

Concert Permit



Date(s) of Event _____
(Attach additional sheets if necessary)

Hours of Event _____

Type of Event _____

Location of Event _____

- Outdoor Event
- Indoor Event (Only For Extended Hours)

Applicant/Sponsor Information:

Name _____

Address _____

City/ State/Zip _____

Telephone _____

Email _____

Band/Performer Information:

Group Name _____

Number of Performers _____

Instruments:

- Drums Bells Cymbals
- Xylophone Electronic Keyboard
- Other

(Attach additional sheets if necessary)

Fee _____

SPECIFICS OF EVENT:

- General Admittance (Paid Entry)
 - General Admittance (Free Entry)
 - Invitation Only Event
- Attendees anticipated (#) _____
- Traffic/Access _____
- Sound/Light impact _____
- Sanitary arrangements _____

Please explain the nature of event:

(Attach additional sheets if necessary)

REQUEST FOR EXTENDED HOURS (Indoor Only)

Please explain the reason for this request:
(Attach additional sheets if necessary)

Notwithstanding anything to the contrary contained in the Palisade Municipal Code, the applicant shall comply with decibel level limits and times for music to end in order for this permit to be valid. Failure to abide by the decibel level limits and times provided shall result in immediate revocation of this permit.

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*** Please review Terms of Agreement [below]**

I hereby acknowledge that I have read this application and Terms of Agreement and the information is correct; I agree to comply with any and all codes, ordinances, laws, regulations or restrictions which may apply. I understand that failure to comply may result in legal action, which may include but not necessarily be limited to closure of the event I acknowledge the accuracy of any plot plan provided and further acknowledge that the burden for the accurate placement of any structure is my sole responsibility.

Applicant Signature _____ Date _____

Town Approval _____ Date _____

TERMS OF AGREEMENT

The Town and Licensee hereby agree, to wit:

Sec. 10-08 of the Town of Palisade Ordinance No. 2011-02

- (1) A concert means any music event that presents a group of more than 3 musicians.
- (2) Percussion instrument means any instrument including drums, bells, cymbals, xylophones, electronic keyboards, gongs, or any other device emitting a noise in association with the strike of a hand, stick, or club.
- (3) A trio that incorporates the use of a percussion instrument as described shall be required to secure a permit, and the event shall be considered a concert.

(a) A permit to sponsor or provide an outdoor concert shall be obtained from the Town Administrator. The application for the permit shall be made within a reasonable time prior to the event, and shall include the number of performers, the hours and length of the concert, as well as the location. The sponsor of the concert shall be responsible for ensuring compliance with the limits set out in this ordinance pertaining to acceptable decibel levels. Police officers shall issue a summons to the sponsor of the concert as the responsible party. Individual band members may also be summoned depending on the totality of the circumstances.

- (1) Outdoor concerts shall end no later than 10:00 PM during the summer season, or at any other time of the year when school is not in session by reason of holidays, teacher work days, or for emergency reasons not specified.
- (2) Outdoor concerts shall end at 9:00 PM at all other times, regardless of the season, or unless a permit has been approved by the Town Administrator.

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(3) Indoor concerts shall abide by the same requirements unless a permit to extend the hours has been approved by the Town Administrator, and the noise limitations and requirements shall be enforced notwithstanding a permit.

(b) The Town Administrator may grant or deny a permit application after taking into consideration the style of music, volume and duration of the noise/activity sought to be permitted, the location of the proposed noise/activity, the anticipated impact of the proposed noise/activity on surrounding properties and neighborhoods, and whether the public health and safety will be injured or served by the issuance of the permit. The Town Administrator may deny the permit at his discretion, based on the timeliness of the application, and any or all of the relevant circumstances concerning impacts on the adjacent residential zones.

(d) An applicant or citizen dissatisfied with a decision of the Town Administrator in either approving or denying a permit may seek an appeal of the decision to the Board of Trustees by submitting a written notice of appeal to the Town Clerk within five (5) days from the date of the decision to approve/deny the permit. The Board of Trustees shall review the appeal and decision of the Town Administrator as soon as can be reasonably accommodated on the Board's meeting schedule/agenda. The Board of Trustees may reverse, modify or affirm the decision of the Town Administrator. The decision of the Board of Trustees shall be final.

Section Two

This ordinance shall not have any effect on existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of any ordinance repealed or amended as herein provided, and the same shall be construed and concluded under such prior ordinances.

Section Three

The provisions of this ordinance are severable and the invalidity of any section, phrase, clause or portion of the ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the ordinance.

Section Four

Police officers employed by the Town of Palisade shall have the authority to issue a summons to any person who is deemed to be in violation of this ordinance. Such authority extends to causing the noise to cease by unplugging musical instruments, public address systems, amplifiers, and speaker associated with public music entertainment in the event that the

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responsible party refuses to comply with the verbal order to cease and desist the making of said noise.

Section Five

In the event that two outdoor music events occur simultaneously within a reasonable proximity to the other, such that the events create a cacophony of noise adjacent residential zone, that is obnoxious and unreasonable, a police officer has the authority under this section to force the responsible parties to cease and desist, notwithstanding the inability to isolate independent decibel measurements associated with either specific event. This discretion of the police shall only be overruled or deemed unreasonable by the judge of the municipal court for the Town of Palisade.