

**ORDINANCE NO. 2018-11**

**TOWNSHIP OF HOLMDEL  
COUNTY OF MONMOUTH**

**ORDINANCE MODIFYING SECTION 4-6 OF THE REVISED GENERAL  
ORDINANCES OF THE TOWNSHIP OF HOLMDEL, TITLED  
“PARADES AND SPECIAL EVENTS”**

**WHEREAS**, the Township of Holmdel maintains Section 4-6 of its Revised General Ordinances governing parades and special events; and

**WHEREAS**, the Holmdel Township Police Department has recommended various modifications to this Section, in order to ensure the ordinance reflects current norms; and

**WHEREAS**, the Township Committee finds that the proposed modifications are appropriate in order to address the health, safety, and welfare of the Township’s residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Holmdel in the County of Monmouth, State of New Jersey that the Revised General Ordinances of the Township of Holmdel be and are hereby amended as follows:

**SECTION 1.**

**Section 4-6 is hereby amended as follows** (additions are underlined, deletions contain ~~strikethroughs~~):

**4-6 PARADES AND SPECIAL EVENTS.**

**4-6.1 Definitions.**

As used in this section:

*Parade* shall mean any parade, march, ceremony, show, exhibition, pageant, procession of any kind, or any similar display in or upon any street, park or other public place in the Township.

*Special event* shall mean any parade or other event, such as a marathon run, walkathon, leisurely walk, bikeathon, foot race, bicycle race, jogging group, motorcycle run, block party, concert, fundraiser, photo shoots, filming of commercials or movies, large social event generating a parking or traffic situation that ~~would~~ could potentially interfere with the movement of normal traffic and/or emergency vehicles, or other organized group having a similar common purpose or goal proceeding in or upon any street, park or other public or quasi-public place (including schools, both public and private) in the Township.

#### 4-6.2 [NO CHANGES]

#### 4-6.3 Application Procedure, Fees and Contents.

a. An application for a permit to conduct a parade or special event shall be made to the Holmdel Township Police Department, in writing, by the person or persons in charge of or responsible for such parade or event. The application request shall be filed at least forty-five (45) days before the scheduled date of the parade or event, except for block party requests, which shall be filed fifteen (15) days before.

b. A fee of ~~five fifty~~ ~~(\$5.00)~~ (\$50.00) dollars shall accompany such request, and shall be used to reimburse the Township for its administrative costs in issuing a permit. The Township may waive the fee for permits issued to non-profit organizations.

c. Such application for a permit shall contain the following information:

1. The name, address and telephone number of the person requesting the permit.
2. The name and address of the organization or group he/she is representing.
3. The name, address and telephone number of the person(s) who will act as chairperson of the parade/special event and be responsible for the conduct thereof.
4. The number of ~~monitors~~ staff and support personnel to be provided and the identifying clothing, signs, badges or symbols to be used or worn by the ~~monitors~~ staff and support personnel.
5. The purpose of the event, the estimated number of persons to participate and otherwise attend and the number and type of vehicles, if any, to participate.
6. The date the event is to be conducted, which will include an alternate rain date, if any, and the commencing and terminating times.
7. The location of the parade/special event, and the plans for assembly and dispersal of the participants.
8. Whether or not any music will be provided, either live or recorded.
9. The number, types and locations of all loudspeakers and amplifying devices to be used.
10. Whether any admission fee will be charged for participating in the parade/special event.

d. Any major changes in the activity from what was specified in the original application (date, route, time, etc.) will necessitate a reapplication to be instituted by the applicant and an additional fee.

#### **4-6.4 Issuance of Permit. [NO CHANGES]**

#### **4-6.5 Miscellaneous Provisions.**

a. The Police Department in denying any application for a parade/special event permit shall be empowered to authorize the conduct of such parade or special event of a duration, on the date, at a time or of a route and with a number of participants different than that named by the applicant. Any applicant desiring to accept an alternate permit shall, within three (3) days after notice of the action of the Police Department, file a written notice of acceptance with the Police Chief. An alternate parade/special event permit shall conform to the requirements of and shall have the effect of a parade permit under this section.

~~b. The Police Department shall be prohibited from the approving of more than one (1) parade/special event permit for any one (1) twenty four (24) hour period. This twenty four (24) hour period shall run from 12:01 a.m. to 12:00 midnight. Where there is more than one (1) parade/special event application for the same date, the application received first in time will be considered first. ~~granted the parade/special event permit, provided that all of the conditions of this section are complied with.~~ The Police Department shall have the authority to grant a special event permit for more than one (1) block party or large social event for any one (1) twenty four (24) hour period unless it determines that such action will violate the standards set forth in subsection 4-6.3.~~

c. For the purpose of public safety and welfare, the Chief of Police may order the temporary closing of streets during the parade/special event and shall direct the posting of proper warning or directional signs in connection therewith.

d. Any permit granted under this section shall contain a guarantee from the applicant that the areas used for the parade/special event shall be cleaned up as soon after the conclusion of the parade/special event as is reasonably possible. This cleanup shall include, but not be limited to, such items as refreshments, signage, and any litter or debris generated from the parade/special event.

(1976 Code § 55C-5; Ord. No. 16-83)

#### **4-6.6 Indemnification; Costs for Police Protection.**

a. The holder of a parade/special event permit shall agree in writing to indemnify and hold harmless the Township, its servants, agents and employees from any claims caused by the activity covered in such permit. The holder of such permit shall present to the Chief of Police a certificate of insurance in advance of the event, which will provide indemnification in a form acceptable to the Township.

b. If the Chief of Police deems it necessary to have additional Police Officers made available for the purpose of preserving the public safety and welfare during the course of any ~~the~~ parade/special event, then he/she shall so advise the applicant at the time of issuing the permit. If additional expenses or costs are incurred for the purpose of

providing such police protection, then the holder of the permit shall be required to pay for same or reimburse the Township for such expenses or costs according to the existing policy of the Township on payment of the officers.

Ordinance Summary Pursuant to N.J.S.A.40:49-2

This ordinance modifies certain provisions of Ordinance 4-6 titled “Parades and Special Events” incorporating changes recommended by the Holmdel Township Police Department to reflect current norms.

**SECTION 2. Severability.**

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

**SECTION 3. Repealer.**

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

**SECTION 4. Effective Date.**

This ordinance shall take effect after final adoption and approval pursuant to law.

**LEGAL NOTICE**

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on Tuesday June 26, 2018, and will be considered for final passage at a meeting of said Township Committee to be held on Tuesday, July 17, 2018 at the Holmdel Township Municipal Building, 4 Crawford’s Corner Road, Holmdel, New Jersey, at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Thomas Critelli, Mayor

Attest:  
Maureen Doloughty, RMC  
Township Clerk