

Chapter 92: Concourse Gathering Ordinance

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CHAPTER 92: CONCOURSE GATHERING

Section

General Provisions

- 92.01 Title
- 92.02 Purpose
- 92.03 Definitions

Permit Requirements and Regulations

- 92.04 Permit Requirement
 - 92.05 Permit Application
 - 92.06 Standards of Issuance
 - 92.07 Notice of Rejection
 - 92.08 Appeal Procedure
 - 92.09 Notice to Town Officials and Other Officials
 - 92.10 Contents of Permit
 - 92.11 Duties of Permittee
 - 92.12 Revocation of Permit
 - 92.13 Release of Corporate Surety Bond
 - 92.14 Separability
 - 92.15 Effective Date
-
- 92.99 Penalty

GENERAL PROVISIONS

§ 92.01 TITLE

- 1.1 This ordinance 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 ordinance".

§ 92.02 PURPOSE

- 2.1 The purposes of this ordinance 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 of Hermon, Maine and surrounding communities.

§ 92.03 DEFINITIONS

- 3.1 In general, words and terms used in this ordinance shall have their customary dictionary meanings. For the purpose of this ordinance, certain words and are defined as follows:

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 ordinance.

MUNICIPALITY: A City, Town, or other district having local self-government. The specific meaning of the word "municipality" used herein would be the Town of Hermon, Maine.

PARKING SPACE: A minimum area of two hundred (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.

§ 92.04 PERMIT REQUIREMENT

- 4.1 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 or designee.
- 4.2 This ordinance shall not apply to any governmental agency acting within the scope of its functions.

§ 92.05 PERMIT APPLICATION

- 5.1 A person seeking issuance of a concourse gathering permit shall file an application with the Town Clerk.
- 5.2 An application for a concourse gathering permit shall be filed with the Town Clerk not less than forty-five (45) days before the date on which it is proposed to commence the event. (Amended 9/6/00)
- 5.3 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 such concourse gathering permit shall file with the Town Clerk a communication in writing from the person proposing to hold the concourse gathering event authorizing the applicant to apply for the permit on his behalf.
- 5.4 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 such 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 such organization.
 3. The name, address, and telephone number of the person who will be the chairman 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 authorizes the use of his land for such 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 Plan 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.
 10. A corporate surety bond from a company authorized to do business in the State of Maine 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. Such bond shall be in the amount of five thousand dollars (\$5,000.00) for each one thousand (1,000) persons or fractional part thereof, expected to be in attendance.
- 5.5 The Town Manager/Municipal Officers may request any additional information which is deemed reasonably necessary for a fair determination to issue a concourse gathering permit.
 - 5.6 There shall be paid at the time of filing the application for a concourse gathering permit a fee of fifty dollars (\$50.00).
 - 5.7 The Town Manager/Municipal Officers may waive any section of this § 92. if they deem such action necessary.
 - 5.8 The Town Manager has authority to approve/disapprove concourse gathering permit for event size up to 1500 participants with minimal impact to the town infrastructure and roadways. The Municipal Officers shall approve events size exceeding 1500 participants and/or has a major impact to the town infrastructure and roadways.

§ 92.06 STANDARDS OF ISSUANCE

- 6.1 The Code Enforcement Officer may issue a permit after approval by the Town Manager/Municipal Officers for hereunder when, from a consideration of the application and from such other information as may otherwise be obtained, they find that:
 1. The conduct of such 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 such assembly areas.
 3. The conduct of such gathering of people will not create a fire hazard such as

to grassland or woodland.

Control over the concourse gathering will be such that the entire group of people understand that this ordinance 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, it does not excuse any person of the necessity of complying with other laws and regulations.

6.2 WATER SUPPLY

- 6.2.1 The water supply shall be adequate, of a safe, sanitary quality, and from a source approved by the Town of Hermon Plumbing Inspector.
- 6.2.2 All water supplies shall be subject to inspection at all times by the Town of Hermon Plumbing Inspector. Water from such sources shall not be used or supplied to the public unless samples there from have been tested and approved by the State of Maine Department of Health and welfare within the preceding six (6) months. A copy of the water analysis shall be available on the premises.
- 6.2.3 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.

6.3 OFF STREET PARKING FACILITIES

- 6.3.1 Adequate off-street parking facilities shall be provided and shall be subject to approval of the Town of Hermon's Road Commissioner.
- 6.3.2 Off street parking facilities shall be provided at a minimum rate of one parking space for each four-(4) persons reasonably expected to attend.
- 6.3.3 All entrances to the off-street parking facility from a public street shall be approved by the Town of Hermon's Road Commissioner or the State of Maine's Department of Transportation or both. Any expense involved with the provision of these entrances shall be borne by the permittee.
- 6.3.4 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 said traffic officers and bear any and all expenses involved.

6.4 SANITATION FACILITIES

- 6.4.1 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 twenty-four hours. The material from these containers shall be disposed of by removal from the gathering site and taken to a municipal dump.

6.4.2 Separate male and female toilet facilities shall be provided at the rate of one toilet facility for each forty 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.

6.4.3 All sanitary facilities shall be subject to inspection at all times by the Town of Hermon Plumbing Inspector.

6.5 MEDICAL FACILITIES

6.5.1 The first aid plan for facilities shall be approved by the Town of Hermon Fire Chief and shall be subject to inspection at all times by the Town of Hermon Fire Chief.

6.6 POLICE PROTECTION

6.6.1 Police protection shall reviewed for each individual application based upon the perceived need as determined by Town Manager or Municipal Officers.

6.7 FIRE PREVENTION FACILITIES

6.7.1 Fire prevention facilities shall be provided throughout the concourse gathering area. Equipment such as fire extinguishers, spades, brooms, sand, and water shall be provided.

6.7.2 The fire prevention facilities shall be approved by the Town of Hermon Fire Chief and shall be subject to inspection at all times by the Town of Hermon Fire Chief.

6.8 SETBACKS

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

§ 92.07 NOTICE OF REJECTION

7.1 The Town Manager/Municipal Officers shall act upon the application for a concourse gathering permit within thirty (30) calendar days after the filing thereof. The Town Manager 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. If the Town Manager or Municipal Officers disapproved the application, they shall mail to the applicant within fifteen (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.

§ 92.08 APPEAL PROCEDURE

- 8.1 Any person aggrieved by the denial of the Town Manager/Municipal Officers to issue a concourse gathering permit shall have the right to appeal the denial of the concourse gathering permit to the Town of Hermon Board of Appeals.
- 8.2 The appeal shall be taken within seven days after notice. Board of Appeals shall act upon the appeal at their next regularly scheduled meeting.

§ 92.09 NOTICE TO TOWN OFFICIALS AND OTHER OFFICIALS

- 9.1 Immediately upon issuance of a concourse gathering permit, the Town Manager shall send a copy thereof to the following:
 1. The Town Manager;
 2. The Town Attorney;
 3. The Fire Chief; and
 4. The Law Enforcement agencies.

§ 92.10 CONTENTS OF PERMIT

- 10.1 Each concourse gathering permit shall state the following information:
 1. Starting Date;
 2. Ending Date;
 3. Location; and
 4. Such other information as the Municipal Officers shall find necessary for the enforcement of this ordinance.

§ 92.11 DUTIES OF PERMITTEE

- 11.1 A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.
- 11.2 The concourse gathering chairman or other person heading such activity shall post the permit in a conspicuous place on the site of the concourse gathering.

§ 92.12 REVOCATION OF PERMIT

- 12.1 The Town Manager and/or Municipal Officers shall have the authority to revoke a concourse gathering permit issued hereunder upon application of the standards for issuance herein set forth.

§ 92.13 RELEASE OF CORPORATE SURETY BOND

- 13.1 Before a permittee may be released from any obligation required by the organization's issued 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.

§ 92.14 SEPARABILITY

- 14.1 The invalidity of any provision of this ordinance shall not invalidate any other part.

§ 92.15 EFFECTIVE DATE

- 15.1 This ordinance shall take effect and be in force thirty (30) days after passage by the Town Council.
- 15.2 The effective date of this (original) Ordinance is October 13, 1978. Amended March 1, 1991, September 6, 2000 and December 11, 2025.
- 15.3 This ordinance incorporates all amendments that have been approved.

§ 92.99 PENALTIES

- 99.1 Any person, firm, or corporation convicted of violating any of the provisions of this ordinance shall be fined an amount not less than fifty dollars (\$50.00) or an amount exceeding one thousand dollars (\$1,000.00) per day for each separate violation.