



Borough of Middletown Community Event Serving Alcohol Application

This application MUST be submitted 45 days prior to Event Request to request the following:

Applicant Name: _____

Applicant Address: _____

Contact Phone: _____ **Contact Email:** _____

Business Name: _____

Business Address: _____

Business Phone: _____ **Email:** _____

Applicant's Relationship To Business: _____

Organization(s) Affiliated (If Applicable): _____

Describe Purpose of Request (Attach Description If Necessary):

Date(s) of Request: _____

Set-up and Clean-up Time Duration: _____ AM/PM To _____ AM/PM

Start of Event Time: _____ **End of Event Time:** _____

List Location(s) of Community Event Request (See Attached Borough Street Map):

List Location(s) of Street-Sidewalk Requests (See Attached Borough Street Map):

This section is to be used for Community Events requesting Borough assistance.

(State Road Closures Require PENNDOT Permits & Approval)

- Temporary Closures on Borough Streets
- Temporary No Parking Requests

- Temporary Closures on Public Sidewalks
- Community Events on Borough Property

Police Presence: ___ Yes ___ No

Total Officers Needed: _____

Police Use: ___ Traffic Control ___ Crowd Control ___ Escorting ___ Security ___ Other (Explain Below):

Other Borough Services Requested? Explain: _____

PLEASE READ & CHECK EACH BOX AGREEING WITH THE FOLLOWING:

- 1.) The applicant shall be responsible for all costs and service coordination related to the Event, including but not limited to, police coverage, any emergency services, trash pickup/disposal, traffic control, portable restroom facilities, insurance coverage and other measures or Borough services required or requested for the health and safety of persons attending the Event.
- 2.) The applicant agrees to comply with all laws, rules and regulations adopted by and requirements imposed by the Pennsylvania Liquor Control Board as it relates to the Event, including but not limited to, the sale and service of alcohol, access and admission to the Event and admission charges.
- 3.) The Event operating pursuant to an Alcoholic Event permit shall only operate between the hours of 10:00 am and 10:00 pm unless another time is specifically authorized by the Borough.
- 4.) A non-permanent secure barrier shall be used to separate the Event area from areas that have not been approved for the Event and the presence of alcoholic beverages and open containers of same.
- 5.) Any sign placed in the Event area must meet the requirements of Chapter 260, Zoning, Article XVII, Signs, of the Code of the Borough of Middletown, if applicable.
- 6.) The Event area shall be maintained in a clean manner and following the conclusion of the Event, promptly returned to a condition that is free of all trash and debris.
- 7.) The holder of a permit to operate an Event shall control the crowd and noise created by the operation of the Event, including but not limited to, the conduct of patrons, or any other disturbances prohibited by Chapter 185, Noise, Article I, Noise Disturbances, of the Code of the Borough of Middletown.

CONTINUE TO READ & CHECK EACH BOX AGREEING WITH THE FOLLOWING:

- 8.) The applicant and all of its agents, contractors and employees working the Event shall be responsible for ensuring that no individual under the age of 21 partakes in the consumption of alcoholic beverages at the Event and all violators shall be removed and barred from the Event.
- 9.) Alcoholic beverages served in the Event designated area shall not be transported outside of the designated area.
- 10.) The applicant shall have a copy of the approved permit available for inspection at the Event.
- 11.) Community Event permits are non-transferable. Changes in ownership, operation or responsible party for the Event require re-application for a permit.
- 12.) If a PENNDOT street closure is being requested, you must apply for a PENNDOT Highway Occupancy Permit.
- 13.) A permit application is required for each event and permits issued do not cover multiple special events.
- 14.) Events may require meeting with appropriate Borough Department Supervisors.
- 15.) Applicant agrees to defend, indemnify and save harmless the Borough of Middletown and all of its elected officials, appointees, employees, and Borough of Middletown Police Department from any and all loss, liability, damages or judgments resulting from any claims made against any of them by reason of, or in connection with, operation of the Event, including but not limited to, all claims for damage to property, or injury to or death of persons. The Applicant waives any loss or damage (direct or inconsequential) that may arise from the application of the provisions of the Borough of Middletown Code Chapter 98, Alcoholic Beverages and/or the regulations adopted as amended from time to time, and/or any condition or requirements applied or imposed by the Borough in connection with the Event Permit.
- 16.) Failure to comply with the requirements of Chapter 98, Alcoholic Beverages, Article II, Open Containers, the above requirements, and any other provisions of the Borough Code incorporated herein or authorized by Borough Council, may result in the revocation of a permit by the Borough. The Borough may revoke a permit at any time without cause.

THE FOLLOWING MUST BE SUBMITTED TO COMPLETE THIS APPLICATION:

- The Applicant shall maintain and submit general liability coverage and other appropriate insurance with companies authorized to do business in the Commonwealth of Pennsylvania insuring against any and all claims which may arise out of the Event. The minimum level of such coverage shall be \$1,000,000 per occurrence and \$3,000,000 in the aggregate. The Applicant shall forward a Certificate of Insurance endorsed to include the Borough of Middletown, its employees, elected officials and appointed officials as Additional Insureds within five days of approval of the permit by Borough Council.
- Submit a license and/or permit by the Pennsylvania Liquor Control Board authorizing the sale and consumption of alcoholic beverages at the proposed location.
- Submit certification from an alcohol service program (e.g. RAMP) for all individuals serving alcoholic beverages and individuals checking IDs at the Event.
- Submit a detailed description and photograph of the barrier to be used at the event location.
- Submit a copy of PENNDOT Highway Occupancy Permit for PENNDOT street closure, if applicable.

A Special Event Permit issued pursuant to the Borough Code shall not be subject to the prohibition on open containers of alcoholic beverages under Chapter 98, Alcoholic Beverages, Article II, Open Containers, of the Code of the Borough of Middletown.

This is to certify that I, _____, the Applicant, have read the Alcoholic Beverages Provisions as set forth in Chapter 98, Article II Open Containers (as amended), I desire to obtain a Community Event Serving Alcohol Permit and I acknowledge and agree to comply with the all of the permit requirements.

I, _____, the Applicant, acknowledge that any and all documents submitted with this application may be subject to the Pennsylvania Right to Know Law (RTK) and copies of same may be made public in response to a request under the RTK Law or to Borough officials and I authorize the Borough to do so.

Applicant Signature: _____ **Date:** _____

Note: This request form will be forwarded to the appropriate individual(s) for review and disposition. You will be contacted regarding the final disposition.

A penalty under this article, upon conviction for violation, shall be sentencing the violator to pay not less than \$100 nor more than \$600 for each day the violation continues, and costs, and, upon refusal to pay the same, to be imprisoned for not more than 30 days. Code Sec. 235-39

Waiver of Claims and Indemnification Agreement

As consideration for the permission granted me to utilize the Borough owned facilities identified above, I fully and forever release and forever discharge the Borough, any Borough-related group or entity, and their respective elected officials, members, officers, and employees, insurers, attorneys, and all persons acting by, through, under or in concert with them or any of them (hereinafter individually and collectively referred to as "Released Parties"), from any and all liability or claims of any nature whatsoever, known or unknown, suspected, fixed or contingent, including, without limitation, liability from the negligence of the Released Parties, that I may have in the future, in connection with, or resulting from, my use of such facilities or on any property owned, leased, controlled or operated by any of the Released Parties.

Furthermore, I agree to defend and indemnify the Released Entities from and against all claims, losses, costs, and damages whatsoever, including but not limited to attorneys' fees and costs, arising out of or attributed to, in whole or in part, the use of the facilities/property identified above. I agree to indemnify the Borough against such claims, whether based upon contract, tort, or any other legal theory, or any applicable state or federal statute. This indemnification agreement is binding upon me to the fullest extent permitted by law, regardless of whether any of the Released Entities indemnified hereunder are responsible in whole or in part for the claims, damages, losses, or expenses for which the Agency is obligated to provide indemnification and defense.

Signature

Print Name

Date

SUBMIT THIS APPLICATION ALONG WITH ALL REQUIRED DOCUMENTS TO:

**Borough of Middletown
Attn: Borough Secretary
60 W. Emaus Street
Middletown, PA 17057**

_____ **OFFICIAL USE ONLY** _____

RESERVATION: **Confirmed** **Denied** Date Received Application: _____
Date Applicant Informed: _____

Requests for Sales during events held in public places (*Code Sec. 195-4.D.1.a*) and road closures for special events/maintenance are dispositioned by Borough Council. (*Code Sec. 252-5*)

NOTES: _____

