

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (Must be 30 days Prior to event):			
<small>*No more than 3 days TOTAL per Individual or Group per year</small>		EVENT SPECIFICS	<small>*EXCLUDES HARBORFRONT AREA</small>
DATE:	TIME:	LOCATION OF EVENT:	
SPONSOR:			
NAME:		PHONE NO:	
ADDRESS:			
<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> CORPORATE	<input type="checkbox"/> CHARITABLE	<input type="checkbox"/> COMMUNITY
RESPONSIBLE INDIVIDUAL:			
NAME:		PHONE:	
ADDRESS:			
REASON:			
AUDIO DEVICE TO BE USED:			
<input type="checkbox"/> PUBLIC EVENT		<input type="checkbox"/> PRIVATE EVENT	
NOTIFICATION OF AFFECTED PERSONS			
<input type="checkbox"/> YES	IF YES, PROOF:		
<input type="checkbox"/> NO			
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.			
Signature: _____			
DEPARTMENTAL REVIEW		DATE SENT	REPORT BACK
POLICE DEPARTMENT			
DEPARTMENT OF PUBLIC WORKS			
DEPARTMENT OF LAW			
OTHER			
COMMON COUNCIL ACTION			
RECEIPT OF REVIEW:			
APPROVAL:			
CONDITIONS:			
DISAPPROVED:			

C. **[Added 6-20-2000 as L.L. #3 (Intro No. 5) 2000]**

(1) Notwithstanding other provisions contained herein, the Dunkirk Common Council may grant special permits pursuant to this section, limited in time and scope, to the groups or individuals sponsoring any particular event(s) the sounds of which may otherwise be deemed to be excessive and in violation of the Noise Ordinance, but not otherwise a nuisance of excessively loud.

(2) The application for such permit shall provide the following information:

- (a) Reason(s) for such event;
- (b) Plans and specifications for amplification equipment;
- (c) Period of time during which the permit is requested;
- (d) Name of person(s) responsible for ensuring compliance with permit;
- (e) When the activity for which such permit is sought is not a community-wide or public event, proof that notification of the application for such permit has been given to each person reasonably expected to be affected by the noise, the content of such notification and the manner such notification was provided.

(3) Such written application shall be made to the City Clerk no later than thirty (30) days prior to the date(s) for which such permit is sought, and it shall be presented to the Departments of Police, Public Works and Law and any other applicable Department for review prior to Council action.

(4) In order to further the purposes of this Chapter and to facilitate its implementation and enforcement, the Common Council shall have the authority to impose such conditions as determined to be reasonable and necessary on permits the Council issued pursuant to this section. Such conditions may govern factors which include, but are not limited to, the time and location that the involved sound source may be utilized.

(5) (a) The issuance of permits is discretionary and shall be issued only where such permit is deemed to be reasonable and necessary and will allow an activity that is consistent with the general purposes of this Chapter, provided that no permit shall be issued pursuant to this section for any sound source that will operate between 12:00 midnight and 7:00 a.m. of any day. **[Amended 5-3-2005 as L.L. #2-2005]**

(b) Permits issued under this chapter for premises located within the H-1 District (as defined in Section 79 Article XII of the Dunkirk City Code, or as hereafter amended) may provide for extended hours of activity to the permit-holder, except that no sound source upon such H-1 District premises will operate between 1:00 A.M. and 7:00 A.M. of any day. **[Added 5-3-2005 as L.L. #2-2005]**

(c) In no event shall any such sound source at any time exceed sixty (60) decibels, as measured out-of-doors within a one (1) block radius of the premises of the permit-holder. **[Added 5-3-2005 as L.L. #2-2005]**

(6) Any permit granted under this section shall apply only to this Chapter, and not to any other law, rule, regulation or ordinance.