

ADDENDUM A

Bands, Disc Jockeys, and Live Performance Request Policy

Purpose:

The following policy is adopted by the Borough of Emmaus Council to provide regulations and procedures for bands, DJ's, and live performances in Borough-owned parks and / or on Borough-owned property. The purpose of this policy is to provide an equitable and consistent process in authorizing and allowing bands, DJ's, and live performances to perform in Borough-owned parks and / or on Borough-owned property.

Scope:

This policy applies to all parties who desire to book (or perform as) a band, DJ, or other live performances in Borough-owned parks and / or on Borough-owned property. The policy enacts regulations and booking procedures for such performances.

This policy shall not repeal or amend any relevant provisions of any ordinance that may be in conflict with this Policy.

Policy Statement:

It is the policy of the Borough of Emmaus that all requests for bands, DJ's, and live performances in Borough-owned parks and / or on Borough-owned property shall be administered through the Emmaus Borough Manager and / or his / her designee. The Borough Manager and / or his / her designee shall be authorized to approve or reject any and all requests for such performances.

It is the policy of the Borough of Emmaus that all such performances shall be conducted under a pavilion unless specifically authorized by the Emmaus Borough Manager and / or Emmaus Borough Council. Exceptions shall only occur if the performance is part of a larger organizational celebration / event, or if the event is located on Borough-owned property that does not contain a pavilion.

Requestors may appeal the denial to the Parks and Recreation Committee of Council based on the procedure below.

Procedures:

Any person / party who desires to book (or perform as) a band, DJ, or other live performance in Borough-owned parks and / or on Borough-owned property shall do so by making the request to the Borough Manager or his / her designee at Emmaus Borough Hall. This request shall be made immediately upon booking of the Act. Failure to request approval for the performance at least thirty days prior to the performance may result in automatic denial.

The Borough shall notify the requestor of its decision within ten days of the request. If a performance is denied, the Borough shall notify the requestor in writing as to the decision and the reason for the decision.

The Emmaus Borough Council, Public Works Department, and Park Police shall be notified by the Borough Manager and / or his / her designee the week prior to the requested performance. Notice shall include the type, date, location, time, and length of the performance.

The Borough Manager and / or his / her designee shall notify any adjacent pavilion party that a band / DJ is playing at that pavilion upon booking. If there is any conflict or concern upon notification that the performance may interfere with the reasonable enjoyment of the party at the adjacent pavilion, the Borough has the right to relocate the entire party that requested the performance to another pavilion. The Borough also reserves the right to deny the performance if no other pavilion is available.

If a party books a pavilion and is approved of their request prior to an adjacent pavilion being booked, the party that booked a pavilion first has the right to stay at that pavilion. For example, if a party booked a DJ on January 1st at a pavilion, and someone books the pavilion next to it on July 1st, the party that booked on January 1st will not be asked to move despite any objections from the party that booked later. However, the Borough Manager and / or his / her designee will notify the party that booked on July 1st that the adjacent pavilion will have a DJ or other live performance. The same policy applies in the adverse situation.

Any person who fails to meet any or all of the requirements of this policy shall immediately terminate their performance upon the instruction of the Borough of Emmaus Police Department.

Requestors may appeal the denial to the Parks and Recreation Committee of Council if there is sufficient time between the request and the date of the performance. Any person who desires to appeal the decision made by the Borough Manager and / or his / her designee shall do so in writing to the Emmaus Parks and Recreation Committee. The individual shall be summoned to attend the next regular meeting of the committee. The individual shall be given the opportunity to plead their case with the committee. The committee shall make the final decision of the appeal. Failure to attend the committee meeting may result in automatic rejection of the request.