CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

ORDINANCE NO. 172 OF 2017

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 13, PART 2 OF THE TOWNSHIP OF CUMBERLAND CODE OF ORDINANCES, REGARDING SPECIAL EVENTS PERMITS WITHIN THE TOWNSHIP OF CUMBERLAND

WHEREAS, the Board of Supervisors of the Township of Cumberland, Adams County, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of the Township to update and amend Chapter 13, Part 2 of the Township of Cumberland Code of Ordinances, entitled "Special Events Permits."

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Supervisors of Cumberland Township, Adams County, Pennsylvania, that Chapter 13, Part 2 of the Township of Cumberland Code of Ordinances, is hereby amended and supplemented as follows:

SECTION 1. The existing Chapter 13, Part 2, Subsection 201 of the Township of Cumberland Code of Ordinances entitled "*Definitions*" is hereby amended by replacing the existing definitions of "Special Event" with the following:

Special event - all assemblies of people for the purpose of business or public amusement or entertainment, reasonably anticipated to number 100 or more participants or spectators for a continuous period of 2 hours or more, where participants or spectators at the special event will use public roads, or more that 25% of participants or spectators will assemble outdoors or in structures specially constructed, erected, or assembled for the gathering, whether or not an admission fee is charged. Special event shall not include weddings, family reunions, or activities that take place solely inside a conference center or auditorium provided that the event facility provides an annual plan and each event shall comply with the PA EMS Act. Special event shall not include events occurring solely within a public street right of way and which do not originate or end within Cumberland Township. There shall be a maximum of two special events on any parcel of property in a calendar year.

SECTION 2. The existing Chapter 13, Part 2, Subsection 204 (2)(J) of the Township of Cumberland Code of Ordinances entitled "*Insurance*." is hereby amended by replacing the existing Section 13-204 (2)(J) subsection (1) with the following:

(1) For an event expected to attract 100-500 persons (whether participants or spectators)

Bodily Injury, Including Death \$250,000 \$500,000

Notwithstanding the foregoing if an event is to involve animals, alcohol, fireworks, pyrotechnics, discharge of weapons (whether blanks, power or otherwise), or automobiles (including watercraft, aircraft or motorcycles) insurance shall be maintained in the amounts set forth in (2) below.

SECTION 3. Repealer. All provisions of previous Ordinances of the Township of Cumberland which are contrary to this Ordinance are expressly repealed.

SECTION 4. Savings Clause. In all other respects, the Township of Cumberland Code of Ordinances shall remain as previously enacted and ordained.

SECTION 5. Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid to be unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

SECTION 6. Effective Date. This Ordinance shall take effect in accordance with law.

ENACTED AND ORDAINED on this 24° day of October, 2017.

Cumberland Township Board of Supervisors Adams County, Pennsylvania

ATTEST:

Carol Merryman, Secretary