

AGENDA – PUBLIC HEARING
VILLAGE OF NORWOOD
August 20, 2024 – 5:40 p.m.

RE: To receive public comments regarding
Parades and Assemblies

1. OPEN THE MEETING

2. TAKE ROLL CALL: Mayor Mark Tebo
Trustee Mike diVencenzo
Trustee Robin Fetter
Trustee Lisa Levison
Trustee Matt Tebo

3. READ LEGAL NOTICE AS PUBLISHED: NOTICE IS HERBY GIVEN THAT A PUBLIC HEARING WILL BE HELD BY THE BOARD OF TRUSTEES OF THE VILLAGE OF NORWOOD, NY, ON AUGUST 20, 2024 AT 5:40 PM AT THE MUNICIPAL BUILDING IN NORWOOD, NY. THE PURPOSE OF THE HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING CHAPTER 120 PARADES AND ASSEMBLIES CARNIVALS, CIRCUSES AND OUTDOOR SHOWS, ARTICLE I, SUBSECTION 1202-2 CHANGES.

4. PUBLIC COMMENTS:

5. CLOSE THE HEARING:

Chapter 120. Parades and Assemblies – Carnivals, Circuses and Outdoor Shows

Article I

Parades and Assemblies

§ 120-1 Permit required; application.

No parade or assembly shall be permitted upon the highways or streets of the Village of Norwood unless a permit shall have been obtained from the Village Clerk of the Village of Norwood upon approval of the Board of Trustees after application therefor to said Village Clerk, in writing.

§ 120-2 ~~(Reserved)~~ Insurance requirements.

- A. All parades and assemblies requiring permits must procure general liability insurance of not less than \$1,000,000 and \$3,000,000 aggregate.
- B. All insurance shall include the Village of Norwood as a named insured and be noncancelable without 10 days' prior written notice to the Village Clerk. A Certificate of Insurance must be provided to the Village Clerk.

§ 120-3 Penalties for offenses.

Any person who shall violate any provision of this article shall be guilty of a misdemeanor, and conviction therefor shall be punishable by imprisonment in the county jail for a term not to exceed six months or by a fine not to exceed \$50, or by both fine and imprisonment.

Article II

Carnivals, Circuses and Outdoor Shows

§ 120-4 Definitions.

For the purposes of this article, the following terms shall be given the meanings set forth herein:

AMUSEMENT EVENTS

Any form of entertainment open to the public and generally conducted in the outdoors with the presence of tents, booths or temporary structures erected for such purpose, or any combination of the foregoing, including but not limited to forms of entertainment commonly known as "carnivals," "circuses," "fairs," "bazaars" and "outdoor shows."

APPLICATION

That form specified by the Village Clerk used for obtaining an amusement event permit.

ORGANIZATION

A group having a joint or common interest and organized for some purpose. An organization shall include a charitable, religious, membership, hospital or not-for-profit corporation.

§ 120-5 Purpose.

The purpose of this article is to preserve the public peace and good order, to prevent tumultuous assemblages and to assure the health and safety of the residents of the Village of Norwood in regard to the conduct of all amusement events.

§ 120-6 Permit required.

- A. All amusement events are prohibited in the Village of Norwood, except when they are for the profit of an organization as herein defined, and provided that a permit from the Board of Trustees has been secured in advance of such amusement event and remains valid throughout such event.
- B. It shall be unlawful to erect, operate or maintain any amusement event without having secured a permit

from the Board of Trustees or to continue to erect, operate or maintain such event after the expiration or revocation of such permit.

§ 120-7 Application for permit.

No later than four weeks in advance of a proposed amusement event, an application shall be executed and filed with the Village Clerk by the organization seeking a permit. All applications for permits for amusement events shall supply the following information:

- A. The name, address and the telephone number of the organization.
- B. The names, addresses and the telephone numbers of two authorized officers or directors who will be responsible for and can be contacted during the operation of the amusement event and who shall both sign said application.
- C. The date(s), time(s) and place of the amusement event.
- D. A complete description of all activities, games of skill, rides and special events.
- E. A notarized letter signed by the property owner stating the nature, extent and duration of the amusement event and granting permission for the organization to use the property.
- F. A certificate of insurance pursuant to § 120-8 of this article.
- G. Any other documents required to be provided pursuant to any section of this article.
- H. Such additional information as the Village Clerk may require.

§ 120-8 Insurance requirements.

- A. Upon filing the application, the applicant must furnish a surety bond, cash or certified check of \$2,000 to the Village Clerk to ensure that the applicant will clean the area and put the property in order at the conclusion of the amusement event. If the applicant fails to clean and restore the amusement area or if damage is done to public or private property as a result of said amusement event, the Village Clerk may apply the bond, cash or check to the cost of cleanup or restoration and may recover from the organization such additional costs as may be incurred.
- B. All amusements must procure public liability insurance of not less than \$1,000,000 for bodily injury and \$200,000 for damage to property.
- C. All insurance shall include the Village of Norwood as a named insured and be noncancelable without 10 days' prior written notice to the Village Clerk.
- D. The Village Clerk may require an applicant to supply additional insurance coverage, if available, where the minimum amounts stated herein are insufficient in the opinion of the Village Clerk, after considering the size, duration and hazard presented by the proposed amusement event.

§ 120-9 Registration of professionals and charities.

- A. Every professional fund-raiser, commercial coventurer, professional solicitor and charitable organization, as each is defined by Article 7-A of the Executive Law of New York State, organizing, controlling or otherwise involved in conducting an amusement event shall include with an application for such event proof of valid registration with the Secretary of State as such fund-raiser, coventurer, solicitor or organization.
- B. With each application, a professional fund-raiser or commercial coventurer shall also submit proof that a surety bond, naming him as obligor, is on file with the Secretary of State.

§ 120-10 Restrictions and revocation.

No permit for an amusement event shall be issued and any outstanding permit may be revoked if the Board of Trustees determines that such amusement event includes any activity which, in the judgment of the Board of Trustees, will disturb the order and peace of the Village or will jeopardize the health, safety or welfare of the residents of the Village of Norwood.

§ 120-11 Proof of inspection of mechanical rides.

Prior to opening an amusement event to the public, the permit holder shall file proof with the Village Clerk that his mechanical rides have been inspected and found satisfactory by the New York State Department of Labor in compliance with § 870-a et seq. of the Labor Law.

§ 120-12 Conditions on permits.

- A. Permits may be subject to conditions that the Board of Trustees deems necessary to ensure proper sanitation, to prevent undue noise, to prevent fire hazards and to protect the public safety, health and welfare.
- B. All permits shall be subject to the hours of operation determined by the Board of Trustees.

§ 120-13 Duration of permit.

The term of any permit shall not exceed six days, and only two permits may be issued per organization for each calendar year.

§ 120-14 Display of permit.

A permit pursuant to this article must be conspicuously displayed during the operation of said amusements and be available for inspection by any person demanding such inspection.

§ 120-15 Penalties for offenses.

Any person who shall erect, operate or maintain any amusement event without first having obtained a permit or who shall own the land on which such amusement event is located shall be guilty of a violation of this article. Such violation is an offense punishable by a fine not to exceed \$250 for each day such violation continues or by imprisonment for 15 days, or both such fine and imprisonment.