



BOROUGH OF ROSELLE

210 CHESTNUT STREET • ROSELLE, NEW JERSEY 07203
TELEPHONE (908) 259-3010

Note: ALL APPLICATIONS ARE DUE IN THE BOROUGH CLERK'S OFFICE AT LEAST TWO WEEKS BEFORE THE SCHEDULED EVENT

Date of Application: _____

Received at Clerk's Office: _____

Application For:

- ☐ Block Party (\$25 per Block)
 - ☐ Can Shake (No Fee)
 - ☐ Fair (\$100)
 - ☐ Festival (\$100)
 - ☐ Flea Market (\$50)
 - ☐ Borough Owned Lots (Please Specify Location) _____
 - ☐ Other (Please Specify) _____
- & See Attached Activities Outdoor License Fee Chart.

Borough Owned Fields

- ☐ Arminio Field- For Profit (\$125.00 per hour)
Non-Profit (No Fee) with proof of Non-Profit status
- ☐ Sylvester Land Field – For Profit (\$125.00 per hour)
Non-Profit (No Fee) with proof of Non-Profit status
- ☐ \$500 Security Deposit is required*
- ☐ Pine Street
- ☐ Cristiani Skate Park
- ☐ Grove Street Park

** Deposit will be held by the Borough. Said security deposit will be returned, provided the Borough facility is returned in clean condition without damage.*

Applicants Name: _____

Telephone Number(s): Home: _____ Cell: _____

Work: _____

Email Address: _____

BOROUGH CLERK'S OFFICE USE ONLY

RECEIVED BY: _____ DATE: _____

FEE OF \$ _____ CASH _____ CHECK# _____ MO# _____



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Proposed Date(s) of Event: _____, 20____ thru _____, 20____
_____, 20____

Proposed Rain Date: _____, 20____

Start Time: _____ End Time: _____

(No Outside Activity shall begin before 8:00 A.M., nor last later than 10:00 P.M.)

Location of Event: _____

On Street: _____ Off Street: _____

Private Property: _____ Public Property: _____

Non-Profit Property: _____

Expected Number of Participants: _____ (if not applicable, please mark "N/A")

Organization Contact Person: _____

Address: _____

Phone number(s): _____
Home Work Cell

Contact Person for Day of Event (if different from above): _____

Phone number(s): _____
Home Work Cell

The Contact Person MUST be reachable the Day of the Event for Any Emergency that may arise.

Insurance Information: _____ Policy #: _____
Company and/or Agent



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Check applicable condition(s) & attach applicable permit application(s) and information.
Checked off below are the requirements to be met for use of Borough owned property.

Proof of insurance coverage as follows:

() For bodily injury to any one person in the amount of \$1,000,000 and any occurrence
in the aggregate amount of \$5,000,000.

() For property damage for each occurrence in the aggregate amount of \$1,000,000.

(Purchased from an insurance company of your choice).

Related Conditions:	Yes	No
Certification of Insurance Submitted		
Event to take place on Borough Property		
Hold Harmless Agreement Submitted		
No outside operating agreements exist		
Police Security/Traffic Control Required		
Sanitation Facilities Plan Attached (if required)		
Third Party Operating Agreements Attached (if applicable)		
Street Closing required		
Fire Inspection Required		

Do you plan to **serve/sell food**? YES [] NO [] (If YES, a Health Permit is
REQUIRED)

Do you need **barricades**? YES [] NO [] (If YES, specify location to be
delivered)

I certify that the information herein is true and accurate to the best of my knowledge:
Signature: _____ Date: _____



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INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

_____ hereby agrees to indemnify and hold harmless the Borough, its officers, agents, servants, and employees, from any and all liability claims, suits or actions of any type whatsoever including costs, expenses and reasonable attorney fees which may arise against the Borough of Roselle, and that the event sponsor will also hold harmless the Borough from any loss, injury or damage with respect to COVID-19 and that said event sponsor will be responsible, not the Borough as a result of a _____ [To be held on Date]

_____. *A certificate of Insurance in the amount of (one million dollars \$1,000,000) for bodily injury and (one million dollars \$1,000,000) for property damage) noting the Borough of Roselle as additional insured for this event if the Borough requires insurance.

By:

Sponsor's Name:

Witness Name:

Title:

Date: _____

Note: *If the Borough requires insurance should reflect the amount.

This Area is for Municipal Clerk's Office Use Only

Received by Municipal Clerk _____ Date: _____



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BLOCK PARTY

FOR A BLOCK PARTY. PLEASE READ THE FOLLOWING REGULATIONS AND COMPLETE THE MUTUAL CONSENT PETITION ON THE NEXT PAGE:

REGULATIONS

It is required that one-half of the street be kept open for emergency vehicles. The entire road may be closed to regular traffic however, it is required that tables and chairs or other obstructions be kept on one side of the street.

If emergency services are required, we must have IMMEDIATE access to the area. The hydrant side of the street shall be the accessible side.

Any changes in original plans such as the date or time shall be cleared with both police and fire departments.

In addition to conforming to all legal requirements of the Borough of Roselle, anyone wishing to hold a block party must have the consent of at least one half (1/2) of the residents of said block. Failure to provide such a petition will lead to a denial of a permit for such an event.



MUTUAL CONSENT PETITION FOR NEIGHBORHOOD SPONSORED BLOCK PARTY

At _____, Must have
(Street)

Address

[illegible]

Chapters 55-25 & Chapter 110



PERMIT APPLICATION FOR OUTSIDE ACTIVITY

ADVANCED PAYMENT REQUIRED.
PLEASE PRINT ALL INFORMATION

BOROUGH USE ONLY

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

Approved Denied

[] []

Signature
Police Chief

Date

[] []

Signature
Borough Administrator

Date

[] []

Signature
Recreation Leader

Date

[] []

Signature
DPW Superintendent

Date

[] []

Signature
Borough Clerk

Date

The following Borough Officials must sign if food or propane tanks will be used.

[] []

Signature
Fire Chief

Date

[] []

Signature
Health Official

Date

COMMENTS: _____

Rules and Regulations for Sylvester Land Field

1) INTOXICANTS/ALCOHOLIC BEVERAGES

- No person shall be permitted within any Borough Recreational area under the influence of intoxicating beverages, drugs or narcotics. All alcoholic beverages are prohibited.
- Open Containers and Consumption in Public of Alcoholic Beverages are Prohibited (See Code of the Borough of Roselle Ordinance 2069.)

2) OUTSIDE ACTIVITY PERMIT

- No Sporting League shall use the Sylvester Land Field without first obtaining an Outside Activity Permit. Field use shall be limited to designated areas. Adult supervision of children's groups is required at all times.
- No person shall use loudspeakers, public address systems or amplifiers within Sylvester Land Field without first having obtained Approval via Resolution, in advance by the Mayor and Council.
- Nor shall any portable speaker, radio, tape player, compact disc player or musical instrument be played in such a manner as to create a nuisance.

3) REFUSE/DEBRIS/LITTER

- No person shall leave bottles, broken glass, ashes, waste paper or other rubbish on or around Sylvester Land Field, except in a properly provided receptacle designated for that purpose.
- No person shall throw or place any dirt, stone, rock, debris, foreign substance or rubbish on Sylvester Land Field.
- No weapon of any kind is allowed on Sylvester Land Field.
- No person shall appear on Sylvester Land Field in a state of nudity or commit, perform or engage in lewd, lascivious, obscene, illicit, carnal or indecent acts or behavior. And no person shall make any indecent exposure of his or her person.
- No person shall cut, carve, paint, mark, paste or fasten any inscription or depiction on, or damage by any means, any tree, fence, wall, building, etc. at Sylvester Land Field.

4) HOURS OF OPERATION

- **OPENING HOURS:** Sylvester Land Field will open at 9:00 am.
- **CLOSING HOURS:** Sylvester Land Field will close at 10:00 pm
Except where specific closing hours are designated.

5) FIRES/FIREWORKS

- No person shall build, light or maintain a fire within Sylvester Land Field. Portable grills may be used with permission from The Borough of Roselle Health Department.

6) VEHICLES/PARKING

- All provisions of the New Jersey State Motor Vehicle Act with regard to equipment, lights, licensees, brakes operation, etc. will apply in Sylvester Land Field and will be strictly enforced.
- No person shall park or store any car, van, motor car, motorcycle, bicycles, wagon or other vehicle on Sylvester Land Field except in areas designated and posted for such purposes.
- No person shall enter Sylvester Land Field with a commercial vehicle or a vehicle with a gross weight in excess of 5 tons except in the service of or by the permission of Borough Administrator.
- Nothing contained in this vehicle/parking rule and regulations shall apply to the vehicles, trucks and apparatus of a fire department, police department or ambulance, or to any other emergency vehicles when responding for emergency work in case of fire, accident, public disaster, impending danger or emergency.

7) DISORDERLY PERSONS

- Any and all disorderly persons will be removed from the field.
- No person shall use threatening, abusive, boisterous, insulting or indecent language or gesture within Sylvester Land Field, nor shall any discourse, angry speech, public demonstration or any nuisance be made.

ALL GROUPS MUST SIGN THIS DISCLOSURE:

We the _____ League
agree to all set rules and regulations.

PRINT

SIGNATURE

DATE

RECREATION LEADER

DATE



ROSELLE POLICE DEPARTMENT

Chief Stacey L. Williams
210 Chestnut St Roselle, NJ 07203

Borough Stipulations for Conducting “Can Shakes”

All “Can Shakes”, or any solicitation of donations on Borough Roadways, are conditionally approved by the Chief of Police or their designee. All stipulations for such activities are to ensure a safe and successful event for all involved.

Stipulations to meet conditional approval:

- 1) Participants must use reflective fluorescent orange/green vest or clothing
 - (Should be ANSI III Rated)
- 2) You may conduct operations on any Borough Roadway except for State Highway Route 27 (St. George Ave.)
- 3) There shall be a responsible appropriate adult with juveniles at all times and at each location
- 4) Participants are to observe and obey all local, state, and federal laws governing traffic, public assembly, and noise while engaging in solicitation activities.

If “Can Shake” applicant can not meet these conditions, then any approval is immediately rescinded due to safety concerns.

Effective May 23, 2023

Captain H. Freire

BOROUGH OF ROSELLE



ORDINANCE NUMBER 2669-21

AN ORDINANCE AMENDING CHAPTER 55 "FEES FOR BOROUGH SERVICES," SECTION 25 "USE OF BOROUGH FACILITIES" OF THE CODE OF THE BOROUGH OF ROSELLE TO INCLUDE ARMINIO FIELD

WHEREAS, the Borough of Roselle currently charges various fees for the use of Borough facilities; and

WHEREAS, the Borough Council desires to formally add Arminio Field to the list of such Borough facilities.

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

Section 1. Amendment of Article X

Chapter 55 "Fees for Borough Services," Article X "Fees for Usage of Certain Borough Facilities; Regulations," Section 25 "Use of Borough facilities." of the Code of the Borough of Roselle is hereby amended as follows:

- I. In Subsection A(6)(e), replace "the Director of the Roselle Community Center" with "Community Center staff."
- II. In Subsection B, replace "Sylvester Land Field" with "Sylvester Land Field and Arminio Field"
- III. In Subsection B(5), replace "Sylvester Land Field" with "Sylvester Land Field and Arminio Field"
- IV. Add Subsection B(6) which reads as follows:

(6) Fields shall only be used for sporting events.
- V. In Subsection D(5), replace "Sylvester Land Field" with "Sylvester Land Field, Arminio Field, "
- VI. In Subsection E(3), replace "Business Administrator" with "Borough Administrator"
- VII. In Subsection E(4), replace \$150 with \$500.

Section 2. Severability

ACTIVITIES, OUTDOOR

110 Attachment 1

Borough of Roselle

Outdoor Activity License Fee Chart

Outdoor Activity and License Fee	Included In Nonrefundable License Fee	Application Fees	Permitted Hours of Operation and Duration of Activity
Amusement promotions \$100	5 children's rides or children's games (must operate without charge)	\$25	Monday through Saturday, 8:00 a.m. to 10:00 p.m.; Sunday, 1:00 p.m. to 10:00 p.m. Up to 7 consecutive days
Bazaars \$100	Unlimited amount of homemade cookies, food, cake, pies, etc.; handmade and used merchandise, including clothing and bric-a-brac	\$25	Monday through Saturday, 8:00 a.m. to 10:00 p.m.; Sunday 1:00 p.m. to 10:00 p.m. 1 day of operation 2 licenses per year, per sponsor
Block parties \$25	2 rides (children's variety only) 2 food/drink concessions 2 strolling vendor (price of items sold not to exceed \$5)	None	Monday through Saturday, 8:00 a.m. to 10:00 p.m.; Sunday, 1:00 p.m. to 10:00 p.m. 1 day of operation 2 licenses per year, per sponsor
Carnivals \$100	5 rides 6 games 5 food/drink concessions 3 strolling vendors	\$25	Monday through Saturday, 8:00 a.m. to 11:00 p.m.; Sunday, 1:00 p.m. to 11:00 p.m. Up to 7 consecutive days 2 licenses per year, per sponsor
Circuses \$250	Animal acts, high wire and trapeze exhibitions and similar stunts or acts; clowns and parades 3 food/drink concessions 12 strolling vendors	\$25	Up to 7 consecutive days
Concerts \$250	Singers or singing groups and musicians 3 food/drink concessions 12 strolling vendors (tapes, records, T-shirts and souvenirs; price not to exceed \$50)	\$25	Monday through Friday 10:00 a.m. to 10:00 p.m.; Saturday, 10:00 a.m. to 11:00 p.m.; Sun., 1:00 p.m. to 10:00 p.m. 1 day of operation 2 licenses per year, per sponsor, per location

ROSELLE CODE

Outdoor Activity and License Fee	Included in Nonrefundable License Fee	Application Fees	Permitted Hours of Operation and Duration of Activity
Fairs \$100	4 rides (children's rides only) 3 food concessions 8 games 40 feet of combined table lengths	\$25	Monday through Saturday, 8:00 a.m. to 10:00 p.m.; Sunday, 1:00 p.m. to 10:00 p.m. Up to 2 consecutive days 2 licenses per year, per sponsor, per location
Festivals \$100	8 food concessions 2 strolling vendors (food and drink only) 40 feet of combined table lengths	\$25	Monday through Saturday, 8:00 a.m. to 10:00 p.m.; Sunday, 1:00 p.m. to 10:00 p.m. Up to 7 consecutive days
Flea markets \$50	Unlimited amount of used household goods and merchandise (nothing to be offered for sale that is not used)	\$25	Monday through Saturday, 10:00 a.m. to 10:00 p.m.; Sunday, 1:00 p.m. to 10:00 p.m. Up to 10 consecutive days
Garage, yard and porch sales \$5	Unlimited amount of used household goods and merchandise (nothing to be offered for sale that is not used)	None	Daily, 8:00 a.m. to 10:00 p.m. 2 consecutive days/rain date
Revivals	Food and drink concession (There shall be no admission and/or refreshment charges other than voluntary contributions.)	\$0	Daily, 8:00 a.m. to 10:00 p.m. Up to 7 consecutive days
Parades \$100		\$25	8:00 a.m. to 10:00 p.m. 1 day
Motorcades \$100		\$25	8:00 a.m. to 10:00 p.m. 1 day/rain date
Rallies, no fee, including vigils		\$25	Daily, 8:00 a.m. to 10:00 p.m. 1 day
Picketing, no fee		\$25	To be determined by the Borough Clerk and the Borough of Roselle Police Department, depending upon the event 1 day

**NOTICE OF PUBLIC HEARING
BOROUGH OF ROSELLE**

ORDINANCE NUMBER 2458-13

**AN ORDINANCE AMENDING ORDINANCE 2322-08 ENTITLED
"AN ORDINANCE ADDING TO THE BOROUGH CODE CHAPTER 128
ENTITLED OUTSIDE ACTIVITIES"**

WHEREAS, the Borough Council (the "Council") of the Borough of Roselle (the "Borough") determined to amend Ordinance 2322-08.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF ROSELLE AS FOLLOWS:

SECTION 1. Ordinance 2322-08 adopted December 30, 2008 and entitled: "AN ORDINANCE ADDING TO THE BOROUGH CODE CHAPTER 128 ENTITLED 'OUTSIDE ACTIVITIES'" be and is hereby amended to read as follows:

1. Chapter 128 of the Code of the Borough Of Roselle entitled "OUTSIDE ACTIVITIES" shall read as follows:

§128-1. Definitions.

The following definitions shall apply to the interpretation and enforcement of this chapter:
AMUSEMENT PROMOTION -- An outdoor activity restricted to the use of children's rides and children's games, which may operate with or without charge.

APPLICATION - A request for a person to conduct an activity under this chapter

BAZAAR -- An outdoor activity restricted to the sale of homemade food and beverage, used clothing, homemade or handmade merchandise and bric-a-brac, both new and used.

BLOCK PARTY -- An outdoor activity including, but not limited to the use of children's rides, games, food and drink, concessions and strolling vendors.

CARNIVAL -- An outdoor activity restricted to adult and children's rides, adult and children's games, food, drink, souvenir concessions and entertainment for which there is no admission charge.

CIRCUS -- An outdoor activity restricted to the exhibition of animals and the performance of animal acts, high wire and similar acts of any kind, including clowns, and the sale of food and beverage, balloons, pennants, souvenirs and similar small items.

BOROUGH -- The Borough of Roselle.

BOROUGH ADMINISTRATOR -- The Borough Administrator of the Borough of Roselle.

BOROUGH COUNCIL -- The Borough Council of the Borough of Roselle.

CONCERT -- An outdoor event for which there is an admission charge, restricted to the use of singers, singing groups and musicians, using electrically amplified equipment, and the sale of food, beverage and items, such as tapes, records, T-shirts and souvenirs.

CONCESSION -- A single game of chance or skill, a single food or beverage booth, stand or mobile vehicle from which merchandise is dispensed or a single amusement ride.

CONCESSIONAIRE -- A person who operates or participates in the running or operation of one or more concessions, a vendor or an operator.

FAIR -- An outdoor activity restricted to the use of children's rides, children's games, food and drink, concessions and strolling vendors.

FESTIVAL -- An outdoor activity restricted to the sale of food and beverage.

FLEA MARKET -- An open market usually held outdoors, where used household goods, antiques and inexpensive items are sold.

GARAGE, PORCH AND YARD SALE -- An outdoor activity restricted to the sale of used merchandise and bric-a-brac of a household nature.

LICENSE -- The permission, in writing, from the appropriate department(s) of the Borough of Roselle, issued in accordance with the provisions of this chapter.

LICENSEE -- The individual person named as agent for the sponsor of the outdoor activity license application who executes the same, accepting ultimate responsibility for the operation of the outdoor activity.

MARCH -- An organized procession of demonstrators who are supporting or protesting something.

MOTORCADE -- A procession of motor vehicles, as in a parade.

OPERATOR -- A person who engages in the sale or dispensation of food or merchandise or participates in the running of games of skill or chance or the running of amusement rides.

OUTDOOR ACTIVITY -- Any activity conducted outdoors or within or about tents or other such contrivances within the Borough in the nature of and including but not limited to fairs; carnivals; festivals; the operation of rides; revivals; block parties; amusement promotions; flea markets; garage, porch or yard sales; bazaars; cake and food sales; and circuses, which are open to the public at large; temporary outdoor displays of merchandise, vehicles or manufactured products; promotions, gatherings of people and similar activities.

PARADE -- An organized public procession on a festive or ceremonial occasion; to march or walk in a procession.

PERSON -- Every natural person, entity, association or corporation, whether profit or nonprofit.

PICKETING -- Any person or group of persons present outside a building to protest.

PROMOTER -- Any person, who organizes, owns, operates or manages an outdoor activity, carnival, fair, and festival, group of amusement rides or booths.

RALLY -- To call together for a common purpose; assemble; a gathering, especially one intended to inspire enthusiasm for a cause (includes prayer vigils).

REVIVAL -- An outdoor religious gathering which imposes no charges other than voluntary contributions, with limited food and beverage privileges.

RIDE (ADULT) -- Any mechanical amusement device designed for and capable of carrying or transporting one or more fully grown people.

RIDE (CHILDREN'S) -- Any mechanical amusement device designed for carrying or transporting one or more small children.

SITE PLAN (FINAL) -- A detailed diagram, as required by the applicable provision of this chapter.

SITE PLAN (PRELIMINARY) -- A sketch or diagram which outlines the perimeter of an area or site for which an outdoor activity license is being requested. It shall further diagram streets both inside and bordering the area or site.

SPONSOR -- The person or entity named in the application for the outdoor activity license on behalf of which or whom the outdoor activity is to be held and which or who retains

responsibility, including ultimate financial responsibility, for the operation of the outdoor activity.

VENDOR -- A person who, during the life of the license for an outdoor activity, operates a booth or a stand or otherwise occupies space in which he conducts games of skill or chance or dispenses food, beverage or the like and merchandise of any kind.

VENDOR (STROLLING) -- A person who, during the life of the license for an outdoor activity, dispenses food, beverage or merchandise of any kind from a portable container, tray or pushcart and who is not confined to a fixed location.

WALK-A-THON -- A walk or run covering a considerable distance, organized especially to support or raise money for a cause.

§128-2. Purpose.

The purpose of this chapter is the regulation, through licensing and inspections, of outdoor activities to be conducted in the Borough on public and private property for the protection of the health, welfare and safety of the public in general.

§128-3. Licenses; general provisions.

A. General provisions.

(1) No application for a license for outdoor activities shall be considered unless and until the sponsor desiring to conduct the outdoor activity shall have made and signed a written application to the Borough Clerk for a license, in the form provided by the Borough and paid the proper fee thereof. Each application must be completed with a preliminary site plan and delivered to the Borough Clerk not less than 45 days prior to the first day of operation of the proposed outdoor activity. The aforementioned restrictions may be waived by the Borough Administrator.

(2) No outdoor activity license shall issue for more than one carnival, circus or concert or any combination thereof to be held within the same calendar week.

(3) No more than an aggregation of eight carnivals or circuses may be held within one calendar year, per sponsor.

B. The outdoor activity license application shall be denied upon failure to meet the following requirements within the prescribed time limits:

(1) The sponsor must, at least 60 days prior to the proposed opening date of the outdoor activity, obtain from the Borough Council permission to use property owned by the Borough, if applicable. Marches, motorcades, block parties, parades, picketing, rallies and walk-a-thons shall not be subject to the requirements of this subsection unless otherwise determined pursuant to the applicable provision of this Chapter.

(2) When applicable, the sponsor must request and obtain permission to close the street or streets upon which the sponsor intends to conduct the outdoor activity pursuant to N.J.S.A. 40:67-16.9.

(a) Borough Council may approve a resolution each year authorizing the Borough Administrator or designee to direct the closing of certain streets preapproved for outdoor activities during the months of June through December. All applications for such activities shall be reviewed and approved at the discretion of the Borough Administrator or designee.

(3) Where required, the sponsor must obtain the approval by the Fire Department upon a satisfactory examination of the premises with respect to compliance with Fire Department regulations as hereinafter set forth in the fire prevention section of this chapter.

(4) Deposits.

(a) The sponsor shall place a deposit with the Borough Clerk or designee at the time of filing of the application, in cash or certified check made payable to the Borough, the following amounts:

<u>Activity</u>	<u>Amount of Deposit</u>
Amusement promotions	\$ 500 (*)
Bazaars	\$ 100 (*)
Block parties	\$ 0
Carnivals	\$ 500
Circuses	\$ 1,000
Concerts	\$ 1,000
Fairs	\$ 500 (*)
Festivals	\$ 500 (*)
Flea markets	\$ 100 (*)
Garage, yard and porch sales	\$ 0
Revivals	\$ 0

NOTES: (*) Except when held on tax-exempt property owned by the sponsor.

(b) Deposits are to ensure that, upon termination of the outdoor activity, the general area where the outdoor activity has been conducted will be left in good condition, cleaned up and cleared of all paper, litter, refuse, waste materials and debris, within one day from the termination of the outdoor activity, and to cover any extraordinary expenses incurred by any department of the Borough as a result of the operation of the outdoor activity. All deposits are refundable, unless any person fails to meet this requirement, the Borough, in its discretion, may clean and restore the area to its condition prior to the outdoor activity, deducting the cost of the cleanup from the deposit as liquidated damages and not as a penalty. Restoration shall include, but not be limited to, damage to curbs, sidewalks, pavement and shrubbery in the public rights-of-way. The deposit requirement does not include Borough-Sponsored activities or activities held on Board of Education property.

(5) The sponsor shall provide copies of all agreements relating to the operation of the outdoor activity to the Borough Clerk no later than two weeks prior to the first day of operation, or, if none exist, so state.

(6) The approval of the Police Chief must be obtained, upon a satisfactory examination of the site plan and premises with respect to security, law enforcement and lighting, as it pertains to safety and security. The evidence of the approval of the Police Chief or his designee shall be submitted to the Borough Clerk no later than one week prior to the first day of operation of the outdoor activity. Garage, yard and porch sales shall be exempt from the preceding requirement when the activity is confined to property owned by the sponsor. When applicable, the sponsor or licensee shall comply in all respects with § 128-5, Security, of this chapter.

(7) Excluding garage, porch and yard sales conducted on property owned by the sponsor, the sponsor must obtain the approval by the Health Officer of the Borough or designee, upon a satisfactory demonstration that all health and sanitary requirements, regulations and

licensing are being adhered to by the sponsor, licensee, promoter and vendor/operator of the outdoor activity, as provided for in Chapter 12 of the New Jersey State Sanitary Code and applicable Chapters of the Code of the Borough of Roselle, all of which are incorporated by reference herein as if fully set forth. The sponsor and the promoter of an outdoor activity shall provide a sufficient number of temporary or permanent toilet facilities for use at the site of the outdoor activity. The number of toilet facilities required shall be determined by the Health Officer of the Borough or his designee and the Borough Clerk. The sponsor shall provide a first-aid station approved by the Health Officer. The first-aid station shall be equipped to treat minor injury and illness until emergency services arrive on the scene. Where they exist, all food and drink concessions must display in a prominent place an approval certificate from the Health Department of the Borough prior to being allowed to operate.

(8) The approval by the Director of Public Works or his designee must be obtained, upon a satisfactory examination of the site plan and premises with respect to compliance with the applicable Chapters of the Code of the Borough of Roselle and other applicable ordinances and regulations of the Borough and state statutes over which the Director of Public Works has jurisdiction.

(9) The sponsor or licensee of an outdoor activity shall provide a minimum of five temporary litter and refuse receptacles at the site of the outdoor activity and shall provide for the regular collection of the contents of the receptacles. The number, type, and placement of the receptacles shall be approved by the Director of Public Works or designee.

(10) Final site plan.

(a) The submission and approval of a final site plan which reflects any changes from the preliminary site plan and further details, when applicable, shall include the following:

- [1] Sanitary facilities and sewage disposal sites.
- [2] Refuse disposal sites.
- [3] Location of mobile and fixed food vending operations and cooking or other heat- or flame-producing devices.
- [4] Fire hydrants and waterlines.
- [5] Traffic flow.
- [6] Parking.
- [7] Security.
- [8] Location of rides by type, including booths and generators.
- [9] Location of games.
- [10] Living quarters.
- [11] Access for emergency services, including but not limited to ambulances, fire-fighting and fire-prevention equipment and police vehicles.
- [12] Location of stands, booths, vehicles and tables from which merchandise is to be sold or dispensed, identified by type.
- [13] All streets and rights-of-way within and bordering upon site areas.

(b) A final site plan shall not be required for garage, yard and porch sales when activity is confined to property owned by the sponsor. A final site plan must be submitted to the Borough Clerk no later than 17 days prior to the first day of operation of the outdoor activity. The final site plan, where required, shall be approved by the Police Department, Fire Department, Health Officer, Borough Engineering, and Borough Administrator no later than one week prior to the first day of operation of the outdoor activity.

(11) All electrical requirements, regulations and licensing shall be adhered to by the sponsors, promoters and vendors/operators of the outdoor activity as provided for in the Code of the Borough, of which the applicable sections are hereby incorporated by reference herein as if fully set forth. Electrical connections and other utility connections, if any, shall be approved by the appropriate Borough official(s).

(12) Where the license being applied for involves the use of adult and children's rides, evidence of a current approved inspection by the State of New Jersey must be prominently displayed prior to their becoming operational.

(13) Prior to conducting business, all vendors, strolling vendors, operators and concessionaires, where they are utilized, must be registered with the Borough Clerk by name, home and business addresses and activity in which each will engage during the life of the license of the outdoor activity and must be prepared to properly identify themselves upon request.

(14) No outdoor activity license shall issue for circuses, carnivals, fairs and concerts unless, one week prior to the first day of operation of the outdoor activity the sponsor shall furnish to the Borough Clerk satisfactory proof of the sponsor's, vendor's, operator's, concessionaire's and promoter's compliance with the provisions of N.J.S.A. 34:15-71, Employer's obligation to injured employee.

C. Motorcade, march, parade, rally or walk-a-thon. Before any sponsor or licensee shall conduct a motorcade, march, parade, rally picket or walk-a-thon within the Borough, a license must first be obtained from the Borough Clerk which, prior to the issuance thereof, shall be approved by the Police Chief or designee. Application for such license shall be made 30 days prior to the proposed activity and state, where applicable, the route to be followed, location, number of persons, vehicles and floats that will participate; length of time, anticipated security concerns and such other factors deemed relevant by the Borough Administrator and the Roselle Police Department. The application deadline may be waived by the Borough Administrator. The appropriate provisions of this chapter shall apply to the aforementioned activities as determined by the Borough Administrator and Roselle Police Department but shall not apply to funeral processions.

§128-4. License fees; duration and hours of operation; additional regulations.

All license fees indicated on the accompanying chart are nonrefundable and payable in advance to the Borough Clerk. Unless otherwise indicated on the accompanying chart, all outdoor activity licenses are limited to one per year, per sponsor.

§128-5. Security.

A. All sponsors or licensees must utilize the services of the Police Officers during the operation of certain designated activities that the Borough Administrator and/or Police Chief deem necessary. Such services must be paid for by the Sponsor at the prevailing rates for the provision of such services established by the Borough and shall be subject to all other provisions of the applicable Chapters of the Code of the Borough of Roselle.

B. Upon the written approval of the Police Chief, sponsors or licensees may provide for their own security.

§128-6. Fire prevention requirements.

- A. The sponsor and vendors, with the consent of the Fire Department, shall be authorized to install, hook and connect to fire hydrants specially marked by the Fire Department a master hose or other water-carrying device to supply water to the booths and stands operating at the outdoor activity, subject to the following provisions:
- (1) The Fire Department, in its sole discretion, shall determine which fire hydrants will be used as hereinabove stated.
 - (2) The sponsor and vendors shall maintain all fire hydrants within the perimeter of the outdoor activity free and clear of any obstruction, with the closest object located next to a fire hydrant at no less than 10 feet in any direction from its geometrical center.
 - (3) The sponsor and vendors shall meet and observe at all times the requirements of the Fire Department.
- B. Anyone operating a booth or stand in which there is heating or cooking apparatus for the preparation of food shall keep at all times, in a visible easily accessible location within the booth or stand, a fully charged fire extinguisher of the kind classified as 2A-10BC multipurpose dry chemical.
- C. All doors or gates on entrances to and exits from the premises where the outdoor activity shall be conducted shall be kept open and unobstructed during the hours of operation of the activity, in order to facilitate the rapid ingress or egress of all persons attending. In case of an emergency, the enclosed outdoor area must have at least two means of egress.
- D. It shall be the obligation and duty of the licensee to maintain, for the duration of the outdoor activity, an unimpeded and unobstructed lane for emergency traffic, at least 15 feet in width, for the rapid ingress and egress of vehicles required for emergencies or other governmental purposes.
- E. Any tents used in connection with the outdoor activity larger than 120 square feet are required to be in compliance with BOCA Fire Prevention Code, Section F1800.0 with regard to flame resistance, and Section F-1803.0, Fire Safety Requirements, with respect to combustible materials in tents, and have at least two unobstructed exits. No exposed flame from any source shall be maintained or used inside a tent or within 20 feet of a tent.
- F. The sponsor and vendors shall pay all fee for water usage as applicable, and shall deposit with the Borough such amount as estimated by the Fire Department to be the reasonable cost of same. After the sponsor and vendors have present proof of payment to the Water Company of all related charges, said deposit shall be refunded to the sponsor and vendors.

§128-7. Games of skill and chance; gambling.

The licensee shall not suffer, permit or allow any games of skill, games of chance and gambling in any form to be engaged in on the site of the outdoor activity except as permitted and regulated by federal law, Title 5 of the New Jersey statutes, Title 13, Chapter 47, of the New Jersey Administrative Code and the Code of the Borough of Roselle. Evidence of approval by the State of New Jersey or the Borough Clerk, when applicable, for all games of chance or skill must be presented to the Borough Clerk and the Police Chief or his designee no later than one week prior to the first day of operation of the outdoor activity.

§128-8. Insurance requirements.

A. Insurance for any outdoor activity held on Borough-owned property (including but not limited to streets and sidewalks) shall be required in accordance with all applicable Borough policies, resolutions and ordinances, in amounts as deemed necessary by the Borough Administrator. Each application shall be reviewed by the Borough Administrator to determine compliance with this provision.

(1) The sponsor shall furnish to the Borough Administrator evidence of a general liability insurance policy, naming the Borough as an additional insured party to be in the amount of \$1,000,000/\$3,000,000 to be in effect during the life of the outdoor activity license, with the Mayor, Borough Council and the Borough of Roselle as named insured, indemnifying the Borough of Roselle and holding the Borough harmless. In addition, for outdoor activities conducted on Borough Property, the Borough Administrator may require the sponsor to furnish evidence of property damage insurance in the amount as deemed necessary and in compliance with the Borough's Ordinances insuring against damage to Borough Property, which insurance shall also be in effect during the life of the outdoor activity license.

(2) The sponsor shall file with the application a statement that the Borough, its officers, agents, servants and employees shall be saved harmless by the sponsor from and against any loss, injury or damage that may result from any outdoor activity, and that in the event the Borough or any of its officers, agents, servants and employees are joined as parties defendant in any civil action because of any loss, injury or damage resulting from such outdoor activity, the sponsor shall defend said action on behalf of the Borough, its officers, agents, servants and employees at its own cost and expense, and that if any of the officers, agents, servants and employees of the Borough do any work or perform any act at outdoor activity in the interest of safety, they shall be deemed to have continuing authorization from the sponsor to do so and shall be acting as the agents of the sponsor in the premises. (3)

The insurance requirement does not include Borough-Sponsored activities.

B. For any outdoor activity at which animal rides, children's rides and adult rides will be operated, the sponsor, operator or promoter shall furnish to the Borough Administrator evidence of a public liability insurance policy naming the Borough as an additional insured party to be in the amount of \$1,000,000/ \$3,000,000 to be in effect during the life of the outdoor activity license.

§128-9. License revocation.

A. Card games, video games, pinball machines and the dispensing of alcoholic beverages shall be prohibited at all outdoor activities, except the dispensing of alcoholic beverages pursuant to a permit or license issued for such purpose by the Borough of Roselle or the State of New Jersey shall be permitted in accordance with the terms of said license or permit. Failure to comply with this subsection will result in suspension or revocation of the outdoor activity license in addition to other penalties enumerated herein or elsewhere in the Code of the Borough of Roselle or in Title 2C of the New Jersey statutes.

B. The outdoor activity license or that of any vendor/operator/concessionaire may be revoked or suspended by the Borough Administrator, after notice and hearing, at any time during the life of such license for any violation by the sponsor, licensee, promoter or individual vendor/operator/concessionaire of any provision of this chapter, any violation of

the Code of the Borough of Roselle or violation of any applicable state or federal law. The revocation or suspension may be in addition to the penalties set forth in the general penalties section of this chapter.

C. When any public official of the Borough of Roselle, determines that an imminent hazard to life, health or safety has been created by any facet of the operation of the outdoor activity, he shall advise the Borough Administrator Police Department, Fire Department and/or Health Officer of same, and each shall have full power and authority to require the immediate cessation of the operation of the entire outdoor activity, or any part thereof, until such time as the hazardous condition is abated.

§128-10. Destruction of Property.

No person participating in or attending an Outdoor Activity shall negligently or willfully break, injure or destroy any public or Borough owned property. No person shall injure, break or destroy any street or guide sign or lamp post or light bulb or appurtenances thereof or other public property or Borough owned property on any public street, park or place.

§128-11. Violations and penalties.

The sponsor, licensee, the promoter and vendors/operators/concessionaires or their agents shall, upon conviction of a violation of provisions of this chapter, be punished by a fine not exceeding \$2,000, incarceration not exceeding 90 days, or both, per violation to be set by the Municipal Judge. Each day a violation persists shall be a separate violation. Any person participating in or attending an Outdoor Activity who shall negligently or willfully break, injure or destroy any public or Borough owned property, or injure, break or destroy any street or guide sign or post, lamp or light bulb or appurtenances thereof or other public property or Borough owned property on any public street, park or place shall, upon conviction of thereof, be punished by a fine not exceeding \$2,000, incarceration not exceeding 90 days, or both, per violation to be set by the Municipal Judge.

§128-12. Investigation: report

The Borough Clerk shall upon receipt of the application, refer a copy of the application promptly to the Borough Administrator, Chief of Police and the Fire Chief. The Chief of Police and the Fire Chief shall conduct an investigation concerning the background of the applicant, the extent to which the proposed event may adversely affect the health, safety or welfare of the persons attending the event or the general public., the extent to which any additional police activity will be required, the adequacy of the proposed parking and traffic control plan, the adequacy of any structures which are to be used in connection with the event, the adequacy of provisions for sanitary facilities, water and dispensing of food and beverages and such other matters as may be reasonably be required by the nature and size of the proposed event, or as may be directed by the Borough Council.

The Chief of Police and Fire Chief and Borough Administrator shall file reports with the Borough Council.

§128-13.

Nothing in this chapter shall be construed to permit any outdoor gatherings which may be in violation of any Zoning or Noise ordinance.

OUTDOOR ACTIVITY LICENSE FEE CHART

Outdoor Activity and License Fee	Included in Nonrefundable License Fee	Application Fees	Permitted Hours of Operation and Duration of Activity
Amusement Promotions \$100	5 children's rides or children's games (must operate without charge)	\$25	Monday through Saturday, 8:00a.m. to 10:00p.m. Sunday, 1:00p.m. to 10:00p.m.
Bazaars \$100	Unlimited amount of homemade cookies, food, cake, pies, etc.; handmade and used merchandise, including clothing and bric-a-brac	\$25	Up to 7 consecutive days Monday through Saturday, 8:00a.m. to 10:00p.m.; Sunday 1:00p.m. to 10:00p.m. 1 day of operation 2 licenses per year, per sponsor
Block parties \$25	2 rides (children's variety only) 2 food/drink concessions 2 strolling vendor (price of items sold not to exceed \$5)	None	Monday through Saturday, 8:00a.m. to 10:00p.m.; Sunday, 1:00p.m. to 10:00p.m. 1 day of operation 2 licenses per year, per sponsor
Carnivals \$100	5 rides 6 games 5 food/drink concessions 3 strolling vendors	\$25	Monday through Saturday, 8:00a.m. to 11:00p.m. Sunday, 1:00p.m. to 11:00p.m. Up to 7 consecutive days 2 licenses per year, per sponsor
Circuses \$250	Animal acts, high wire and trapeze exhibitions and similar stunts or acts; clowns and parades 3 food/drink concessions	\$25	Up to 7 consecutive days

	12 strolling vendors		
Concerts	Singers or singing groups and musicians	\$25	Monday through Friday 10:00a.m. to 10:00p.m.; Saturday, 10:00a.m. to 11:00p.m.; Sunday, 1:00p.m. to 10:00p.m.
\$250	3 food/drink concessions		1 day of operation
	12 strolling vendors (tapes, records, T-shirts and souvenirs; price not to exceed \$50)		2 licenses per year, per sponsor, per location
Fairs	4 rides (children's rides only)	\$25	Monday through Saturday, 8:00a.m. to 10:00p.m.; Sunday, 1:00p.m. to 10:00p.m.
\$100	3 food concessions		Up to 2 consecutive days
	8 games		2 licenses per year, per sponsor, per location
	40 feet of combined table lengths		
Festivals	8 food concessions	\$25	Monday through Saturday, 8:00a.m. to 10:00p.m.; Sunday, 1:00p.m. to 10:00p.m.
\$100	2 strolling vendors (food and drink only)		Up to 7 consecutive days
	40 feet of combined table lengths		
Flea markets	Unlimited amount of used household goods and merchandise (nothing to be offered for sale that is not used)	\$25	Monday through Saturday, 10:00a.m. to 10:00p.m.; Sunday, 1:00p.m. to 10:00p.m.
\$50			Up to 10 consecutive days
Garage, yard and porch sales	Unlimited amount of used household goods and merchandise (nothing to be offered for sale that is not used)	None	Daily, 8:00a.m. to 10:00p.m.
\$5			2 consecutive days/rain date
Revivals	Food and drink concession (There shall be no admission	\$0	Daily, 8:00a.m. to 10:00p.m.

\$0	and/or refreshment charges other than voluntary contributions.)		Up to 7 consecutive days
Parades \$100		\$25	8:00a.m. to 10:00p.m. 1 day
Motorcades \$100		\$25	8:00 a.m. to 10:00 p.m. 1 day/rain date
Rallies No fee, including vigils		\$25	Daily, 8:00a.m. to 10:00p.m. 1 day
Picketing No fee		\$25	To be determined by the Borough Clerk and the Borough of Roselle Police Department, depending upon the event 1 day

SECTION 2. SEVERABILITY. Should any provision, section, paragraph, sentence or word of this chapter be determined or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this chapter shall remain in full force and effect.

SECTION 3. The remaining provisions of the Borough Code shall continue in full force and effect to the same extent as if herein fully repeated.

SECTION 4. 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 portions, which shall be deemed severable therefrom.

SECTION 5. This Ordinance shall take effect at the time and in the manner provided by law.

Recorded Vote on Final Passage of Ordinance No. 2458-13

	Motion	Second	Ayes	Nays	Abstain	Absent
Councilwoman Dansereau	x		x			
Councilwoman Shaw		x	x			
Councilman Sandifer						
Councilwoman Hayman			x			x
Councilman Locks			x			
Councilman Aubourg			x			

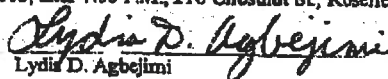
☒ Approved

☐ Vetted and returned to the Municipal Clerk with the following statement and objections:


David C. Holley, Mayor

DATE: 6/21/13

NOTICE is hereby given that Ordinance Number 2458-13 was passed and adopted on second and final reading at a regular meeting of the Mayor and Council on June 19, 2013, after 7:00 P.M., 210 Chestnut St., Roselle, NJ.


Lydia D. Agbejimi
Deputy Municipal Clerk

*Borough of Roselle, NJ
Monday, October 5, 2020*

Chapter 55. Fees for Borough Services

Article X. Fees for Usage of Certain Borough Facilities; Regulations

§ 55-19. Use of Borough facilities.

There shall be hereby fixed and established, fees chargeable to any person, entity or organization for the use of the following Borough facilities:

A. Community center.

- (1) Fee for usage/rental for any portion of a day: \$200 for the first two hours, \$50 per hour for each additional hour.
- (2) All renters are required to pay in advance for all expected usage.
- (3) Rental by any qualified Roselle nonprofit entity shall be without charge.
- (4) Rental by any qualified Roselle resident for a funeral repast or wake shall be at a flat fee charge of \$50.
- (5) Rental shall be subject to usage of the facility by the Borough which shall have priority over all events.
- (6) The uses to which the Borough of Roselle Community Center may be employed are as follows:
 - (a) Assorted and varied types of arts and crafts.
 - (b) Educational and instructional programs.
 - (c) Entertainment programs.
 - (d) Lending library of reference items related to senior citizens.
 - (e) Use by senior citizen groups throughout the Borough on a time-availability basis coordinated by the Director of the Roselle Community Center.
 - (f) Any other use authorized by resolution of Mayor and Council of the Borough of Roselle provided that the same is permitted by law.

(7) The restrictions on the use of the Borough of Roselle Community Center are as follows:

- (a) Religious services of any kind.
- (b) Political activities of any nature.

B. Sylvester Land Field:

- (1) Fee for usage/rental for any portion of a day: \$125 per hour.
- (2) All renters are required to pay in advance for all expected usage.
- (3) Rental by any qualified Roselle nonprofit entity shall be without charge.
- (4) Rental shall be subject to usage of the facility by the Borough which shall have priority over all events.
- (5) The restrictions on the use of the Sylvester Land Field are as follows:
 - (a) Religious services of any kind.
 - (b) Political activities of any nature.

C. All other Borough parks:

- (1) Fee for usage/rental for any portion of a day: \$50.
- (2) All renters are required to pay in advance for all expected usage.
- (3) Rental by any qualified Roselle nonprofit entity shall be without charge.
- (4) Rental shall be subject to usage of the facility by the Borough which shall have priority over all events.
- (5) The restrictions on the use of all other Borough parks are as follows:
 - (a) Religious services of any kind.
 - (b) Political activities of any nature.

D. Such usage/rental of Borough facilities shall be subject to the following conditions:

- (1) The entity/person using or renting the facility shall agree to and hold the Borough harmless, defend and indemnify the Borough against any and all claims, lawsuits and actions that may arise out of the entity/person using or renting the facility.
- (2) The entity/person using or renting the facility shall provide adequate security and supervision, and shall such keep facilities in the conditions same are in as of the time of rental, and repair any damage caused by the use.
- (3) "Adult," defined as a person over the age of 21 years old for purposes of this article, supervision shall be required for all events for which the facility is rented at a ratio of no less than one adult for



each eight youth but in no event less than two adults. "Youth" is defined as all persons less than 21 years old for purposes of this article.

- (4) No event will be allowed to exceed the posted occupancy limitations of the facility, usage of cooking, audio visual, public address and other Borough equipment is prohibited unless prior separate authorization is granted by the Borough Administrator, consumption or serving of alcoholic beverages is prohibited.
 - (5) All events shall terminate on or by 11:00 p.m., and in the case of Sylvester Land Field and all other Borough Parks by 10:00 p.m., and the facility is required to be cleaned and vacated by such time.
 - (6) The facility shall not be utilized for any activity or event for which an admission fee is to be charged.
 - (7) Such entity/person using or renting the facility shall comply with such additional conditions or restrictions as determined to be necessary by the Borough Administrator or Acting Borough Administrator.
 - (8) No group shall use a Borough facility without first obtaining a Facility Use & Authorization Form. Group use shall be limited to designated areas. Adult supervision of children's groups/youth is required at all time.
 - (9) No person shall use loudspeakers, public address systems or amplifiers at a Borough facility without first obtaining authorization, in advance, from the Borough Administrator.
 - (10) No portable radio, tape player, compact disc player or musical instrument shall be played in such a manner as to create a nuisance.
 - (11) No person shall leave bottles, broken glass, ashes, wastepaper or other rubbish on or in a Borough facility, except in a properly provided receptacle designated for that purpose.
 - (12) No person shall throw or place any dirt, stone, rock, debris, confetti, foreign substance or rubbish on or in a Borough facility, nor shall any person build, light or maintain a fire within any Borough facility.
- E. No Borough facility may be rented unless the applicant shall provide the Borough satisfactory proof of the following:
- (1) Proof of insurance coverage as follows:
 - (a) For bodily injury to any one person in the amount of \$1,000,000 and any occurrence in the aggregate amount of \$5,000,000.
 - (b) For property damage for each occurrence in the aggregate amount of \$1,000,000.
 - (2) An agreement in writing pursuant to which the applicant agrees to indemnify and save harmless the Borough of Roselle from any and all liability, expense, claims or damages for personal injury and property damage resulting from the use of public lands.

10/5/2020

Borough of Roselle, NJ Ecode360

- (3) In lieu of the insurance requirement set forth in Subsection E(1) hereof, an applicant may make application to the Business Administrator for a waiver from said requirement due to hardship or the inability to obtain same, and the Borough Administrator shall consider same, and may grant said waiver if warranted.
- (4) A \$50 refundable security deposit, which will be held by the Borough. Said security deposit will be returned, provided the Borough facility is returned in clean condition without damage.

