



**WEST  
HARTFORD**



## **Entertainment License Applicant Instructions**

103 Raymond Road, West Hartford, CT 06107  
860.523.5203

Dear Applicant,

Please be advised that an application for an entertainment license with the West Hartford Police Department is a multi-step process. As such, you are requested to do the following before submitting a completed application to the West Hartford Police Department.

1. Complete the application in its entirety, including appending a copy of the floor plan as described by the application.
2. In order to ensure compliance with the Town's Zoning Ordinances, you must contact the Town's Zoning Enforcement Officer (ZEO) at 860-561-7557 and forward the ZEO a copy of your application. Once provided and reviewed for zoning compliance by the ZEO, Section VII of your application will either be approved or denied.
3. If approved by the ZEO, you must submit your completed application to the West Hartford Police Records Division (860-570-8800) for final review and approval by the Chief of Police.

### **NOTICE**

All establishments applying for an entertainment license are required to adhere to all state laws, ordinances and regulations, including, but not limited to, food service licensing and/or liquor licensing laws.



# West Hartford Police Department

## Town of West Hartford Entertainment License

Pursuant to the Town of West Hartford Code, Chapter 75 Entertainment Licenses, this application shall apply to any indoor recreation or amusement facility. Any business wishing to have live or pre-recorded amplified musical performances, and or dancing to live or pre-recorded amplified music or song, either by patrons or by performers for the benefit of an audience of two or more persons, must obtain a license from the West Hartford Police Department.

### Section I. Business Information

Business Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
*Street Address*

\_\_\_\_\_

*City State ZIP Code*

Phone: \_\_\_\_\_ Email \_\_\_\_\_

#### Hours of Operation

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday

Total Patron Capacity \_\_\_\_\_ Number of On-Site Parking Spaces: \_\_\_\_\_

### Section II. Owner Information

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
*Street Address*

\_\_\_\_\_

*City State ZIP Code*

Phone: \_\_\_\_\_ Email \_\_\_\_\_

### Section III. Liquor Permittee Information (if applicable)

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
*Street Address*

\_\_\_\_\_

*City State ZIP Code*

Phone: \_\_\_\_\_ Email \_\_\_\_\_

**Section IV. Description /Location of Entertainment**

Proposed  
Entertainment

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please attach a floor plan or describe where entertainment will be located:

\_\_\_\_\_  
\_\_\_\_\_

**Section V. Property Owner**

I state that I am the owner of the property listed above. I am aware of the operations proposed by the applicant and those operations are permitted pursuant to the terms of the operator's lease or any agreement permitting the operator to use the establishment.

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Date

**Section VI. Declaration**

I state that I am the owner/liquor permittee of the business listed above and I am requesting that this business be issued a license for entertainment under Town of West Hartford Code Chapter 75, Entertainment License. I have received a copy of the ordinance, read it and confirm that all requisite land use approvals are in place. As a condition of receiving this license I agree to abide by all conditions required by that ordinance.

\_\_\_\_\_  
Business Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Liquor Permittee (if applicable)

\_\_\_\_\_  
Date

**Section VII. FOR USE OF TOWN OF WEST HARTFORD ZONING ENFORCEMENT AUTHORITY**

Zoning Enforcement Authority Required Approval

Approved

Denied

Reason: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Zoning Enforcement Officer

\_\_\_\_\_  
Date

**TOWN OF WEST HARTFORD ENTERTAINMENT LICENSE APPROVAL**

The above named business has been issued an entertainment license from the West Hartford Police Department pursuant to the Town of West Hartford Code, Chapter 75, Entertainment License.

---

Chief of Police

---

Date

Duration: A license shall be valid until there is a change in the operator of the establishment, in which case a new application shall be submitted and approved prior to the commencement of any applicable activity after the change, or the license is revoked pursuant to the provisions Chapter 75 of the Town of West Hartford Code. **A license is not transferable.**

# Chapter 75. Entertainment Licenses and Public Safety Police Details

## Article I. Entertainment Licenses

### § 75-1. Definitions.

The following words shall have the meaning given in this section unless the context clearly suggests otherwise. All words and terms not defined herein shall be interpreted in accord with standard usage.

#### **ABATEMENT PLAN**

A written plan developed by the Chief of Police and the licensee which describes the measures that shall be taken by the licensee to abate any violations of the operational restrictions as detailed in § 75-3.

#### **AMPLIFIED or AMPLIFICATION**

Any music, sound or other noise which utilizes electronic equipment such as electronically powered microphones, speakers, or bullhorns to increase the decibel level thereof.

#### **APPLICATION**

An entertainment license application the form of which shall be provided by the Chief of Police to all persons required to obtain a license pursuant to this chapter.

#### **DISC JOCKEY**

A person who plays different sources of preexisting recorded music for a live audience or via broadcasting.

#### **ENTERTAINMENT**

Live or pre-recorded amplified musical performances, and/or dancing to live or prerecorded amplified music or song, either by patrons or by performer for the benefit of an audience of two or more persons.

#### **ESTABLISHMENT**

Any existing or proposed place of business located in the Town, regardless of its classification for purposes of the Town's Zoning Ordinances,<sup>[1]</sup> regardless of whether it is open to the public or is maintained as a private club and regardless of whether an admission, membership or other fee is charged in order to attend, which provides amplified entertainment, and any indoor recreation or amusement facility as defined in § 177-2 regardless of whether amplified entertainment is provided.

#### **INCIDENT REPORT**

Documentation generated by the police or fire department when public safety personnel report or are summoned or a complaint is filed regarding any loud, disturbing, illegal or violent conduct on the premises of an establishment.

#### **LICENSEE**

The operator of the establishment and the liquor permittee for the establishment designated by the State of Connecticut shall all be required to be co- applicants for, and shall execute the application

for, an entertainment license. All licensees shall be bound equally to comply with the requirements of this chapter and each licensee shall be subject to the penalties established herein for each violation thereof. In addition, the owner of the structure in which the establishment is located shall be required to sign the application, acknowledging that it is aware of the operations proposed by the applicant; and those operations are permitted pursuant to the terms of the operator's lease or any other agreement permitting the operator to use the establishment.

#### **LOW VOLUME**

Sound played at a level such that a person speaking in a normal tone of voice can be heard clearly over this sound by another person standing 36 inches away.

#### **POLICE DETAIL**

One or more police officers assigned to an establishment to maintain order, prevent crime, and enforce state statutes and regulations and Town ordinances.

#### **PUBLIC SAFETY THREAT**

An incident or threat of incident that results in serious physical injury or property damage or creates the risk thereof.

[1] *Editor's Note: See Ch. 177, Zoning.*

## **§ 75-2. Entertainment licenses.**

- A. Applicability; exemptions. This chapter shall apply to any indoor recreation or amusement facility, and any place of business located within the Town of West Hartford offering, on a regular or occasional basis, entertainment which includes (1) live or pre-recorded amplified musical performances, or (2) dancing to live or prerecorded amplified music or song, except for the following exempt activities:
- (1) Religious services or performances at any church or other place of worship;
  - (2) Any place of business providing music systems operated at a low volume which does not disrupt normal conversation and is not intended for entertainment;
  - (3) Any activity approved by the Town or otherwise permitted by law to take place on public land;
  - (4) Public and private school programs; studios for instruction in music or dance;
  - (5) Activities of organizations that are tax-exempt under § 501(c)(3) of the Internal Revenue Code.
- B. Application requirements. An application shall be submitted to the Chief of Police to provide entertainment in all establishments as herein defined. Each licensee of an establishment shall be held responsible for all violations of the requirements and restrictions specified herein. Approval of the application shall be required prior to the commencement of operation as an establishment providing entertainment, as defined herein. An application shall include a completed application form as provided by the Town. An application shall not be submitted prior to receipt of all required land use approvals for the proposed use.
- C. Application review.
- (1) The application shall be submitted to the Chief of Police, who shall approve or deny the application within 30 days after submission. An application shall be approved if:
    - (a) It complies with all requirements set forth in this chapter and in the application itself;
    - (b) The applicant establishes compliance with the Zoning Ordinances<sup>[1]</sup> of the Town of West Hartford;
- [1] *Editor's Note: See Ch. 177, Zoning.*

- (c) The applicant establishes compliance with any other applicable statutes and/or ordinances such as, but not limited to, food service licensing and/or liquor licensing laws;
  - (d) The establishment is located within 500 feet of a municipal parking facility or provides all required parking on-site.
- (2) If the Chief of Police denies the application, he shall state, in writing, why the application does not comply with the requirements of this chapter.
- D. Duration. A license shall be valid until there is a change in the licensee, as herein defined, in which case a new application shall be submitted and approved prior to the commencement of any applicable activity after the change, or the license is revoked pursuant to the provisions of this chapter. A license is not transferable.
- E. Existing establishments. Any establishment which is lawfully in existence as of the effective date of this chapter shall be allowed to continue providing entertainment provided that it files an application no later than 30 days after the effective date of this chapter.

### § 75-3. Operational restrictions.

Any establishment which receives a license under this chapter shall comply, as a condition of the license, with the requirements of this chapter as well as all other federal, state and/or local laws. The following requirements, which are intended to provide reasonable assurances that the quiet, safety and cleanliness of the premises and vicinity are maintained, shall be met at all times:

A. Noise.

- (1) A licensee shall not make, cause to be made or otherwise allow any unreasonable noise to emanate from the establishment. Noise shall be deemed to be unreasonable when it disturbs, injures or endangers the peace or health of neighboring persons of ordinary sensibilities or when it endangers the health, safety or welfare of the community. Any such noise shall be considered to be a noise disturbance and public nuisance. The prohibitions of this section shall apply whether or not the noise exceeds the decibel levels set forth in Chapter **123** of the West Hartford Code of Ordinances.
- (2) Amplified music permitted with outdoor dining pursuant to an approved special use permit shall not be considered unreasonable noise.

B. Hours of operation.

- (1) Entertainment shall cease 1/2 hour prior to the closing of the establishment.
- (2) The licensee and employees of the premises may remain on the premises after closing for the purpose of cleaning, maintenance, security, food preparation, and closing the business but no amplified sound shall be permitted during any such operations.

C. Maintenance, design and security.

- (1) All licensees shall maintain efficient and affirmative supervision over the conduct of their patrons within the licensed premises and/or on those portions of any sidewalks immediately adjoining the licensed premises. This obligation shall include maintaining free and clear passage on public rights-of-way, on real property owned or leased by the licensee within which the licensed premises are located and in parking areas owned or leased by the licensee for use by patrons of the licensed premises.
- (2) All licensees shall be responsible to keep all outdoor space on the property within which the establishment is located, including parking areas, decks, seating areas and all other lands owned or leased by the licensee, and all public sidewalks abutting the property within which the establishment is located clear of litter and cleaned daily within eight hours after each closing.

- (3) Entertainment inside the building shall only be provided in location(s) designated in the application and shall be located so as to minimize noise or other nuisances affecting adjacent property.
  - (4) All fights, disturbances, violence or any other violation of law shall be reported to the police immediately by the licensee or employees of the establishment.
  - (5) All establishments which serve alcoholic beverages shall comply with and be operated in accordance with all applicable federal, state and Town statutes, regulations, and ordinances.
  - (6) The establishment shall implement other conditions and/or management practices necessary to ensure that management and/or patrons of the establishment maintain the quiet, safety, and cleanliness of the premises and the vicinity of the use.
  - (7) The licensee shall take all reasonable measures to ensure that public sidewalks and private ways adjacent to the premises are not blocked by patrons or employees.
  - (8) The licensee shall provide security whenever patrons gather outdoors. This shall not be applicable where outdoor dining is occurring pursuant to an approved special use permit.
  - (9) Employees of the establishment shall be posted at all entrances and exits to the establishment during the period from 10:00 p.m. until all patrons have left the premises following closing. These employees shall take reasonable steps to prevent patrons waiting to enter the establishment and those exiting the establishment from disrupting the quiet and cleanliness of the neighborhood as they leave the establishment.
- D. Abatement plan. Any establishment operating under an abatement plan shall comply with the conditions of said plan at all times.