

MASS GATHERING ORDINANCE

SECTION 1. State of Purpose

The purpose of this Ordinance is to promote the public health, safety, and welfare of the residents of the Town of Waterford by means of requiring a permit for mass gathering.

SECTION 2. Authority, Administration and Effective Date

A. Authority

This Ordinance is adopted and hereafter amended pursuant to and consistent with Article VIM-A of the State of Maine Constitution and Title 30, M.R.S.A., Section 2151-A.

B. Administration

This Ordinance shall be administered by the Municipal Officers of the Town of Waterford and shall govern mass gatherings within the Town of Waterford.

C. Effective Date

The effective date of this Ordinance is upon adoption.

SECTION 3. Definitions

A. Mass Gathering

For the purpose of this Ordinance, the following shall constitute a "mass gathering".

- 500 or more persons gathered for two hours or more on public or private property. However, a mass gathering as defined shall not be deemed to exist when 500 or more persons are gathered at a commercial camp or camp ground under a normal camping activity.

B. Public Property

All land, including streets and rights-of-way, owned- in common by all residents of the Town shall be considered "public property".

C. Private Property

All land held in private ownership, including ownership by institutions, shall be considered "private property."

SECTION 4. Permits

A. Permits Required

Any person, agency or organization planning to sponsor a mass gathering must apply to the Municipal Officers for a permit to hold the gathering.

B. Permit Application

Applications for mass meeting permits shall be made in writing to the Municipal Officers at least sixty (60) days prior to the planned gathering and shall state the name of the applicant, mailing address of the applicant, and a description of the event planned. In addition, the application shall include a description of the proposed site and reasonable proof that adequate provisions will be made for the following:

- 1) safe ingress and egress routes for pedestrians, motor vehicles and emergency vehicles
- 2) parking
- 3) a healthful and sufficient drinking water supply
- 4) toilet facilities
- 5) refuse storage and disposal
- 6) medical services
- 7) fire protection
- 8) police protection on and off site and grounds security
- 9) liability insurance, if appropriate

C. Review of Application

The Municipal Officers of the Town shall review the application for a mass gathering permit in order to determine whether or not the requirements listed above will be met. The Municipal Officers shall also review the application to determine whether or not the proposed event will be in conflict with the present ordinances, articles, bylaws, or regulations of the Town.

- 1) The Municipal Officers shall, within fifteen (15) days from the date the complete application was received, notify the applicant in writing that the mass gathering application has been approved, approved with conditions or denied.

D. Issuance of Permits

The Municipal Officers shall grant a permit unless they find that issuance of the permit will be detrimental to the public health, safety or welfare, or would violate municipal ordinances, articles, bylaws, or rules and regulations.

In granting a permit, the Municipal Officers may impose reasonable restrictions or conditions in order to carry out the purpose of this Ordinance.

SECTION 5. Regulations and Standards

A. Regulations

The Municipal Officers may, after a public hearing, adopt written regulations governing the issuing or denying permits, the classes of permits, the expiration of permits, permit fees, and other administrative actions.

B. Standards

The Municipal Officers may also establish certain standards by which to determine whether or not the public health, safety and welfare of the residents of the Town will be adequately protected. These standards shall be reasonable and based on common practice in other localities or on recommendations from one or more of the following: the State Department of Public Safety, the State Department of Human Services, the State Department of Environmental Protection, the State Department of Transportation, the County Sheriff, and/or local police and fire protection providers.

SECTION 6. Waivers

Where the municipal officers make written findings of fact that, due to special circumstances regarding a mass gathering it may waive the requirements of obtaining a mass gathering permit or other requirements of this Ordinance. In granting waivers to any provision of this Ordinance the municipal officers shall require such conditions as that will assure the objectives of the Ordinance.

SECTION 7. Appeals

If an applicant has been denied a permit or cannot meet the conditions placed on a permit, it may, within thirty (30) days of the decision, appeal to the Board of Appeals. The Board of Appeals may grant the permit or modify the conditions of the permit if it finds that the proposed event will not constitute a detriment to the public health, safety or welfare, or that the denial or placement of conditions was arbitrary or capricious.

SECTION 8. Enforcement and Fines

Whoever violates any of the provisions of this Ordinance shall be punished by a fine of not more than \$25,000 to be recovered, on

In the case of an unlawful mass gathering, the Municipal Officers shall make the determination of who, either an individual or representative of an organization, is responsible for the mass gathering and shall be liable for payment of the fine.

SECTION 9. Separability

The invalidity of any section or provision of this Ordinance shall not invalidate any other section or provision of this Ordinance.