

TITLE 7 - LICENSING AND REGULATION

Chapter 12 - Miscellaneous Business Licenses

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7.12.1 Transient and Temporary Public Entertainments.

7.12.1.01 License Required

- (A) No person shall maintain or operate any transient or temporary public entertainment within the Town without first obtaining a license therefor as hereinafter provided.
- (B) This Section does not require a license for the conducting of fairs, lectures, concerts, exhibitions or entertainments of a scientific, historical, political, literary or musical character for humane, religious, charitable or scientific purposes.

7.12.1.02 Definition

A transient or temporary public entertainment is one to which the public may gain admission by payment of an admission charge. It includes shows, circuses, exhibitions, carnivals and vaudeville.

7.12.1.03 Application

Application for carnival licenses shall be made by the applicant to the Town Clerk in writing at least ten (10) days before the planned event and all of the information regarding insurance, shall be filed within ten (10) days and referred to the Town Board for examination of the qualifications, character and reputation of the applicant, and of the desirability of permitting the carnival to operate, show or exhibit in the Town.

7.12.1.04 Requirements

(A) Insurance Required.

No license shall be granted unless the applicant therefor shall have filed with the Town Clerk a public liability insurance policy in a sum as set by the Town Board from time to time, with the condition that the applicant shall indemnify and save harmless the Town and its officers and agents and citizens against any injuries and damages resulting or arising from the conducting of any carnival for which the license is issued or from the performance by the applicant or his agents of any negligence incident to or connected with the conduct of such carnival, and that the applicant shall pay all judgments, costs and charges that may be recovered against the Town or any of its officers or agents by reason of the conducting of such carnival or transient public entertainment.

(B) License Fees Required.

No permit shall be issued unless the applicant shall pay a permit fee for the operation or maintenance of the public entertainment set by the Town Board. All public entertainment listed in Subsection 7.12.1.01(B) shall be exempt from any license fee if sponsored by a nonprofit organization.

(C) Posting of License.

Such permits when issued shall be prominently displayed while the carnival is in operation.

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(D) Food Handlers to Obtain Health Certificate.

Any person employed in such carnival for the purpose of preparing, handling or selling food or drink shall submit to a physical examination and obtain a health certificate as required by State Statute.

(E) Inspection of Mechanical Devices.

The applicant shall indicate the date of the last State inspection of rides, merry-go-rounds and other mechanical devices. The Town reserves the right to require inspections of all mechanical devices that would be available to the public. All inspection costs shall be paid for by the licensee.

7.12.1.05 Revocation

Any license granted by the Town Board under the provisions of this Section may be revoked by the Town Chairperson or Town law enforcement officer, provided such carnival shall not be maintained or if the person who maintains, owns, controls or operates such carnival shall permit the violation of any provisions of this Code of Ordinances or State laws or where, in the opinion of the Town Chairperson, the carnival is deemed undesirable. Revocations or suspensions may be appealed to the Town Board.

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