

The Town Council of the Town of Smithfield desires to amend, by Ordinance, Chapter 186 of the Town of Smithfield Code of Ordinances entitled “Entertainment, Shows and Special Events” as follows:

IT IS HEREBY ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SMITHFIELD AS FOLLOWS:

Section 1.

§ 186-16d. Definitions.

As used in this article:

SPECIAL EVENTS

Shall be defined as public entertainment, other than motion-picture and theatrical performances as provided under § 186-7 of this chapter. Special events are those which provide live entertainment or amusement, are open to the general public, where a fee is charged, and where the expected number of persons in attendance is more than 250. Special events are held outside a building or facility and shall include, but not be limited to, concerts, fairs, Circuses, carnivals, sporting events or like gatherings.

Section 2.

§ 186-17. License required.

No person or entity shall conduct or operate a special event without first obtaining a license as provided in this article from the Town Council.

Section 3.

§ 186-18d. Application procedure.

A. Applications for special event licenses shall be made to the Town Council no less than 30 days prior to the date of the scheduled entertainment or the date of the first scheduled entertainment, should the license application be for a series of entertainment dates. Each application shall be made upon forms prepared by the Town Clerk and shall state:

- (1) The name and address of the applicant;
- (2) The nature of the proposed entertainment, location and date(s) of proposed entertainment(s);
- (3) The provisions for medical assistance, fire protection, police protection, parking facilities, protection of the neighboring property, crowd control and sanitary facilities;
- (4) The hours of operation; and
- (5) Such other information as the Town Council shall find reasonably necessary to effectuate

the purpose of this article and to arrive at a fair determination of whether the terms to this article have been complied with.

- B. An application hereunder shall be accompanied by a plat or drawing of the area showing its location, size and capacity; location and size of entrances and exits; location, size and construction of walls, fences or barriers surrounding said location; a three-hundred-foot radius map; and a list of the names and addresses of all owners of property within the radius area.
- C. Whenever an application for a license shall be made, the Chief of Police shall examine said application to determine if any police officer or officers shall be assigned to such event; thereupon, the Chief of Police shall file with the Town Clerk a statement of the necessity and number of police officers to be assigned to such event, which will become part of the licensing requirement. In addition, if the event is to be held on Town property or in a Town facility, the Town Clerk shall forward the application to the Recreation Director who shall determine if a facility use permit must be issued for the event and to determine if a damage deposit should be required to ensure cleanup after the event. The Recreation Director shall file a statement with the Town Clerk addressing these issues, which will become part of the licensing requirement. [Amended 10-4-2010 by Ord. No. 2010-10]
- D. Upon receipt of such application, the Town Clerk shall assign said application for hearing before the Town Council.
- E. For events where it is anticipated that attendance may equal or exceed 1000 persons, a notice shall be sent by regular mail at least one week prior to the hearing to the owners of all properties 'within 300 feet of the perimeter of the premises in or on which the Entertainment is sought to be located. The application and public hearing shall also be advertised in a newspaper of general circulation in the Town by the Town Clerk and such advertisement and the cost of sending the notice shall be paid for by the applicant.
- F. The Town Clerk shall also give notice to the Chief of Police at least one week prior to the hearing so that the application can be reviewed.

Section 4.

§ 186-19. Application fee.

The application fee for special event licenses shall be \$50.

Section 5.

§ 186-20. Standards for issuance of special events licenses.

- A. The Town Council shall conduct a hearing upon each application for an entertainment license. The Town Clerk may grant said license only if the Town Council shall find that the proposed entertainment would not constitute a public nuisance and that all requirements set forth in §§ 186- 11 and 186-18 have been met.
- B. No entertainment license shall be issued to any applicant currently in the arrears in any tax or assessments levied by the Town, or for use upon any premises for which any such taxes

or assessments are unpaid at the time of the filing of the application.

Section 6.

§ 186-21. License fee. [Amended 9-3-2019 by Ord. No. 2019-04

The license fee for special events shall be \$5 per diem.

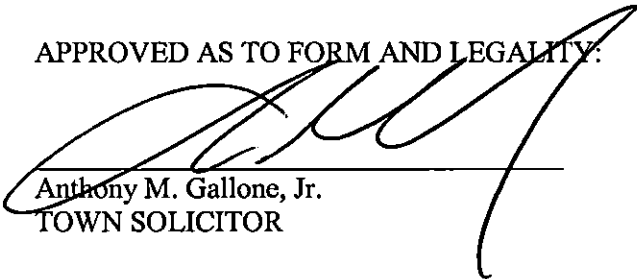
Section 7.

§ 186-22. Violations and penalties.

Any person violating any of the provisions of this article or Article II, Shows and Exhibitions, of this chapter shall be fined not more than \$100 for each offense. Each day of the existence of a violation shall be deemed a separate offense. Any violation of any provision of this article shall be grounds for revocation of the entertainment license.

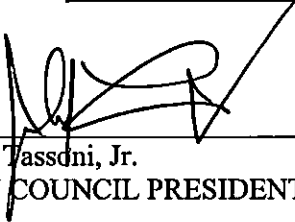
Section 8. These ordinance amendments shall take effect thirty (30) days after their adoption

APPROVED AS TO FORM AND LEGALITY:




Anthony M. Gallone, Jr.
TOWN SOLICITOR

ADOPTED: September 2, 2025



John J. Tassoni, Jr.
TOWN COUNCIL PRESIDENT



Lyn M. Antonuccio
TOWN CLERK

