

ORDINANCE 2024 -48

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY,
AMENDING THE BOROUGH CODE OF THE BOROUGH OF SOUTH RIVER, SO AS TO AMEND CHAPTER
288A ENTITLED "SPECIAL EVENTS"**

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. Chapter 288A of the Borough Code of the Borough of South River, entitled "Special Events," is hereby amended and supplemented so as to amend § 288A-1 entitled, "License required; exemptions; term defined." to read entirely as follows:

- A. No person, persons, firm, corporation or entity shall permit any outdoor special event or hold any parade within the Borough of South River without having first obtained a license from the Borough of South River in the manner and upon the conditions hereinafter set forth.
- B. The following shall be exempt from obtaining an outdoor special event/parade permit:
 - 1. The Borough of South River or any of its boards, commissions or agencies.
 - 2. Bona fide scholastic and interscholastic contests or officially sponsored affairs.
 - 3. Flag raising ceremonies provided that the flag raising ceremony is a singular event with no subsequent outdoor special event which would require a permit and the person, persons, firm corporation or entity submits a flag raising application to the Borough and receives approval therefor.
- C. As used in this chapter, the following term shall have the meaning indicated:
 - 1. OUTDOOR SPECIAL EVENT shall mean any kind of outdoor show, concert, circus, carnival, theatrical or live musical performance and/or rally held out-of-doors within the Borough of South River
 - 2. 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 Borough. A parade does not include funeral processions, Students going to and from school classes or participating in educational activities, provided that such conduct is under the immediate supervision and direction of the proper school authorities or a governmental agency acting within the scope of its functions.

SECTION 2. Chapter 288A of the Borough Code of the Borough of South River, entitled "Special Events," is hereby amended and supplemented so as to amend § 288A-2 entitled, "Application for license: to add the following subsection:

- M. If the Special event or parade will require the closure of a public street or sidewalk, the precise location of the requested closures and the anticipated duration of the same shall be provided by the applicant.

SECTION 3. Chapter 288A of the Borough Code of the Borough of South River, entitled "Special Events," is hereby amended and supplemented so as to amend § 288A-5 entitled, "Additional Requirements" to read entirely as follows:

- A. The Mayor and Borough Council may, as a condition of approval of any application, require additional staffing or other conditions to ensure the safety of the patrons, Borough residents and the public.

- B. If the Special Event or Parade requires the closure of a public street or sidewalk, a fee for Police Services shall be charged pursuant Borough Code Chapter 72, Public Safety, Department of, Section 72-32 Off-duty Employment at the rate set forth in Chapter 155 Section 155-3.2.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on November 18th, 2024, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 9th day of December, 2024, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 11-18-24

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Ciulla</i>	X		X			
<i>Councilman DeSantis</i>			X			
<i>Councilman Dziemian</i>			X			
<i>Councilman Gurchensky</i>			X			
<i>Council President Krenzel</i>						X

ALYSSA HAGER, RMC
BOROUGH CLERK