough Council or such official as designated by the Borough Council shall determine that the applicant's character and business

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

responsibility are satisfactory unless the application, the reports of the various departments or other evidence presented shall tangibly disclose any of the following:

- (1) Conviction for a crime involving moral turpitude.
- (2) Prior violations of statutes, ordinances or regulations relevant to the furnishing of entertainment.
- (3) Conviction for a crime or disorderly persons offense involving gambling.
- (4) Concrete evidence of bad character.
- (5) Grounds similar to those listed above which would reasonably cause the Borough Council or such official as designated by the Borough Council to determine that the character and business responsibility of the applicant or any partner, officer or stockholder thereof are not satisfactory.

F. Upon the approval of the Borough Council or such official as designated by the Borough Council to the issuance of such license, the Borough Clerk shall issue the same.

33-3.1 Additional Requirements

(a). Each license shall during the term of the License post a Code of Conduct in a prominent place noting that the Licensee may refuse service to any patron or customer who does not adhere to the Code of Conduct posted by the establishment.

(b) Each Licensee shall provide adequate security at the Licensee's establishment, commensurate with the events held. Such security may be by way of off duty law enforcement officer or private security employee or firms. The Licensee shall determine the level of security necessary.

33-4 Revocation of license.

Any license issued under this chapter may be revoked by the Borough Council. If the Borough Council shall determine that there are reasonable grounds upon which to revoke any such license, such grounds being the same grounds upon which the

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

Council may refuse to approve the issuance of such license as set forth in § 33-3 above, it shall cause a notice to be served, in writing, upon the licensee or other person in charge of the premises for which such license has been issued, citing the licensee to appear before the Borough Council at the time and place designated in the notice to show cause why such license should not be revoked. Notice may be served upon the licensee by personal service or by registered or certified mail addressed to the licensee's last known address. The licensee shall be afforded a hearing before the Borough Council prior to the final revocation of such license.

33-5 Revocation and suspension of license; notice and hearing.

A. An entertainment license may be revoked or suspended in the event that any businesses are operated in a manner which substantially impairs public safety to their customers or to the general public. As a specific standard, the following activities shall be deemed to be injurious to the public health and therefore prohibited: loud and abusive noises coming from customers or business invitees; loud gatherings within and upon the business premises; boisterous activities within and upon the business premises; loud, unruly and profane language; public drunkenness; minors consuming alcoholic beverages; overcrowding upon the business premises or near the business premises due to activity upon the business premises; use of fireworks; public urination; excessive noise as defined in the following subsections; and any other disorderly acts which disturb the peace and good order of the neighborhood and community. As a further specific standard, any creating of loud or unnecessary noise shall be prohibited upon the business premises or near the business premises due to activity on the business premises. The making, creating or permitting of any unreasonably loud, disturbing or unnecessary noise in the borough is hereby prohibited.

B. The making, creating or permitting of any noise of such character, intensity or duration as to be detrimental to the life, health or welfare of any individual or which either steadily or intermittently annoys, disturbs, injures or endangers the comfort, repose, peace or safety of any individual is hereby prohibited.

C. In the event that the Borough of Roselle, receives three separate written complaints during one calendar year concerning the improper operation of a business establishment allegedly violating one of the standards set forth in Subsection A and B of this section, then said complaints are to be reviewed by the Mayor and Council or its duly authorized representative. By separate complaints it is meant that separate and different individuals make each complaint. When a complaint is received:

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

(1) The Police Department or its duly authorized representative shall investigate the circumstances alleged in the complaints by contacting the complainants, checking other police records and taking whatever steps are necessary to determine whether or not a valid complaint exists. The Police Department shall inform the licensee by letter of the Department's determination of the validity of the complaint.

(2) If it is determined by the Police Department that there have been three valid complaints against a licensee, the Mayor and Council or its duly authorized representative shall cause a formal legal complaint to be served upon the licensee in question, and said formal legal complaint shall clearly state the charges brought against said licensee. This formal legal complaint may be served by personal service, certified mail or regular mail in the event that service is refused. If the whereabouts of the licensee is unknown and the same cannot be ascertained by the exercise of reasonable diligence, the Mayor and Council, or its duly authorized representative shall make an affidavit to that effect and then serve such complaint or order by publishing same once each week for two consecutive weeks in a newspaper printed and published in the Borough of Roselle or, in the absence of such newspaper, in one printed and published in Union County and circulating in the Borough of Roselle. The formal legal complaint shall further state the charges and it shall contain a notice that a hearing shall be held before the Mayor and Council or its duly authorized representative at a place therein fixed not less than 10 days nor more than 30 days after the serving of said formal legal complaint; that the owners and parties in interest shall be given the right to file an answer to the formal legal complaint and to appear in person or by their attorney and give testimony at the place and time fixed in the formal legal complaint; and that the rules of evidence prevailing in the courts of law shall be controlling at the administrative hearing.

(3) If, after said notice and hearing, the Mayor and Council, or its duly authorized representative, determines that said licensee has operated its said business in a manner injurious to the public health, safety or welfare, by violating one of the standards set forth in Subsections A and B of this section, then a written order shall issue to said licensee. The order shall state the findings of the governing body or its duly authorized representatives and shall prescribe the remedial action to be taken by the licensee. In the event that the licensee fails to cease said improper operation or in the event that the

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

actions are considered to be of such a serious nature and/or a continuing threat to the health, safety and welfare of the residents of the Borough of Roselle by being in violation of one of the standards set forth in Subsections A and B of this section, then the licensee's entertainment license may be suspended or revoked.

33-6 Regulations.

All entertainment shall be subject to the following regulations:

- a. Dancing on bars or tabletops shall be prohibited.
- b. Indecent exposure by means of unduly abbreviated costumes shall not be permitted.
- c. Any entertainer who performs in a lewd, indecent or immoral manner causing a charge to be brought against the owner at the time of the violation, shall also be charged with committing an offense.
- d. "Mud wrestling" shall be prohibited.
- e. "go-go" dancing shall be prohibited.

33-7 Fees.

The fee for the entertainment license shall be three hundred dollars (\$300) per year.

33-8 Violations and Penalties.

A. Any person violating or failing to comply with any other provision of this article 33-6 shall, upon conviction thereof, be punishable by a fine of no less than \$500 and no more than \$2,000, by imprisonment not to exceed 90 days or by community service of not more than 90 days or any combination of fine, imprisonment and community service, as determined in the discretion of the Municipal Court Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

**BOROUGH OF ROSELLE, NJ
ORDINANCE NUMBER 2386-10**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ROSELLE BY
THE ADDITION OF CHAPTER 33 OF THE CODE OF THE
BOROUGH OF ROSELLE ENTITLED "ENTERTAINMENT LICENSE"**

B. The violation of any provision of this chapter shall be subject to abatement summarily by a restraining order or injunction issued by a court of competent jurisdiction

SECTION 2. The remaining provisions of the Borough Code hereby amended and supplemented shall continue in full force and effect and effect to the same extent as if herein fully repeated.

SECTION 3. If any section, subsection, provision, clause, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such adjudication shall not affect the remaining sections, subsections, provisions, clauses, or provisions, clauses of portions, which shall be deemed severable therefrom.

SECTION 4. This Ordinance shall effect at the time and in the manner provided by law.

Recorded Vote on Final Passage of Ordinance No. 2386-10:

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilwoman Dansereau	x		x			
Councilwoman Dow				x		
Councilman Aubourg		x	x			
Councilwoman Turnage				x		
Councilwoman Ricks			x			
Councilman Holley			x			

NOTICE is hereby given that Ordinance Number 2386-10 was taken from the table and adopted on second and final reading at a special meeting of the Mayor and Council on December 21, 2010, after 7:30 P.M., 210 Chestnut St., Roselle, NJ.



Rhona C. Bluestein, R.M.C., C.M.C.
Borough Clerk