



## Town of Topsail Beach Application and Permit for Outdoor Entertainment

**Applicant Name/Address (Responsible Party):**

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

**Phone No:** \_\_\_\_\_

**Email Address:** \_\_\_\_\_

**Date of Proposed Activity:** \_\_\_\_\_

**Location of Activity:** \_\_\_\_\_

**Additional Responsible Party:** \_\_\_\_\_

**Please Briefly Describe the Nature of the Activity Below:**

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

**This application is governed by Topsail Beach Town Ordinance Chapter 10-23 which reads as follows:**

**Sec. 10-23. Permits required for certain activities.**

(a) Permits are required for any activity that exceeds the noise disturbance as stated in subsection 10-23. Application for a permit shall be made to the town manager or designee not less than one day prior to the

commencement of the activity. No permit may be issued if the effect of the permit would be to allow for the creation of a noise disturbance as part of the regular or usual activity on any premises.

(b) Without limiting the generality of the foregoing, permits are required for the following activities, in addition to any other permits required by law:

(1) *Outdoor entertainment, outdoor parties, special events*: For events not exempted by section 10-24, where equipment for amplifying live or prerecorded speech, music or other sound is to be used. This section is intended to apply to temporary events of an infrequent or nonrecurring nature; it is not intended to apply to regular activities conducted at a fixed location.

(2) *Mobile sound vehicles*: Permits may not be obtained for vehicles using equipment designed or intended for personal entertainment.

(3) *Street vending and concessions*: For activities requiring permits pursuant to town codes.

(c) Permits may not be denied or revoked except where the activity constitutes a bona fide threat to the health, safety or welfare to [of] any person, or a bona fide threat of physical damage to real or personal property, except as specified below.

(d) Each applicant for a permit shall be a "person responsible" for purposes of this article, and shall provide the name of at least one (1) other person who may be contacted in the event of problems arising from the noise associated with the activity for which the permit is requested. Each applicant shall affirmatively indicate that he is familiar with the requirements of this article within the previous twelve-month period. Failure to complete the application properly or a record of previous violations by the applicant within the preceding twelve (12) months may be a basis for denial of the permit.

**(e) Applicants for permits for activities in residential areas shall affirmatively indicate that the owners or occupants of all adjacent premises (including premises directly across streets or other public ways) have received a copy of the completed application. Applicants for permits for activities on multifamily premises shall also affirmatively indicate that the owner or manager of the premises has received a copy of the application.**

(f) If a permit is denied, the reasons for denial shall be set forth in writing and furnished to the applicant. If an applicant who has been denied a permit under this section believes that the denial is in violation of applicable state or federal law, he may submit a statement of the reasons he believes he is entitled to the permit to the town manager. If the town manager determines that the applicant has made a substantial showing of legal entitlement, an exceptional permit may be granted waiving requirements as to time, location and sound levels. The issuance of any such exceptional permit shall be reported promptly to the town council.

(g) A violation of any of the provisions of this article shall be cause for the immediate revocation of any previously issued noise.

(h) This permit is valid until 11:00 p.m.

The applicant has fully read the ordinance and fully understands that any violation of the ordinance may result in the immediate voiding of the permit.

\_\_\_\_\_  
Applicant's Signature & Date

\_\_\_\_\_  
Town Manager's Signature & Date

\_\_\_\_\_  
Police Chief's Signature & Date