

TOWNSHIP OF LOWER MERION

Building & Planning Committee

Issue Briefing

Topic: Request to use Cricket Avenue and Municipal Lot 24 for Cricket Cringle Event and Waiver of Open Container Ordinance during event

Prepared by: Eric Persson, Economic Development Specialist

Date: October 3, 2016

I. Action to Be Considered by The Board:

The owner of pucciManuli, in coordination with the Ardmore Food Pantry, requests permission from the Board of Commissioners to conduct the Cricket Cringle event on the evening of December 2nd and during the day on December 3rd, 2016. The event sponsor also requests a waiver of the open-container ordinance within the restricted event area between Cricket Terrace and West Athens Avenue and in the temporary Municipal Parking Lot 24 and the eastern portion of Cricket Avenue Municipal Lot 4. Representatives of Dranoff Properties do not foresee any conflict with using this portion of the Cricket Lot in early December.

II. Why This Issue Requires Board Consideration:

The Township is authorized by the First Class Township Code (53 P.S. §56524) to establish, maintain and regulate markets and market places on public grounds and to contract with any person, firm, or corporation for the erection, maintenance, and regulation of market houses and market places. As this event is proposed to be held on a portion of Cricket Avenue and Municipal Parking Lots 24 and 4, the Board of Commissioners must approve holding the event in this location. The event sponsors also request a waiver of the open-container ordinance in the limited area of the event within the municipal lots and the area between Cricket Terrace and West Athens Avenue (see attached map exhibit).

III. Current Policy or Practice (If Applicable):

A provision in the First Class Township Code allows a Township to provide for a market on Township property or in Township rights-of-way. This provision allows the Board of Commissioners to permit the operation of an event by providing and establishing regulations for this area, and allows a waiver of Ordinance § 111-4.2 for the limited area during the event.

IV. Other Relevant Background Information:

Similar to last year's event, it is proposed as a festival featuring artisans and merchant booths, food, and entertainment focusing on the holiday season. The event set-up is proposed to start at 8 AM Friday morning within the municipal lot areas and removed by 11 PM Saturday. The event is proposed to be held 5:00 PM to 9:00 PM on Friday December 3, and 10 AM to 6 PM Saturday December 4th. The sponsor will contact nearby businesses and residents to notify them of the event and street and lot restrictions. There is no rain date scheduled. The event sponsors will supply their own security to monitor the area during the times when the area is not open to the public. All net proceeds from this event will be donated to the Ardmore Food Pantry and Boxed Lunch & A Book.

The proposed beverage purveyors are local businesses. Iron Hill Brewery and Penn's Wood Winery have requested permission to sell alcoholic beverages within the food area of Lot 24. Local restaurants John Henry's Pub and McCloskey's have also indicated an interest to sell food and beverages. If they decide to sell alcoholic beverages, they too would operate from within the food area proposed for Lot 24.

The following steps were reviewed by members of the Lower Merion Police Department and found to be satisfactory. As with any special event in the Township, the sponsor, pucciManuli will apply for the special event permit and provide proof of liability insurance for the days of the event. Each participating food/beverage establishment will apply for and comply with any Montgomery County temporary food license requirements; and each participating vendor desiring to sell alcoholic beverages will be required to obtain permission from the PLCB and maintain liability insurance for the event. To help assure compliance, any potential purchaser of alcoholic beverages and/or patron over the age of 21 will be required to be identified by use of wrist bands supplied and affixed by the sponsor. The sponsor will provide staff to monitor sale and use of any alcoholic beverages and to assure only those legally entitled to purchase and consume alcohol are able to do so.

V. Impact on Township Finances:

The event sponsor may need to purchase the use of parking meters on Cricket Avenue and in the Cricket Avenue municipal lots for the duration of the event. There are no other expected impacts on Township finances.

VI. Staff Recommendation:

If the sponsors take the necessary steps as described in Section IV above, then staff can recommend that a waiver of Ordinance § 111-4.2 may be considered for the limited area.