

**TOWN OF RIVERHEAD  
PUBLIC NOTICE**

**PLEASE TAKE NOTICE**, that a public hearing will be held on the 4<sup>th</sup> day of December, 2018 at 2:05 p.m. at Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to consider a proposed local law to amend Chapter 255 of the Riverhead Town Code entitled "Special Events" as follows:

**Chapter 255  
Parades, Assemblies and Special Events  
ARTICLE I  
Parades and Assemblies**

**§255-1. Purpose.**

The Town Board of the Town of Riverhead, by this article, seeks to remove the danger to health and life caused by the possibility of congestion by parades or assemblies on the sidewalks, streets, avenues, highways, parkways and other public places in the Town of Riverhead. The Town Board hereby declares that this article shall in no way interfere with the right of public assembly, but is strictly for the purpose of regulating traffic, both vehicular and pedestrian.

**§255-2. Definitions.**

For the purpose of this article, the following terms shall have the meanings indicated:

**PARADE and ASSEMBLY** - An organized procession or march.

**§255-3. Permit required.**

No parade or assembly shall be permitted upon the sidewalks, streets, avenues, highways, parkways or other public places in the Town of Riverhead unless a permit shall have been first obtained from the Chief of Police of the Town of Riverhead or his designee after application therefore in writing to said Chief of Police or his designee.

**§ 255-4. Application for permit; issuance or denial.**

A. Application for such permit shall be on the form provided by the Police Department, addressed to the Chief of Police and filed with the office of the Chief of Police and filed at least 30 days prior to the scheduled event. The application for the permit shall state the following information:

- (1) The name and address of the person or organization sponsoring the event and the name and address of the person to whom the permit or other correspondence shall be mailed.
- (2) The proposed point at which the parade is to assemble, the proposed line of march and the proposed point at which it is to terminate. If there is to be a point at which

persons shall assemble for any purpose other than the point of beginning and ending of the march, such point of assembly shall also be designated.

- (3) The proposed date and time of the parade or assembly and the number of persons and vehicles expected to participate.
- B. The Chief of Police, upon receipt of an application containing the information required by this section, duly signed by the sponsor, shall issue a permit and mail the same to the address designated for that purpose in the application unless he finds that the date, time, route or point of assembly of the proposed parade or assembly conflicts with the date, time, route or point of assembly of a parade or assembly for which an application has previously been filed, or unless the proposed parade or assembly unreasonably interferes with the free flow of commerce or traffic for a substantial period of time.
- C. If the permit is denied by the Chief, he shall state in writing the ground for his denial and give the same forthwith to the applicant and, if possible, suggest alternate dates, times, routes or places.

#### **§ 255-5. Display of flag.**

All assemblies and parades warranted by law, held in any of the streets, roads, avenues, highways, parkways or any other public places in the Town of Riverhead where public discussions are held, may have an American flag conspicuously displayed at all times during the holding of such assemblies.

#### **§ 255-6. Density on private property.**

The number of persons assembled on private property shall be restricted to a density of not more than 300 persons per acre.

#### **§ 255-7. Penalties for offenses.**

A violation of any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not less than \$250 nor more than \$1,000 for each offense or by imprisonment for a period not exceeding 30 days, or by both such fine and imprisonment.

## ARTICLE II **Special Events**

#### **§ 255-8. Definitions.**

Unless otherwise expressly stated, the following terms shall, for the purposes of this article, have the meanings set forth below:

**AMBULANCE CHIEF** - The Chief of the Riverhead Volunteer Ambulance Corps.

**CHARITABLE ORGANIZATIONS** - An organization as defined in New York State Executive Law §171 -a. including but not limited to not-for-profit corporations. Such charitable organizations shall be recognized as exempt from federal taxation under Internal Revenue Code §501 (c)(3). shall be duly registered with the Charities Bureau of the Attorney General of the State of New York.

**CHIEF OF POLICE** - The Chief of Police of the Town of Riverhead.

**FOOD VENDOR** - Each food or beverage vendor that the organizer plans to have at their event.

**FIRE CHIEF** - The Fire Chief of the fire district in which the planned event shall be located.

**FIRE MARSHAL** - The Fire Marshal of the Town of Riverhead.

**PERSON** - Any individual, firm, partnership, association, corporation, company or organization of any kind, including a charitable, religious, membership, hospital or not-for-profit corporation.

**SPECIAL EVENT** - Any form of entertainment, eight weeks duration or less, open to the public with or without an admission fee and held on a one-time or occasional basis, which may include but not be limited to, for example, carnivals, circuses, fairs, bazaars and outdoor shows, horse shows or exhibitions, concerts, road rallies and parades. A special event will not include any activity conducted at a permanent facility which has a valid use permit covering such activity. A special event shall not include any activity having fewer than 100 attendees/spectators at ~~any one time during the duration of the~~ event. A special event with fewer than 100 attendees/spectators expected shall apply for necessary permits under Article I, Parades and Assemblies, of this chapter and/or Town Code Chapter 231, Fire Prevention.

- A. A special event pursuant to this article includes, but is not limited to, a temporary and exclusive use by any person of any of the following events or combination thereof with a maximum expected attendance of 100 persons or more ~~at any one time~~.
- (1) Use of amusement devices;
  - (2) Carnivals or circuses, including any exhibition involving amusement attractions or rides, spectacles, animals, side shows, games and the like;
  - (3) Use of inflatable devices in excess of four feet in diameter, including any hot air balloons or any other inflatable objects;
  - (4) Noise disturbances as defined and regulated under Chapter 251, Article I, Noise, of this Code, including activities for which a variance has been granted;

- (5) Use of powered equipment requiring connection to public power supplies or separate generator or power supply equipment, including:
  - (a) Heating, cooling, refrigerating or cooking devices;
  - (b) Sound amplification, public address, loudspeaker, audio, video or television systems;
- (6) Racing or athletic competitions and uses, including motor vehicle racing or running marathons, cross-country, bicycle, moped, skateboards, rollerblades, or any other contest or exhibition that is competitively timed or speed related;
- (7) Sales of alcohol beverages, including any activity requiring a special designated permit or other permit under the New York State Liquor Authority;
- (8) Sales of goods and merchandise, including food, clothing, supplies, equipment, concessions, souvenirs, balloons, candy, jewelry or any other similar items offered for sale;
- (9) Use of permanent or temporary structures, including stages, booths, canopies, tents, awnings, risers, bleachers, fences, partitions, stands, or similar constructions.

B. A special event shall not include the use of public space by governmental agencies acting within the scope of their authority or authorized uses in the public space permitted by other chapters of this Code.

**SPECIAL EVENT PERMIT - A permit for a special event issued under this chapter.**

**TOWN** - The Town of Riverhead.

**TOWN CLERK** - The Town Clerk of the Town of Riverhead.

**§ 255-9. Permit required; application.**

A Written permit required.

- (1) Special event short form application, small gathering. Where 100 to ~~4,000~~ 750 attendees ~~spectators~~ are expected at ~~any one time during the duration of~~ the event and the event duration is 12 hours or less per calendar day, no person shall use, allow, let or permit property to be used for a special event unless a special event permit has been issued by the Town Board of the Town of Riverhead.
- (2) Special event long form, large gathering. Where 751 to 2500 attendees ~~spectators~~ are expected at ~~any one time during the duration of~~ the event or the event duration is more than 12 hours per calendar day, no person shall use, allow, let or permit property to be used for a special event unless a special event permit has been issued by the Town Board of the Town of Riverhead.
- (3) Special event long form, large gathering. Where ~~more than 1,000~~ 2501 to 5000 attendees ~~spectators~~ are expected at ~~any one time during the duration of~~ the event or the event duration is more than 12 hours per calendar day, no person shall use, allow, let or permit

property to be used for a special event unless a special event permit has been issued by the Town Board of the Town of Riverhead.

- B. Required filing date. Application for such permit shall be on the form provided by the Town Clerk, shall contain all of the required information and material, addressed to the Town Board and filed with the office of the Town Clerk in accordance with the below filing dates based on the type of special event. The Town Board, in its discretion, may provide for an expedited review for a special events permit under this article.
- (1) Special event short form applications shall be filed at least ~~40~~ 90 calendar days prior to commencement dates of special events.
  - (2) For an event where more than ~~4,000~~ 751 attendees ~~spectators~~ but fewer than 2,500 ~~5,000~~ spectators are expected at any one time during the duration of the event, a special event long form application shall be filed at least ~~120~~ 180 days prior to the commencement date of the special event.
  - (3) For an event where 2,501 to 5,000 or more spectators are expected at any one time during the duration of the event, a special event long form application shall be filed at least ~~180~~ 270 days prior to the commencement date of the special event.
- C. Information and material to be submitted with a completed special event short form application. Such application shall include the following written material:
- (1) The name, age and address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of directors and officers of the corporation; if the applicant does not reside in Suffolk County, the name, address and phone number of any agent, who shall be a natural person and shall reside or have a place of business in the County of Suffolk and who shall be authorized to and shall agree by verified statement to accept notices or summonses issued with respect to violations of any law, ordinances, rules or regulations.
  - (2) The name and address of the record owner of the subject property or properties and the nature and interest of the applicant in the property; proposed use of Town or other publicly owned property; proposed dates and hours of the special event, including setup and shutdown times; expected maximum number of persons intended to use the property at one time and collectively, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property at one time and collectively; the purpose of the event, describing in detail the nature of the activities to be carried on and the admission fee to be charged, if any, and the name of groups, organizations, charities or individuals who shall benefit from the proceeds of the event.
  - (3) A plan and drawing showing the size of the property; the streets or highways abutting said property; the size and location of any existing building, buildings or structures or of any proposed building, buildings or structures or signs to be erected for the temporary event; the location of the stage or tents, if any, proposed to be erected; the designated areas of use for spectators, exhibitors, vendors, employees, and organizers; the location of all exits; the location of all fire extinguishers and other fire safety equipment; and the location of all

temporary utilities to be installed for the event.

- (4) A plan and drawing showing the layout of any parking area for automobiles and other vehicles and the means of ingress and egress for such parking area. Such parking area shall provide one parking space for every four persons ~~in~~ at peak attendance shall be in accordance with the Fire Marshal's setback guidelines.
  - (5) The name, address, and telephone number, of the person(s) who will be engaged in the preparation and sale of food, and a copy of their state and/or county license/permit for said activity, said license/permit to be received no later than 14 days prior to the commencement of the event.
  - (6) A plan for the use of live music, loudspeakers, horns, or other sounds which will be used, if any, and the type and location of speakers and other audio equipment.
  - (7) The name and address of the security company, if any, which will work on the premises, and a description of the duties to be performed, subject to the approval of the Chief of Police.
  - (8) A description of the communications plan to be utilized by the event organizer to facilitate command and control of all routine and emergency activities related to the event, subject to approval by the Chief of Police and Fire Marshal.
  - (9) A description of tents or other temporary structures, camping or housing facilities to be available, if any, and a plan showing the intended number and location of them, compliance with the applicable requirements of the NFPA Life Safety Code (NFPA101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State.
- D. Information and material to be submitted with a completed special event long form application. Such application shall include the following written material:
- (1) The name, age and address of the applicant; if the applicant is a corporation, the name of the corporation and the names and addresses of directors and officers of the corporation; if the applicant does not reside in Suffolk County, the name, address and phone number of any agent, who shall be a natural person and shall reside or have a place of business in the County of Suffolk and who shall be authorized to and shall agree by verified statement to accept notices or summonses issued with respect to violations of any law, ordinances, rules or regulations.
  - (2) The name and address of the record owner of the subject property or properties and the nature and interest of the applicant in the property; proposed use of Town or other publicly owned property; proposed dates and hours of the special event, including setup and shutdown times; expected maximum number of persons intended to use the property ~~at one time and collectively~~, including organizers, employees, vendors, exhibitors and spectators; the expected number of automobiles and other vehicles intended to use the property ~~at one time and collectively~~; if there are animals, the approximate number and types of animals, the name, address and telephone number of the contractor providing and/or transporting the animals, the storage and provisions for disposal of all animal wastes; the purpose of the event, describing in detail the

nature of the activities to be carried on and the admission fee to be charged, if any, and the name of groups, organizations, charities or individuals who shall benefit from the proceeds of the event.

- (3) A plan and drawing showing the size of the property; the zoning district in which it is located; the streets or highways abutting said property the size and location of any existing building, buildings or structures or of any proposed building, buildings or structures; the type and location of all signs to be erected for the temporary event; the location of the stage or tents, if any, proposed to be erected; the designated areas of use for spectators, exhibitors, vendors, employees, and organizers; the location of all exits; the location of all fire extinguishers and other fire safety equipment; and the location of all temporary utilities to be installed for the event.
- (4) An environmental impact study, if so required by the Town Attorney.
- (5) A plan and drawing showing the method to be used for the disposal of sanitary waste and sewage, subject to approval by the Town of Riverhead and Suffolk County Department of Health Services.
- (6) A plan and drawing showing the method to be used for the supply, storage and distribution of water, subject to approval by the Town of Riverhead and Suffolk County Department of Health Services.
- (7) A plan and drawing showing the layout of any parking area for automobiles and other vehicles and the means of ingress and egress to such parking area. Such parking area shall provide one parking space for every four persons in attendance and shall be in accordance with the Fire Marshal's setback guidelines.
- (8) Provisions to dispose of any garbage, trash, rubbish or other refuse, subject to approval by the Town of Riverhead and Suffolk County Department of Health Services.
- (9) The name, address and telephone number of the person(s) who will be engaged in the preparation and sale of food, beer or alcohol and a copy of their state and/or county license/permit for said activity.
- (10) A plan for the use of live music, loudspeakers, horns, or other sounds which will be used, if any, and the type and location of speakers and other audio equipment.
- (11) A plan for the use of lighting, if any, and the type and location of such equipment.
- (12) The name and address of the security company, if any, which will work on the premises, and a description of the duties to be performed, subject to the approval of the Chief of Police.
- (13) A description for fire protection and a map specifying the location of fire lanes and water supply for fire control, subject to approval of the Fire Chief and Fire Marshal.
- (14) A copy of the completed application filed with the Suffolk County Department of Health Services, Emergency Medical Services. The Town Board may require applicant to contract for its own medical and/or ambulance services.

- (15) A description of the communications plan to be utilized by the event organizer to facilitate command and control of all routine and emergency activities related to the event, subject to approval by the Chief of Police and Fire Marshal.
- (16) A description of tents or other temporary structures, camping or housing facilities to be available, if any, and a plan showing the intended number and location of them, compliance with the applicable requirements of the NFPA Life Safety Code (NFPA101), the NFPA Temporary Membrane Structures/Tents (NFPA 102) and the Fire Code of New York State.
- (17) A plan demonstrating that the event shall be handicapped accessible to the extent practical. The applicant shall provide handicapped accessibility for restroom facilities and adequate handicapped parking as close to the event as practical.
- (18) If any type of banner is to be displayed adjacent to a Town, county or state road, the applicant shall include the size of the banner, location of the banner and the dates that it will be displayed and submit approvals from the appropriate town, county and state agencies prior to the display of the banner.
- (19) A plan describing the rehabilitation of the event site to its original condition, including but not limited to rubbish and trash removal, removal of all temporary structures and restoration of all landscaping and other public property to a condition comparable to that prior to the event.
- (20) Rejection by the Town Clerk - The Town Clerk shall have the authority to reject any application that the Town Clerk finds incomplete. If a certificate of insurance is not received 30 days prior to the commencement of the event, then the application shall be deemed incomplete and will result in the denial of the application.

#### **§ 255-10. Conditions for granting permit.**

- A. Prior to the issuance of a permit, the permittee shall furnish the Town with written authorization to permit the Town or its lawful agents to enter the subject property for the purpose of conducting an initial site inspection and a pre-event inspection for the protection of health, safety and welfare of citizens of the Town of Riverhead.
- B. The applicant shall file with the Town Board before obtaining such license a certificate of public liability insurance covering the applicant and the Town of Riverhead for personal injuries, comprehensive general liability in an amount satisfactory to the Town Attorney, which policy shall name the Town as an additional insured and shall be non-cancellable without 30 days prior written notice to the Town. Said insurance policy shall be approved as to form, sufficiency and limits of coverage by the Town Attorney.
  - (1) A nonrefundable administrative fee of \$50 shall be charged for any applications that are not accompanied by an acceptable certificate of public liability insurance, in a form approved by the Town Attorney, upon submission of the application to the Town Clerk. In any case, the certificate of public liability insurance must be filed with the Town Clerk no less than 30 days prior to the date of the event. Such fee shall be collected by the



Town Clerk at the time of the submission of the certificate of public liability insurance. Failure to submit a certificate of liability insurance within the time prescribed shall result in the cancellation of the event.

- C. Cost reimbursement. Where the expected number of persons or the duration of the special event may impact the health, safety and welfare, as a condition of the granting of the special event or parade permit, the Town Board may require the permittee to reimburse the Town for costs of increased police protection and ambulance and/or other Town services as may be deemed necessary by the Town Board to adequately and safely control and protect the persons attending the event, the event area and traffic in and around the area of the event. In no event, however, will the Town be obligated to provide police protection and ambulance or other Town services. Costs for such police protection and ambulance and/or other services provided by Town employees in processing the permit application shall include those over and above routine staffing, including costs for overtime and for the hiring of special police officers and/or emergency medical services personnel. The estimated costs for services shall be provided to the applicant and the Town Board by written report from the Chief of Police, Ambulance Chief, Fire Marshal or other Town department head prior to the issuance of the permit. Based on the number of people, date of the event, the time of the event and the location of the event, the applicant may be required to reimburse the Town for the cost of police to ensure public health and safety through the smooth flow of traffic in and around the area of the event. The applicant may be required to pay these fees prior to the event, but all fees shall be due and payable within 10 days of the rendering of an invoice for said expenses by the Town of Riverhead. This section shall not apply to any special event that is held on public property and is open to the public and is free of charge.
- D. The Town Board may require the applicant to provide a letter of credit, bond or other suitable security instrument to secure compliance with conditions in the permit for an event to be conducted on Town property and to insure adequate cleanup of the property after the event. The Town Board shall set the amount by resolution, and no permit shall be issued until the security has been provided to the Town Clerk. If the applicant fails to honor the permit conditions or does not clear the property of debris within seven days of mailing of written notice by return-receipt-requested mail, the Town may use such portion of the security as is required to remedy the situation.
- E. Permit available on premises. The special event permit issued hereunder shall be displayed on the premises during the special event and shall be available for inspection by a police officer or other enforcement officer of the Town of Riverhead upon request of such officer.
- F. Notification of adjoining property owners in residential zoning districts. Upon filing an application for a special event, if the property which is the subject of the application is within a residential zoning district, the Chief Fire Marshal may require the applicant to mail, by certified mail, return receipt requested, written notice that a special event application has been filed with the Town, to every property owner, as shown on the current Town of Riverhead assessment rolls, of parcels abutting and directly opposite (by extension of lot lines through a street or right-of-way) the property which is the subject of the application. Said notice shall include the date, time and location of the proposed special event, and proof of mailing shall be submitted to the Chief Fire Marshal in the form of an affidavit, with postal receipts annexed, in order to constitute

a complete application.

The Town may issue a permit upon such other reasonable conditions necessary to ensure compliance with this law and for the general protection of the health, safety and welfare of the persons and property in the Town. The Town may require the applicant to provide notice, in a form prescribed by the Town, to any residents, business owners or persons that may be affected by the special event.

**§ 255-11. Review of application; approval or denial of permit.**

- A. All applications for a permit shall be reviewed by the Town Board, Town Attorney, Chief of Police and Fire Marshal. The Town Attorney, Chief of Police and Fire Marshal shall submit a written report to the Town Board explaining any issues and/or concerns that must be addressed concerning the application. The Fire Marshal shall obtain such further reports from local public safety organizations, including ambulance and fire districts, as appropriate. The Chief of Police shall also provide a written estimate of additional police services that shall be necessary to adequately protect the public during the event. The Town Board may also request an advisory report from the Planning Board and from any other advisory board whose expertise and evaluation may be appropriate.
- B. In determining whether to approve or deny an application, the Town Board shall consider the information provided in the application and such other information as may be available, including but not limited to:
  - (1) Possible conflicts with other events and seasonal demands which may overtax or cause an undue burden on Town services for parades and special events, shall be considered if the parade or special event occurs within 30 calendar days of another parade or special event is to occur during the period of Memorial Day to Veterans Day.
  - (2) The environmental impact study.
  - (3) Impact of the event on the safe and orderly movement of traffic within and contiguous to the event.
  - (4) Need for the Town to police such event, and whether the numbers of police officers assigned to properly police such event will prevent the Town from providing adequate police protection to the remainder of the Town.
  - (5) Impact of the event on fire and police protection and ambulance service to the areas contiguous to the event and to the Town in general.
  - (6) Impact of the event on the movement of firefighting equipment or ambulance service to areas contiguous to the event.
  - (7) Impact of the event on the general health, safety and welfare of the Town as identified through the state environmental quality review pursuant to New York State Code of Rules and Regulations Part 617.
  - (8) Verification that there are no outstanding violations on the property at which the event

will be held or any outstanding or unsatisfied conditions of a Town agency approval, including but not limited to those of the Planning Board or the Zoning Board of Appeals.

- (9) Verification that the information contained in the application is not found to be false or nonexistent in any material detail.
  - (10) The accuracy and completeness of the information contained in the application.
  - (11) Verification that the grant of the permit would not violate any existing covenants on the property.
  - (12) If one or more events are scheduled for the same date that are within a half-mile radius of each other, the Town Board will determine if there are adequate resources for all these events. If there are not sufficient resources to ensure public health and safety, the Town Board shall deny one or more permits if the impacts of the events cannot be mitigated. When deciding which event to deny, the Town Board shall consider the following:
    - (a) Whether the event is recurring.
    - (b) Whether this recurring event has been subject to a violation within the last three years.
    - (c) The date the permit application was submitted to the Town Clerk.
    - (d) If events occurred the prior calendar year, the Town Board shall consider what their impact was on that area of the Town.
- (11) A donation to one or more local charities.
- (12) If an applicant is requesting a special event permit that was held the previous year, verification must be submitted from those charities listed on the previous application.
- C. If permission to hold a special event is granted, the permit may set forth the maximum number of persons permitted to attend the event. The Town Board, in determining the maximum limit, shall take into consideration the capacity of the site, the facilities to be available and the availability of public highway and other means of transportation to and from the site.
- D. A special event permit is not transferable and shall expire at the close of the event for which it is issued.
- E. Privilege. The granting of a special event or parade permit is a privilege and not a right and may be denied in the event the applicant fails to comply with any application provision of the chapter or for any other reason not prohibited by law.

**§ 255-12. Application fees.**

- A. The application for a permit shall be accompanied by a non-refundable application fee and/or late application fee in the amount established A fee schedule will be determined by resolution of the Town Board of the Town of Riverhead application as required by § 255-9A.
- B. The application for a permit shall be accompanied by the appropriate application fee unless waived at the discretion of the Town Board at the time of filing the application. Application fees shall be collected by the Town Clerk.
- C. Late applications shall incur a fee of \$20 per day beyond the submission deadline will be accepted as set forth in §255-9 B. Any short form applications submitted within 45 days of the proposed commencement of the event will be denied. Any long form applications submitted within 60 days of the proposed commencement of the event will be denied.
- D. Any amendment to the application for a parade or special event will be subject to an amendment fee of 25% of the application fee. Amendments may include changes to the location, route, parking plan, number of people expected, etc. Amendments to Fire Safety Plans or Parking Plans at the request of the Town are not considered amendments to the application.

**§ 255-13. Modification or rescission of permit.**

If, after a permit is issued, the Town Board determines that any of the representations and/or statements contained in the application are materially inaccurate or any of the conditions of the permit have not been complied with, the Town Board may serve the permittee's agent a notice of rescission of special permit specifying the manner in which the permitted has not complied with the terms of its permit and/or identifying the incorrect information supplied in the application. The Town Board may for good cause modify or rescind such permit, absolutely or upon conditions.

**§ 255-14. Other approvals.**

The provisions of this article are not exclusive, and an applicant remains subject to all other applicable government permits and approvals as may be required, including but not limited to approvals/permits from the Suffolk County Department of Health Services, the New York State Department of Health and approvals/permits for tents, fireworks and any further permit(s) as may be required for animal shows, carnivals, circuses and similar events.

**§ 255-15. Alcoholic beverages.**

If providing alcohol at an event, a Liquor Liability Insurance Policy naming the Town as an additional insured in the amount of \$2,000,000.00 General Aggregate and \$2,000,000.00 Each Occurrence will be required. The applicant remains subject to the provisions of Chapter 205 of the Code of the Town of Riverhead, except upon waiver granted by the Town Board. Applicants planning to serve provide alcohol must receive necessary permits from the New York State Liquor Authority.

**§ 255-16. Persons prohibited from attending.**

It shall be unlawful for the owner, proprietor, manager or person in charge of any place licensed under the provisions of this article, or for any employee of said place, to harbor, admit, receive or permit to be or remain in and about any such place any lewd or dissolute person, any drunken or unruly person, or any person whose conduct tends in any way to corrupt the public morals or create a public safety hazard.

**§ 255-17. Prohibited conduct.**

- A. It shall be unlawful for any person to conduct himself in an unruly manner or to use any profane, obscene or indecent language in or about any place licensed under the provisions of this article.
- B. Attendance at a special event in excess of the attendance allowed pursuant to the permit shall be prohibited. Applicants allowing excess attendance which requires unanticipated police, Fire Marshal, fire protection, ambulance and/or EMS services shall be responsible to reimburse the public safety agency for services and fees incurred.

**§ 255-18. Prohibited exhibitions and sales.**

- A. It shall be unlawful to give or permit the giving of any entertainment or exhibition of a lewd, suggestive, vulgar or immoral type or to use therein any indecent or obscene language or to behave in any manner tending to corrupt the public morals.
- B. It shall be unlawful to sell or permit the selling of any merchandise of a lewd, suggestive, vulgar or immoral type that in any manner tends to corrupt the public morals.

**§ 255-19. Hours.**

- A. No exhibition, performance for hire, carnival, carrousel, bazaar, open-air show or place of amusement shall be open to any child under the age of 17 years between the hours of 10:00 p.m. and 9:00 a.m. of the succeeding day unless accompanied by his parents or a person over 21 years of age.
- B. No exhibition, performance for hire, carnival, circus, carrousel, bazaar, open-air show or place of amusement shall be open any day between the hours of 12:01 a.m. and 9:00 a.m., unless this provision is expressly waived by the Town Board in the special event permit.

**§ 255-20. Penalties for offenses.**

A violation of any of the provisions of this article shall, upon conviction thereof, be punishable by a fine of not less than \$250 nor more than \$1,000 for each offense or by imprisonment for a period not exceeding 30 days, or by both such fine and imprisonment, in addition to any fines imposed hereunder. Failure to obtain a special event permit as defined herein, shall be an offense and the fine shall be the applicable special event application fee, plus an amount not

less than \$250 nor more than \$1000. Each day that such event occurs, is conducted, or otherwise takes place without a special event permit having been issued, shall be considered a separate offense.

- Underscore indicates additions
- Overstrike indicates deletions

Dated: Riverhead, New York  
November 7, 2018

**BY THE ORDER OF THE TOWN BOARD  
OF THE TOWN OF RIVERHEAD**

**DIANE M. WILHELM, TOWN CLERK**