

MASS OUTDOOR GATHERINGS
ORDINANCE AND REGULATIONS

NORTH BERWICK, MAINE

MARCH 14, 1981

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SELECTMEN, NORTH BERWICK, MAINE

ATTEST:

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TOWN CLERK

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1. PURPOSE:

It is recognized that a mass outdoor gathering attended by 75 or more persons, which is to continued with such attendance for two or more hours creates a hazard to public health and safety. Accordingly, it is deemed necessary in the interest of public welfare to regulate the conduct of such gatherings in order to protect the public health and safety.

2. PERMIT REQUIRED:

A. Sponsoring, Promoting:

No person shall sponsor or promote a mass outdoor gathering of 75 or more persons for two or more hours until he has obtained a permit therefor from the Chief of the North Berwick Police Department, with the approval of the North Berwick Board of Selectmen.

B. Conducting:

No person shall conduct, or allow to be conducted on his or her property, a mass outdoor gathering for two or more hours when he is aware that the gathering may be attended by 75 or more persons, unless he has obtained a permit therefor from the Chief of the North Berwick Police Department, with the approval of the North Berwick Board of Selectmen.

3. PERMIT ISSUANCE:

The Chief of the North Berwick Police Department, with the approval of the North Berwick Board of Selectmen, shall grant a permit to sponsor, promote or conduct a mass outdoor gathering to be attended by 75 or more persons for two or more hours on written application therefor unless it appears to the Board that such a gathering may present a danger to the public health or to the public safety.

4. APPEAL:

An applicant who has been denied a permit shall be granted a prompt hearing for reconsideration of such denial if the applicant so requests, in writing, submitted to the North Berwick Board of Selectmen, within five days after notice of such denial. These regulations supercede any inconsistent municipal ordinances and regulations pertaining to mass gatherings.

5. PERMIT APPLICATION:

The applicant shall furnish to the Chief of Police a written application describing how he proposes to meet the provisions of these regulations. The application shall include the sources of guarantee for meeting said proposals.

6. PERMIT FEE:

The permit fee shall be twenty five dollars and must accompany the application therefor. Permit fees are refundable only in the event the Board does not issue the permit.

7. PENALTIES:

A. The promoter, conductor, operator, landowner, any performing group or any person violating any rule and regulation as set forth in this Ordinance shall be punished by a fine of not less than two hundred dollars nor more than five hundred dollars.

B. Any operator who conducts or attempts to conduct any gathering without duly issued permits; and any property owner who allows his or her property to be used for any gathering without duly issued permits therefor will be responsible to the Town of North Berwick for all expenses incurred by it in stopping, controlling, dispersing, maintaining, caring for, cleaning up after and repairing all damage incurred by said gathering.

8. EXCEPTIONS:

The fees specified in this ordinance shall be waived in regard to fairs, exhibitions, and similar events held by agricultural societies and associations, Boy Scouts or Girl Scouts of America activities, military activities, or to Public School organizations. They shall not apply to persons, associations, corporations, trust, or partnerships licensed under Title 8, Chapter 11, Chapter 13, and Chapter 19 of the Maine State Revised Statutes Annotated or who qualify as charitable organizations.

9. ACCESS:

A. Each mass gathering shall be provided with convenient and safe access for the ingress and egress of pedestrians and vehicular traffic.

- B. Access over public roadways: All public roadways shall be adequately staffed with traffic control personnel to insure safety to all the public.

10. SANITARY FACILITIES:

- A. Where water under pressure is not available, equivalent facilities shall be provided and installed in accordance with the requirements of the Department of Human Services.
- B. Required sanitary facilities shall be provided in the following numbers:
 - (1) Separate for males and females, set at the rate of two for the first 100 persons, and one for each additional 100 persons or fractional part thereof.
 - (2) Urinals-urinals (men's) and sanistands (women's) may be substituted for up to one-third of the required number of toilets, 24 in. of trough urinals in a men's room shall be considered the equivalent of one urinal or toilet.
 - (3) Required sanitary facilities shall be conveniently accessible and well identified.
 - (4) Each toilet shall have a continuous supply of toilet paper.
 - (5) Service building or rooms housing required plumbing fixtures shall be constructed of easily cleanable, nonabsorbent materials. The buildings, service rooms, and required plumbing fixtures located therein shall be maintained in good repair and in a clean and sanitary condition.
 - (6) Separate service buildings or rooms containing sanitary facilities, clearly marked, shall be provided for each sex, and each toilet room shall be provided with a door to insure privacy or the entrance shall be screened so that the interior in not visible from the outside.

(7) Water points or drinking fountains shall be conveniently accessible and well identified.

(8) Wastewater shall be discharged through approved drains to prevent contamination and a nuisance condition. Drinking fountains shall be of approved types and common drinking cups shall be prohibited.

11. EXCRETIA AND LIQUID WASTE DISPOSAL

A. Facilities shall be provided and properly maintained for the disposal or treatment and disposal of excretia and liquid waste.

B. Where a public sewer system is available, all plumbing systems and all building sewers shall be connected thereto. If a public sewer system is not available, a private sewerage disposal facility, approved by the Code Enforcement Officer shall be installed meeting the criteria of Article 10 above.

12. REFUSE DISPOSAL:

A. Storage, collection and transportation and disposal of refuse shall be so constructed as to prevent odor, insect, rodent and other nuisance conditions.

B. Refuse containers shall be readily accessible.

C. All refuse shall be collected from the assembly area at least twice each twelve hour period of the assembly, with a minimum of two such collections per gathering exceeding six hours, and disposed of at a lawful disposal site.

D. Grounds and immediate surrounding property shall be cleaned of refuse within 24 hours following the assembly.

13. SEVERABILITY AND EFFECTIVE DATE:

A. The invalidity of any provision of this ordinance shall not invalidate any other part thereof.

B. This ordinance shall take effect immediately upon adoption of the same by the Town of North Berwick.