

**ORDINANCE NO. 834**

**AN ORDINANCE TO AMEND AND SUPPLEMENT VARIOUS SECTIONS OF CHAPTER III OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF HOPEWELL, 1975" ["CODE"] CONCERNING THE RULES AND REGULATIONS FOR USE BY PRIVATE PARTIES OF REAL PROPERTY AND STRUCTURES OWNED OR EXCLUSIVELY CONTROLLED BY THE BOROUGH**

**BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Hopewell, County of Mercer, State of New Jersey, as follows:

**Section 1.** Chapter III of the Code is hereby further amended by replacing Subsection 3-21.2 in its entirety as follows:

3-21.2 Permits for the Use of Borough Facilities; When Permit is Required.

An individual(s) or entity desiring to reserve a borough facility for an assembly, meeting, or private event shall first obtain an event permit from the borough clerk in accordance with the following procedure:

- a. File an application with the borough clerk stating:
  1. The name and address of the individual who will sign the application.
  2. The name, address, telephone number and electronic mail address of the individual(s) or entity sponsoring the event, if any.
  3. The date and hours for which the permit is desired.
  4. The specific borough facility or portion thereof for which the permit is desired.
  5. The nature of the event to be conducted and the approximate number of individuals who will attend and/or participate. A reservation for the use of the Hopewell Park Volunteer's Bandstand is required only for gatherings where fifteen (15) or more individuals are anticipated to be in attendance.
  6. Whether or not wine or malt alcoholic beverages will be served. The option of serving or consuming wine or malt alcoholic beverages is limited to the interior of the Train Station and Freight Shed facilities for private, non-commercial uses only. Permission may be granted to serve and/or consume wine or malt alcoholic beverages outdoors in the park area east of and adjacent to the train adjacent when an applicant has secured a Social Affair Permit issued by the State of New Jersey Division of Alcoholic Beverages. A sketch of the defined outdoor area where wine or malt alcoholic beverages is intended to be served and/or consumed shall require final approval by the Borough.
  7. No permit that indicates alcohol will be served or consumed shall be approved for any event that includes an entrance fee or for the sale of alcohol, except when an applicant has secured a Social Affair Permit issued by the State of New Jersey Division of Alcoholic Beverages. Permit applications for events at which wine and/or malt alcoholic beverages will be served or consumed shall indicate compliance with all State and local laws, including but not limited to the prohibition of serving or allowing to be served, alcohol to persons under the legal drinking age.
- b. All permit applications must be submitted at least ten days prior to the date for which the permit is sought.

- c. Standards for the issuance of a permit to be considered by the borough clerk shall include the following findings:
  1. That the proposed event will not require expense by the borough, including but not limited to expenses resulting from post-event cleanup by borough staff, or from police operations.
  2. That the event and use of the facility will not violate its maximum building capacity.
  3. That the facilities requested have not been reserved for another use at the date and time requested in the application,

**Section 2.** Chapter III of the Code is hereby further amended by revising Subsection 3.21.4 (a), as follows:

3-21.4 Prohibited Activities at all Borough Facilities

3-21.4(a) Possess or consume any type of alcoholic beverage, except as permitted under subsections 3-21.2 and 3-21.9.

**Section 3.** Chapter III of the Code is hereby further amended by replacing Subsection 3.21.9 as follows:

3-21.9 Liability for Losses; Liability Insurance.

- a. The individual or entity to which a permit has been issued shall be liable for all loss or damage to the property, or injury sustained by any individual or person by reason of the negligence of the individual or entity to which such permit shall have been issued, or the negligence of their invitees.
- b. In addition to the requirements stated in this section, the person shall submit with its reservation request a certificate of liability insurance confirming general liability insurance with coverage for bodily injury and property damage of at least \$1,000,000.00 combined single limit each occurrence, naming the borough as an additional insured.
- c. In the event alcoholic beverages that are strictly limited to wine or malt alcoholic beverages will be consumed at an event for which a reservation is sought, the requestor must also provide proof that its insurance as set forth above includes host liquor coverage.

**Section 4.** Chapter III of the Code is hereby further amended by amending Subsections 3-21.10(a)(1), 3-21.10 (b)(2) and 3-21.10(e) as follows:

3.21.10 *Rental Fees for Borough Facilities*

3-21.10(a) Borough Residents.

1. Train Station *or* Freight Shed

- 1/2 day \$50.00
- Full day \$100.00

- 2. Train Station *and* Freight Shed
  - 1/2 day \$75.00
  - Full day \$150.00

3-21.10(b) Non-Borough Residents.

- 1. Train Station *or* Freight Shed
  - 1/2 day \$150.00
  - Full day \$300.00
- 2. Train Station *and* Freight Shed
  - 1/2 day \$200.00
  - Full day \$400.00

3-21-10 4(e). Fee Reduction for Multiple Users shall be deleted.

**Section 5.** All Ordinances, or part of Ordinances, which are inconsistent with the terms of this Ordinance be and the same are hereby repealed to the extent of their inconsistency.

**Section 6.** Effective Date. This Ordinance shall take effect upon its final passage and publication according to law.

INTRODUCED: January 2, 2020  
 PASSED ON FIRST READING: January 2, 2020  
 PUBLISHED: January 25, 2020  
 ADOPTED: February 6, 2020  
 INTRODUCED BY: Mr. Kennedy

**ATTEST:**

  
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 Michele Hovan  
 Borough Administrator/Clerk

  
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 Paul Anzano  
 Mayor