

**LOWER OXFORD TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2026-02

**AN ORDINANCE OF LOWER OXFORD TOWNSHIP, CHESTER
COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE
TOWNSHIP TO ADD CHAPTER 19, SPECIAL EVENTS, AND
PROVIDING FOR PENALTIES FOR VIOLATION OF THE ORDINANCE**

BE IT AND IT is hereby ordained and enacted by the Board of Supervisors of Lower Oxford Township, Chester County, Commonwealth of Pennsylvania, by the authority granted to them by the Second-Class Township Code, specifically at Section 53 Pa. Stat. Ann. Section 67328 as follows:

WHEREAS, the Board of Supervisors has determined that the impact of special events that involve large numbers of attendees on roads and other infrastructure within the Township represents both a traffic hazard and an impediment to the delivery of emergency services to residents of the Township and therefore constitutes a nuisance.

NOW THEREFORE the Board of Supervisors adopts the following regulations as a part of this Ordinance:

Section I Chapter 19, "Special Events", is added to the Township Code as follows:

Chapter 19. Special Events

§ 19-101 Purpose

Special events are an important part of Lower Oxford Township's (the "Township") community and well-being and the quality of life of its residents. Regulation is essential to promoting success, managing impacts and protecting public health, safety and welfare. The purpose of this chapter is to ensure that public health, safety and welfare shall not be abridged by special events, as defined by this chapter, within the Township. The purpose and scope of this chapter is to define the special event threshold that would require notice to the Township and a special event permit. This requirement is intended to protect the health safety and welfare of the residents of Lower Oxford Township and protect against nuisances.

There are a number of property owners and users in the Township that, on occasion, hold special events which impact residents. These entities include, but are not limited to, churches, a golf course, a large produce market, a college, and a shopping center (as defined hereinafter, "sponsors"). The Township has observed that each of these sponsors hold special events that are unique in character, scope and purpose to their function and character. By the enactment of this Ordinance, the Township intends to support the ability

of any potential sponsor to express that function and character through Special Events, while also providing for the health, safety and welfare of all residents of the Township.

§ 19-102 **Legislative Findings**

The Board of Supervisors finds that activities associated with special events can constitute a hazard to the public's health, safety and welfare and that these activities can also create a public nuisance when unregulated.

§ 19-103 **Definitions**

For the purpose of this chapter, the following terms shall have the following meanings indicated:

ALCOHOL PRODUCTS

Beverages regulated by the Pennsylvania Liquor Control Board including liquor, wine, beer, ale, hard cider, flavored beverages containing alcohol as well as other items containing alcohol including shots and other similar items.

APPLICANT

Any person, agent, operator, firm, corporation or organization that seeks a permit from the Township to conduct a special event governed by this chapter, including a representative who has the authority to so apply granted by the entity holding the special event.

FIRST AMENDMENT ACTIVITIES

Activities with a primary purpose involving the exercise of freedom of speech, of association, of the press, of assembly, and petition as are guaranteed and protected by the First Amendment of the Constitution of the United States of America.

OPERATOR

Any person, who has charge, care or control of a special event area which is let or offered for special event use. In the even that a special event, as contemplated by this Ordinance, is proposed by an organization of any type, the operator must provide evidence of authority to apply for this permit and to operate the event.

SPECIAL EVENT

- A. A temporary event, gathering or organized activity in the Township.
 - 1. **The gathering of more than 500 persons** at a location and for a purpose not in the ordinary course of business or customary activity of the property owner.
 - 2. **The event will result in substantial impact on Township resources, facilities, or public safety services in response thereto.**

- B. Examples of special events include, but are not limited, to College homecoming or other similar events, college, university or school commencement, graduation or baccalaureate, , fairs, festivals, community events, half marathons, 10Ks, 5Ks and other running events, bicycle races and tours, motorcycle rides, special golf outings or events, as distinct from routine play, and other organized activity conducted for the purpose of recreation, fund-raising, for profit, nonprofit fund-raising, community or organizational promotion or charity. First Amendment events that do not involve any of the elements of this ordinance are not special events, however if the First amendment event includes an expected number of attendees at or exceeding the number identified as a special event under this ordinance then compliance with the health and safety regulations herein also apply.
- C. Routine Events – certain regularly scheduled events that may or may not contain or include one or more of the elements listed above in subparagraph A may not be subject to the terms of this Ordinance, depending upon the nature of the event and the determination of the Township. Examples of such events include, but are not limited to:
1. scholastic or collegiate athletic events not connected to any additional special event, such as homecoming
 2. church services
 3. golf outings not connected to any additional special event
 4. regular sales events

Please note that the regular occurrence of an event alone does not render it routine and that many events that occur on a regular annual or more frequent basis may still be considered special events. The Township reserves the right, at its sole discretion, to determine whether any given event qualifies as a routine event or a special event under the terms of this Ordinance.

SPECIAL EVENT AREA

The geographic area upon which the special event is to take place, including, for the purposes of the requirements imposed hereunder, any adjacent areas and public roads that will or may be directly or indirectly affected by the special event.

SPONSOR

The person, group, corporation or other entity responsible for organizing the event.

TOWNSHIP

The Township of Lower Oxford, Chester County, Pennsylvania

§ 19-104 Permit Required

No sponsor, person, association, firm, corporation, or other entity shall conduct any special event or community event as defined herein in Lower Oxford Township without first having obtained a permit from the Township.

§ 19-105 Application for Permit

- A. The application for a permit for a special event or community event shall be submitted by the sponsor to the Township no less than 30 days prior to the special event.
- B. The Township may waive the requirement of 30 days' advance notice for spontaneous special events or community events for celebrations important to the Township, the Commonwealth of Pennsylvania and the nation, including but not limited to the celebration of local sports teams and the end of wars or other conflicts of national significance. The Township may waive the requirement of 30 days' advance notice if there are circumstances unique to the sponsor which justify the waiver to assure the public safety and welfare of the Township or the Township's best interest.
- C. The application shall be further accompanied by such other information as may be required by the Township.

§ 19-106 Contents of Application

- A. The following information must be provided to the township:
 - 1. The name of the entity submitting the application, including a physical and mailing address and contact information; and
 - 2. The name of the authorized representative of the applying entity, if different, including contact information; and
 - 3. A physical address for and any other relevant, practical description of the Special Event Area; and
 - 4. A description of the special event, including:
 - a. the number of proposed or expected attendees
 - b. the activities proposed
 - c. proposed plan for parking on the site or a transportation plan for busing participants:
 - d. proposed traffic impact:
 - e. the proposed safety plan and procedures:

- f. proposed coordination/compliance with fire and EMT services, which shall include written verification that applicant has notified the following parties or entities of the proposed Special Event:
 - i. Medic 94; and
 - ii. Union Fire Company; and
 - iii. West Grove Fire Company
 - g. proposed coordination with the Pennsylvania State Police, which shall include written verification that applicant has notified the Commanding Lieutenant at the Avondale State Police Barracks of the Special Event
- B. Private Security or Police Force

Any sponsor that employs, manages or contracts with a private security or police force ("Private Security") must include the role of the Private Security in its proposal.
- C. Alcoholic Produce Requirements

Any Sponsor proposing to employ any vendor or any other party engaging in the sale of alcoholic products at a Special Event must provide to the Township the notification as required by the Pennsylvania Liquor Control Board.

§ 19-107 **Application Review**

- A. Township review of the application is to ensure that the date, time and place of the event, as well as the number of attendees and the traffic, parking and emergency plans are established the township does not control the operation of the actual event or interfere with the conduct of the event on the site of the event but only reviews the impact offsite caused by the special event insofar as it impacts public roads and other public safety issues.
- B. The Township shall recommend either approval or disapproval of a proposed special event and shall issue, accordingly, a permit or an explanation of denial, as explained, *infra*.
- C. The Township may require additional conditions not herein mentioned as may be necessary to maintain peace and order or to protect the health, safety and general welfare of the citizens of the Township or any neighboring property.
- D. Final approval of a permit for the community event or special event proposed along with the Permit Fee attached shall be made by the Township.

- E. Notwithstanding any other provision of this Chapter, Sponsor and special event must maintain compliance with 67 Pa.C.S. §§ 212.701, Subchapter H, Special Events.

§ 19-108 Notification of decision on application

Within 10 business days of the date of submission of an application, the Township shall notify the Applicant of the final decision. If the notification is an approval, it shall include any costs and/or conditions attached to the approval. If the notification is a denial, it shall include the reasons for denial.

- A. Approval to conduct a special event by this process does not relieve the sponsor or any participants, including but not limited to peddlers, vendors, or exhibitors, from the responsibilities of applying for any other permits or licenses, complying with federal or state law, or meeting any other requirements of the Township's ordinances that may be applicable.
- B. All events shall obtain liability insurance in the amount denoted on the application, which may change from time to time, with the Township named as an additional insured. Unless the property on which the special event is located is owned by a governmental entity. The insurance policy may be subject to the review and approval of the Township Solicitor.
- C. All required permits, licenses, security deposits, fees, insurance policies or any other conditions of the permit so indicated on the permit shall be obtained no later than 10 days prior to the special event.
- D. The sponsor holding the special event shall be responsible to the Township for damages sustained to Township property caused by participants in the special event.
- E. All regulations and/or requirements set forth in this chapter related to events may be waived or adjusted for community events at the discretion of the Township
- F. The Township, upon showing of good cause that certain conditions or requirements as herein set forth are not applicable or would cause an unreasonable burden upon the sponsor, modify the foregoing requirements after review of the circumstances presented by the sponsor.

§ 19-109 Permit Fee

- A. No later than 10 days prior to the special event, the sponsor shall provide the Permit Fee, which shall be provided in the Township's fee schedule and may be increased, from time to time.

§ 19-110 Revocation of permit

- A. In the event that all required and or applicable permits, licenses, fees, insurance policies or any other conditions of the permit so indicated on the permit are not obtained 10 days prior to the special event, the permit shall be revoked by the Township.
- B. In the event that the Permit Fee has not been paid 10 days prior to the special event, the Township shall revoke the permit.
- C. Any violation of one or more of the regulations set forth herein or conditions of the permit shall be sufficient grounds for the Township to immediately revoke the permit and order the sponsor holding the special event to cease and desist their activities. Upon such notice of immediate revocation, the sponsor shall cease and desist its activities and shall be prevented from applying for another permit for at least two years from the date of revocation.
- D. If the violation is not discovered by the Township until the special event has ended, then the Township may suspend for two years the right of the sponsor conducting the special event to apply for another permit to conduct a special event.
- E. The Township may consider the past performance and compliance of a Sponsor under a permit, or permits, issued according to this Ordinance in assessing a subsequent application submitted by said Sponsor; in particular, the Township may incorporate into its review any prior violation of the regulations set forth herein, including any associated suspension, and condition its determination of a subsequent application accordingly.

§ 19-111 Appeals

A sponsor who has been denied a permit to conduct a special event, whose permit has been revoked or whose right to apply for a permit has been suspended or revoked for violation of this chapter or contests a permit condition shall have the right to appeal said denial, suspension, revocation or condition to the Board of Supervisors, in writing, within 15 days of the date of the notice of said denial, suspension, revocation or condition. The Board of Supervisors shall conduct a hearing on said appeal within 30 days from the date of filing of the appeal. The Board of Supervisors shall render a decision within 45 days after the hearing, either upholding the denial, suspension, revocation or condition or granting the appeal and ordering the Township to grant the permit or rescind the revocation or suspension notice or remove the condition.

§ 19-112 Violations and penalties

- A. Any person, firm or corporation who shall violate any provision of this chapter or fails to secure the permit required thereby, as the case may be, shall, upon conviction thereof, be sentenced to pay a civil enforcement fee of not more than

\$1,000, plus costs. Each day that a violation of this chapter continues shall constitute a separate offense.

In addition to the above-provided penalties, the Township may maintain any action or proceedings in the name of the Township in any court of competent jurisdiction, at law or in equity, to compel compliance with or enforce any violation of this Chapter 112.

§ 19-113 **Fees.** Fees shall be established by a fee schedule adopted by resolution of the board of Supervisor§

§ 19-114 **Repealer and Severability.**

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance. All Ordinances or parts of Ordinances inconsistent herewith which are in conflict with any of the specific terms contained herein to the extent of such inconsistencies or conflicts are hereby repealed.

ENACTED at a meeting of the Board of Supervisors of Lower Oxford Township on the 10th day of August, 2026.



LOWER OXFORD TOWNSHIP

Kevin R. Martin
Kevin R. Martin, Chairman

Noel A. Roy
Noel A. Roy, Vice-Chairman

Robert McMahon
Robert McMahon, Member