

BOROUGH OF CARNEGIE

Licenses, Permits and General Business Regulations

Part 1

Amusements, Public Meetings and Public Performances

§ 13-101. Permit Required

It is unlawful for any person, or persons, association, firm, or corporation to conduct or hold any circus, or carnival, public dance, entertainment, performance, or show of any kind, or public meeting at any place, outdoors or indoors, in the Borough of Carnegie, without first having obtained a permit from the Borough Secretary, as hereinafter provided, and, thereafter, adhering to all conditions imposed in the granting of such permit. Provided: nothing herein shall apply to any permanent organization or group within the Borough and its meetings held regularly at places constructed and designed for the purpose, including, but not limited to church groups, school assemblies and entertainments conducted in and under the auspices of churches and schools, or to meetings of fraternal and social groups regularly held in the Borough, or to any entertainment conducted in a place designed and constructed for the purpose, throughout the year, or the major part thereof, according to daily or weekly schedule. The intent of this Part is to protect and insure the health, safety, morals, comfort, and welfare of the Borough by exercising supervision and control over casual or transient entertainments and gatherings.

(Ord. 141, 12/30/1904, §1; as amended by Ord. 723, 12/20/1960, §1)

§ 13-102. Application for Permit; Fees; Exceptions

No such permit shall be issued until the application has been made to the Borough Secretary therefor, by the person or persons, association, firm or corporation desiring to conduct or sponsor such entertainment, show, dance or other activity. Following such application, there shall be a waiting period of not more than 7 days, during which period investigation of the proposed activity and its sponsors, and inspection of the place where such activity is proposed to be held, may be made by the Mayor, the Borough Secretary, the Fire Chief and/or the Chief of Police of the Borough, as provided in §13-1303 of this Part. At his discretion, in an emergency, the Borough Secretary may authorize the issuance of any such permit without such waiting period. No permit shall be issued by the Borough Secretary until the prescribed fee, in an amount as established, from time to time, by resolution of Borough Council, which shall be for the use of the Borough, shall have been paid to the Borough Secretary. Provided: permits shall be issued without payment of a fee for entertainments, dances, shows, meetings, and other activities conducted for charitable, educational or religious purposes.

(Ord. 141, 12/30/1904, §2; as amended by Ord. 723, 12/20/1960, §2; by Ord. 973, 4/14/1981; and by Ord. 2384, 12/10/2012)

§ 13-103. Conditional Grant of Permit

The prior investigation and inspection provided §13-102 of this Part shall be made to ascertain the background and criminal record, if any, of the applicant for the permit; whether the premises intended to be used for such entertainment, dance, show, meeting, or other activity are suitable for the purpose, and free from any dangerous or hazardous feature. Based upon recommendations of the officers making such investigations and inspections, the Secretary may refuse to grant a permit on account of any unsanitary, dangerous, immoral, illegal, or hazardous condition, or because the Chief of Police or the Fire Chief has found the location unsuitable on account of the creation of a traffic hazard, the lack of accommodations for the number of persons and/or vehicles likely to be attracted thereto, or the creation of unnecessary annoyance to residents of the locality. In every case, the Borough Secretary, in such permit, shall specify the type of entertainment or activity authorized and the time for which such permit is to remain in effect. Such permit may be granted conditionally, dependent upon the taking of stipulated action by the holder thereof in

order to meet standards of sanitation and safety. Provided: any person, or persons, association, firm, or corporation denied a permit may appeal from such action of the Borough Secretary to the Council, the decision of which shall be final.

(Ord. 141, 12/30/1904, §3; as amended by Ord. 723, 12/20/1960, §3)

§ 13-104. Revocation of Permits

Any permit granted under this Part may be revoked by the Borough Secretary or by the Borough Council for any of the following causes or reasons:

- A. For failure to observe any of the conditions under which such permit was granted.
- B. For failure to maintain proper standards of safety or sanitation
- C. For holding any type of entertainment or activity not specifically stated in such permit.
- D. For permitting any gambling, or any indecent, immoral, or lewd act, or performance.
- E. For violation of any of the provisions of this Part.

In case of revocation of any permit, no portion of the permit fee shall be returned to the holder of such permit.

(Ord. 141, 12/30/1904, §6; as amended by Ord. 723, 12/20/1960, §4)

§ 13-105. Penalty for Violation

Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof in an action brought before a magisterial district judge in the manner provided for the enforcement of summary offenses under the Pennsylvania Rules of Criminal Procedure, shall be sentenced to pay a fine of not more than \$1,000 plus costs and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 90 days. Each day that a violation of this Part continues or each Section of this Part which shall be found to have been violated shall constitute a separate offense.

(Ord. 141, 12/30/1904, §7; as amended by Ord. 723, 12/20/1960, §5; by Ord. 973, 4/14/1981; by Ord. 1047,- /-1989; and by Ord. 2384, 12/10/2012)