

ARTICLE IV
B.Y.O.B CLUBS

History: Adopted by the Board of Supervisors of Center Township as Ordinance No. 99-8-4, August 4, 1999, as amended by Ordinance No. 2007-02-04, February 14, 2007.

7-401. Operation

It shall be unlawful for any person or persons who own, operate, lease, manage or control a B.Y.O.B. Club to operate such club in conflict with the requirements and provisions that follow:

- A. The securing of a club permit.
- B. Liability: In the event any of the unlawful activities specified herein is conducted by or in the name of a corporation, partnership, joint venture, trust, firm or association, in addition to entity liability, the officers, agents or principals of said corporation, partnership, joint venture, trust, firm or association, shall be deemed in violation of this Chapter, as well as the person or persons engaged in the unlawful activity.
- C. Separate Offenses: The unlawful activities specified herein shall constitute separate and distinct offenses for each and every day in which said activities are conducted.
- D. Requirements: Any and all B.Y.O.B. Clubs to which this Chapter applies, shall, at all times, comply with the following requirements:
 1. Obtain broad form general liability coverage, one million dollars (\$1,000,000.00) single limit per occurrence, proof of which shall be filed with the Township Secretary.
 2. Possess a valid certificate of occupancy issued by the Pennsylvania Department of Labor and Industry and prominently display said certificate as required;
 3. Obtain an annual fire/safety inspection of the premises by the Township Zoning/Code Enforcement Officer. The Township Zoning/Code Enforcement Officer may require outside consultants for special circumstances at facility owner's expense.(Ord. No. 2004-02-04)
 4. Obtain a valid B.Y.O.B. Club permit from the Township pursuant to this Chapter and prominently display said permit as required; and
 5. Conspicuously post the hours of operation at the business premises such that patrons are sufficiently apprised of the same.

E. Application for Permit:

1. Any person or persons desiring to operate or continue to operate a B.Y.O.B. Club shall file with the Township Secretary an application for a B.Y.O.B. Club permit, which application shall include the following information:
 - a. The name and address of the B.Y.O.B. Club;
 - b. The business address of the lessor of the business premises, if applicable;
 - c. The nature of the ownership of the B.Y.O.B. Club, i.e. corporation, partnership, joint venture, association;
 - d. The names and addresses of any and all persons who possess an ownership and/or financial interest in the B.Y.O.B. Club; and
 - e. A notarized statement that the B.Y.O.B. Club complied with the requirements of this Chapter and any amendments thereto.
2. The Township Code Enforcement Officer shall determine whether the B.Y.O.B. Club fully and completely complies with the provisions and requirements of this Chapter within thirty (30) days following the date on which the application is received. If the Township Code Enforcement Officer determines that the applicant fully and completely complies with the provisions hereof, he shall issue a B.Y.O.B. Club permit; if the Township Zoning Officer determines that the applicant does not fully and completely comply with the provisions hereof, he shall deny the issuance of the B.Y.O.B. Club permit and shall furnish written evidence of the same to the applicant together with the reason(s) for the denial.
3. The Club shall pay an administrative fee of two hundred and fifty dollars (\$250.00) for a B.Y.O.B. Club permit and one hundred dollars (\$100.00) for each renewal thereof. Said B.Y.O.B. Club permit shall be effective for a period of one (1) year following the date of issuance; provided, that in the event B.Y.O.B. Club fails to fully and completely comply with the provisions hereof during the term B.Y.O.B. Club permit so issued, the Township Code Enforcement Officer shall have the authority to revoke the B.Y.O.B. Club permit due to B.Y.O.B. Club's lack of compliance.

- F. Penalty: Any person, persons, or entity violating the provision of this Chapter shall, upon conviction thereof, be sentenced to a fine not

exceeding six hundred dollars (\$600.00) and/or to imprisonment not exceeding ninety (90) days or both.