

CHAPTER 92: CONCOURSE GATHERING

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GENERAL PROVISIONS**§ 92.01 TITLE.**

This chapter shall be known and may be cited as “Concourse Gathering Ordinance of the Town of Hermon, Maine”, and will be referred to herein as “this chapter”.

(Ord. passed - -)

§ 92.02 PURPOSE.

The purposes of this chapter are to further the maintenance of safe and healthful conditions for the masses of people which attend public outdoor gatherings and to assure the comfort, convenience, safety, health and welfare of the citizens of the town and surrounding communities.

(Ord. passed - -)

§ 92.03 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CONCOURSE. An outdoor space where crowds of people gather.

CONCOURSE GATHERING. A gathering of 500 or more persons in an outdoor space or a temporary structure.

CONCOURSE GATHERING PERMIT. A permit as required by this chapter.

MUNICIPALITY. The Town of Hermon, Maine.

PARKING SPACE. A minimum area of 200 square feet, exclusive of drives, aisles or entrances, fully accessible for the storage or parking of vehicles.

PERSON. Any person, firm, partnership, association, corporation, company or organization of any kind.

(Ord. passed - -; Ord. passed 1-30-1991)

§ 92.04 EFFECTIVE DATE.

(A) This chapter shall take effect and be in force 30 days after passage by the Town Council.

(B) The effective date of this chapter is 10-13-1978.
(Ord. passed - -)

PERMIT REQUIREMENTS AND REGULATIONS

§ 92.15 PERMIT REQUIRED.

(A) No person shall engage in, participate in, aid, form or start any concourse gathering unless a concourse gathering permit shall have been obtained from the municipal officers.

(B) This chapter shall not apply to any governmental agency acting within the scope of its functions.
(Ord. passed - -) Penalty, see § 92.99

§ 92.16 PERMIT APPLICATION.

(A) A person seeking issuance of a concourse gathering permit shall file an application with the municipal officers.

(B) An application for a concourse gathering permit shall be filed with the municipal officers not less than 45 days before the date on which it is proposed to commence the event.

(C) If the concourse gathering is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the concourse gathering permit shall file with the municipal officers a communication in writing from the person proposing to hold the concourse gathering event authorizing the applicant to apply for the permit on his or her behalf.

(D) The application for a concourse gathering permit shall set forth the following information:

(1) The name, address and telephone number of the person applying to conduct the event requiring a concourse gathering permit;

(2) If the concourse gathering event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and the names, addresses and telephone numbers of the authorized and responsible officials of the organization;

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(3) The name, address and telephone number of the person who will be the chairperson of the event and who will be responsible for its conduct;

(4) The name, address and telephone number of the person or persons providing the site or sites for the concourse gathering event to be held;

(5) A written statement from the property owner or owners providing the site or sites for the concourse gathering event stating that he or she authorizes the use of his or her land for the event;

(6) The commencing date of the concourse gathering and the termination date of the concourse gathering and the commencing time and termination time on each date of the gathering;

(7) The location or locations of the concourse gathering event;

(8) The number of persons who, the number and kind of animals which, and the number and types of vehicles which are expected to attend and/or take part in concourse gathering event;

(9) A plain view drawing of the site or specifically showing the location and size of the site, location and extent of water supply facilities, location and extent of sanitary facilities, location and extent of fire protection facilities, location and extent of first aid facilities, location and extent of dining facilities, location and extent of off-street parking facilities, and other pertinent data; and

(10) A corporate surety bond from a company authorized to do business in the state insuring that after the event is over and the mass of people have vacated the site or sites the grounds shall be left in a clean and neat fashion, and damages to public and/or private property arising out of or in connection with the event will be paid promptly. The bond shall be in the amount of \$5,000 for each 1,000 persons, or fractional part thereof, expected to be in attendance.

(E) The municipal officers may request any additional information which is deemed reasonably necessary for a fair determination to issue a concourse gathering permit.

(F) There shall be paid at the time of filing the application for a concourse gathering permit a fee of \$50.

(G) The municipal officers may waive any division of this section if they deem the action necessary. (Ord. passed - -; Ord. passed 1-30-1991; Ord. passed 9-6-2000)

§ 92.17 NOTICE OF REJECTION.

(A) The municipal officers shall act upon the application for a concourse gathering permit within 30 calendar days after the filing thereof.

(B) The municipal officers shall send a letter to the abutters of the property on which the gathering is proposed, notifying them of the date of the Council meeting at which the event shall be discussed and that a copy of the application is on file with the town.

(C) If the municipal officers disapproved the application, they shall mail to the applicant, within 15 days after the date upon which the application was filed, a notice of their action, stating the reasons for their denial of the permit.

(Ord. passed - -; Ord. passed 1-30-1991)

§ 92.18 APPEAL PROCEDURE.

(A) Any person aggrieved by the denial of the municipal officers to issue a concourse gathering permit shall have the right to appeal the denial of the concourse gathering permit to the Town Board of Appeals.

(B) The appeal shall be taken within seven days after notice. The Board of Appeals shall act upon the appeal at its next regularly scheduled meeting.

(Ord. passed - -)

§ 92.19 NOTICE TO TOWN OFFICIALS AND OTHER OFFICIALS.

Immediately upon issuance of a concourse gathering permit, the municipal officers shall send a copy thereof to the following:

(A) The Town Manager;

(B) The Town Attorney;

(C) The Fire Chief;

(D) The State Police Chief; and

(E) The municipal officers of:

(1) Town of Levant;

(2) Town of Glenburn;

(3) City of Bangor;

(4) Town of Hampden;

(5) Town of Newburgh; and

(6) Town of Carmel.

(Ord. passed - -)

§ 92.20 CONTENTS OF PERMIT.

Each concourse gathering permit shall state the following information:

(A) Starting date;

(B) Ending date;

(C) Location; and

(D) Other information as the municipal officers shall find necessary for the enforcement of this chapter.

(Ord. passed - -)

§ 92.21 DUTIES OF PERMITTEE.

(A) A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

(B) The concourse gathering chairperson or other person heading the activity shall post the permit in a conspicuous place on the site of the concourse gathering.

(Ord. passed - -)

§ 92.22 REVOCATION OF PERMIT.

The municipal officers shall have the authority to revoke a concourse gathering permit issued hereunder upon application of the standards for issuance herein set forth.

(Ord. passed - -)

§ 92.23 RELEASE OF CORPORATE SURETY BOND.

Before a permittee may be released from any obligation required by his or her corporate surety bond, the municipal officers will require from the Town Manager, and whatever other agencies may be involved, certification that the concourse site or sites have been satisfactorily cleaned up and that all damages to public and private property have been settled.

(Ord. passed - -)

STANDARDS OF PERMIT ISSUANCE

§ 92.35 GENERALLY.

(A) The Code Enforcement Officer may issue a permit after approval by the municipal officers for hereunder when, from a consideration of the application and from other information as may otherwise be obtained, they find that:

(1) The conduct of the gathering of people will not interfere with the normal movement of traffic;

(2) The concentration of persons, animals and vehicles at the concourse gathering site will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly areas; and

(3) The conduct of the gathering of people will not create a fire hazard such as to grassland or woodland.

(B) Control over the concourse gathering will be such that the entire group of people understand that this chapter does not grant any property rights, it does not authorize any person to trespass, it does not authorize any person to infringe upon or injure the property of another and it does not excuse any person of the necessity of complying with other laws and regulations.

(Ord. passed - -)

§ 92.36 WATER SUPPLY.

(A) The water supply shall be adequate, of a safe, sanitary quality and from a source approved by the Town Plumbing Inspector.

(B) All water supplies shall be subject to inspection at all times by the Town Plumbing Inspector. Water from these sources shall not be used or supplied to the public unless samples therefrom have been tested and approved by the State Department of Health and Welfare within the proceeding six months. A copy of the water analysis shall be available on the premises.

(C) Supplies of safe, sanitary, potable water shall be located throughout the concourse gathering area at reasonable intervals or sequence. The volume of water available at these locations shall be such that it will serve each person a minimum of one and one-half gallons per day. There shall be an adequate number of spigots, drinking cups and dispensers provided at these water supply locations.

(Ord. passed - -)

§ 92.37 OFF-STREET PARKING FACILITIES.

(A) Adequate off-street parking facilities shall be provided and shall be subject to approval of the Town Road Commissioner.

(B) Off-street parking facilities shall be provided at a minimum rate of one parking space for each four persons reasonably expected to attend.

(C) All entrances to the off-street parking facility from a public street shall be approved by the Town Road Commissioner or the State Department of Transportation or both. Any expense involved with the provision of these entrances shall be borne by the permittee.

(D) Traffic officers shall be provided at each off-street parking entrance during periods of substantial use. It shall be the obligation of the permittee to provide the traffic officers and bear any and all expenses involved.

(Ord. passed - -)

§ 92.38 SANITATION FACILITIES.

(A) Solid waste containers constructed of metal, wood or plastic shall be located throughout the concourse gathering area at a reasonable interval for the disposal of material such as paper, cans, bottles and garbage. These containers shall be emptied of all their contents at least every 24 hours. The material from these containers shall be disposed of by removal from the gathering site and taken to a municipal dump.

(B) Separate male and female toilet facilities shall be provided at the rate of one toilet facility for each 40 persons. One-third of the male facilities may consist of urinals. Hand washing provisions shall be available at each toilet facility and shall consist of stored water in containers equipped with spring-operated spigots, soap dispensers and paper towels. Adequate provision for the disposal of hand washing wastewater shall be made such as by dry wells or soakage pits.

(C) All sanitary facilities shall be subject to inspection at all times by the Town Plumbing Inspector.
(Ord. passed - -)

§ 92.39 MEDICAL FACILITIES.

(A) (1) A first aid facility shall be provided. This facility shall consist of a structurally stable enclosure and stocked with medical supplies sufficient to administer necessary medical attention to the number of people attending the concourse gathering.

(2) The first aid facility shall be staffed with a minimum of two licensed ambulance attendants.

(B) A minimum of two vehicles, in a safe and good running condition, shall be available at all times (with a driver for each vehicle) to be used as ambulances.

(C) The first aid facility shall be subject to inspection at all times by the State Health and Welfare Department.
(Ord. passed - -)

§ 92.40 POLICE PROTECTION.

Police protection shall be set by Council for each individual application based upon the perceived need.

(Ord. passed - -; Ord. passed 1-30-1991)

§ 92.41 FIRE PREVENTION FACILITIES.

(A) Fire prevention facilities shall be provided throughout the concourse gathering area.

(B) Equipment such as fire extinguishers, spades, brooms, sand and water shall be provided.

(C) The fire prevention facilities shall be approved by the Town Fire Chief and shall be subject to inspection at all times by the Town Fire Chief.

(Ord. passed - -)

§ 92.42 SETBACKS.

(A) All activities, including parking, shall be set back at least 200 feet from property lines.

(B) The Council may increase/decrease this distance if it feels that the increase/decrease is warranted to protect the health, safety and welfare of the community and its residents.

(Ord. passed - -; Ord. passed 1-30-1991)

§ 92.99 PENALTY.

Any person, firm or corporation convicted of violating any of the provisions of this chapter shall be fined an amount not less than \$50 or an amount exceeding \$1,000 per day for each separate violation.

(Ord. passed - -)