

# 1st Amendment Town of Anson Mass Gathering Ordinance

## Section 2. Mass Gathering

### 2.5 Permit Procedure

D. Bond Requirement. Concurrently with the issuance of a permit, the operator shall furnish the Town a bond of surety from a company qualified to do business in this State in such amount as the Board of Selectmen shall reasonably determine, but in no event less than \$5,000. Cash or negotiable securities of equivalent value may be furnished in lieu of a bond. The bond or security shall guarantee compliance by the operator with the provisions of this Ordinance. In addition, the operator shall deposit with the town an amount of money equal to 120% of the estimated public costs of the contemplated mass outdoor gatherings. Public costs shall be those incurred by the Town in connection with the contemplated mass outdoor gatherings which relate to the mass outdoor gathering and which would not be incurred by the Town if such mass outdoor gatherings were not held. Promptly after the mass outdoor gathering, the public costs exceed the amount deposited, the operator shall pay the excess to the Town within ten (10) days after being so notified.

Amended to:

D. Bond Requirement. Concurrently with the issuance of a permit, *(if the mass gathering will be operating on public property)* the operator shall furnish the Town a bond of surety from a company qualified to do business in this State in such amount as the Board of Selectmen shall reasonably determine, but in no event less than \$5,000. Cash or negotiable securities of equivalent value may be furnished in lieu of a bond. The bond or security shall guarantee compliance by the operator with the provisions of this Ordinance. In addition, the operator shall deposit with the town an amount of money equal to 120% of the estimated public costs of the contemplated mass outdoor gatherings. Public costs shall be those incurred by the Town in connection with the contemplated mass outdoor gatherings which relate to the mass outdoor gathering and which would not be incurred by the Town if such mass outdoor gatherings were not held. Promptly after the mass outdoor gathering, the public costs exceed the amount deposited, the operator shall pay the excess to the Town within ten (10) days after being so notified.

## Section 2. Mass Gathering

### 2.6 Permit Application

#### (2) Grounds.

f.) That at least 10 square feet per person shall be provided on the site for daytime assemblage, and no overnight assemblage will be permitted.

e.) The operator of the mass gathering will contact Anson-Madison-Starks Ambulance Service and advise them that a mass gathering will be held and the approximate number of people attending.

f.) That the Director of the Anson-Madison-Starks Ambulance Service will determine the number of E.M.T. personnel and ambulances needed and times they shall be available.

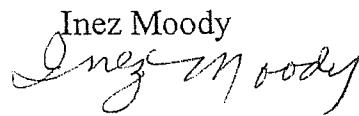
Amended to:

~~f.) That the Director of the Anson-Madison-Starks Ambulance Service will determine the number of E.M.T. personnel and ambulances needed and times they shall be available.~~

Selectmen of Anson

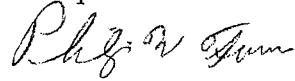


Arnold P. Luce



Inez Moody

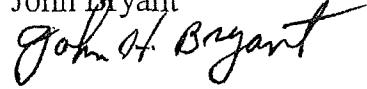
Philip Turner



Brenda Garland



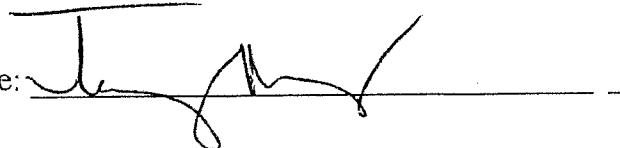
John Bryant



Attest: A true copy of 1<sup>st</sup> Amendment to Town of Anson Mass Gathering Ordinance" as certified to me by the municipal officers of Anson, Maine on

Date: 12-8-15

Signature:



Tammy Murray, Town Clerk - Town of Anson, Maine

## **TOWN OF ANSON** **Mass Gathering Ordinance**

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### **Section 1. General Provisions**

#### **1.1 Title**

This Ordinance shall be known and cited as the Town of Anson Mass Gathering Ordinance and will be referred to hereafter as "this Ordinance".

#### **1.2 Authority**

This ordinance is adopted pursuant to the enabling provisions of Article VIII, Part 2, Section 1 of the Maine Constitution and the provisions of Title 30-A M.R.S.A., § 3001 (Home Rule).

#### **1.3 Conflict with other Ordinance, Laws and Regulations.** Whenever a provision of this ordinance conflicts with or is inconsistent with another provision of this ordinance or any other ordinance, regulation, or statute from any jurisdiction, the more restrictive provision shall control.

#### **1.4 Validity and Severability**

Should any section or provision of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this ordinance.

#### **1.5 Amendment**

- A. An amendment to this ordinance may be initiated by:
  1. Request of the Board of Selectmen
  2. Written petition of a number of voters equal to at least 5% of the number of votes cast in the Town at the last gubernatorial election.
- B. The Board of Selectmen shall hold a public hearing on the proposed amendment. Notice of the hearing shall be posted in two (2) public places in the Town and shall be published at least once in a newspaper of general circulation in the area at least seven (7) days prior to the hearing.
- C. An amendment to this ordinance may be adopted by a majority vote of the Town Meeting.

- (6) **“Sanitary facilities”** means toilet, privies, lavatories, urinals, drinking fountains, and service buildings or rooms provided for installation and use of these units.
- (7) **“Nuisance”**. The following shall be defined as nuisances:
  - a) Any public nuisance known at common law or in equity jurisprudence;
  - b) An attractive nuisance known at common law or in equity jurisprudence; and
  - c) Any condition which violates federal, state or local health or environmental laws or regulations.

#### **2.3 Permit Required.**

No person shall sponsor, promote, sell tickets to, permit on his property, or otherwise conduct, a mass outdoor gathering which may, will, or is intended to attract a continued attendance at such gathering of ~~500~~<sup>100</sup> more persons for ~~six~~<sup>four</sup> or more hours until a permit therefor has been obtained from the Board of Selectmen of the Town.

#### **2.4 Issuance or Denial.**

- A. The Board of Selectmen shall issue a permit for a mass outdoor gathering unless it finds the standards in this ordinance are not met. When considering the issuance of a permit the Selectmen may seek advice from the State Police, Somerset Sheriff's Office, Fire Chief, Code Enforcement Officer, Health Officer, and such other officials or persons as it deems necessary.
- B. The Selectmen in denying a permit, shall find that one or more of the standards set forth in this ordinance have not been met.

#### **2.5 Permit Procedure.**

- A. Application submitted to Town Clerk. A Permit Application to hold a mass outdoor gathering shall be submitted to the Town Clerk at least forty-five (45) days prior to the first outdoor gathering contemplated. The Permit Application shall contain the information described in paragraph 2.6 and shall be accompanied by the permit fee as follows:

Permit fee: \$400.00

On submitting the application a non-refundable fee of \$100.00 is due.

pedestrians and vehicular traffic exists, and that all public roadways in the proximity of the mass outdoor gathering will be adequately staffed with traffic control personnel to insure safety to all the public.

(2) **Grounds.**

- a) That each mass gathering area will be well drained and so arranged to provide sufficient space for persons assembled, vehicles, sanitary facilities, and appurtenant equipment.
- b) That trees, underbrush, large rocks and other natural features will be left intact and undisturbed whenever possible, and that natural vegetative cover will be retained, protected and maintained so as to facilitate drainage, prevent erosion, and preserve the scientific attributes.
- c) That grounds will be maintained free from accumulations of refuse, and any health and safety hazards constituting a nuisance.
- d) That illumination will be provided at night to protect the safety of the persons at the assembly. The assembly area shall be adequately lighted, but shall not unreasonably reflect beyond the assembly area boundaries unless adjacent properties are uninhabited.
- e) That on-site parking space will be provided for persons arriving by vehicular means; that service roads and parking spaces will be located to permit convenient and safe movement of vehicular and pedestrian traffic and free passage of emergency vehicles; that width of the service road should not be less than the following: one traffic lane 12 feet; two traffic lanes 24 feet; parallel parking lanes 7 feet; that adequate parking space shall be provided; adequate parking is construed to mean at the rate of at least one parking space to every four persons and the density shall not exceed one hundred (100) passenger cars or thirty (30) buses per usable acre.
- f) That at least 10 square feet per person shall be provided on the site for daytime assemblage, and that no overnight assemblage will be permitted.

(3) **Water Supply.**

- a) That an adequate, safe supply of potable water, meeting requirements of the State Department of Human Services, Division of Health Engineering, will be provided and that common cups will not be used.
- b) That transported water will be obtained from an approved source,

of Health Engineering.

k) That disposal and/or treatment of any excretion or liquid waste will be in a manner consistent with the requirements of the State Department of Human Services, Division of Health Engineering.

(5) Refuse Disposal.

- a) That refuse will be collected, stored, and transported in such a manner as to protect against odor, infestation of insects and/or rodents and any other nuisance condition, or conditions which are inconsistent with the health, safety, and welfare of the patrons of the mass gathering or the public.
- b) That refuse containers shall be readily accessible and that one (1) fifty (50) gallon refuse container or its equivalent should be provided for each one hundred (100) persons anticipated or that one (1) sixteen (16) cubic yard trash container should be provided for every five thousand (5,000) persons anticipated.
- c) That the area where motor vehicles are parked should have one (1) fifty (50) gallon refuse container or its equivalent for every twenty-five (25) such motor vehicles or one (1) sixteen (16) cubic yard trash container for every two thousand (2,000) motor vehicles.
- d) That all refuse will be collected from the assembly area at least twice each twelve (12) hour period of assembly, with a minimum of two (2) such collections for gatherings exceeding six (6) hours, or more often if necessary, and disposed of at a lawful disposal site.
- e) That the grounds and immediate surrounding property will be cleared of refuse within twenty-four (24) hours following an assembly.
- f) Vermin Control. That insects, rodents, and other vermin shall be controlled by proper sanitary practices, extermination, or other safe and effective control methods, and where necessary, animal parasites and other disease-transmitting nuisances shall be controlled.

(6) Safety.

- a) That where an electrical system is installed, it will be installed and maintained in accordance with the provisions of the applicable State standards and regulations.
- b) That grounds, buildings, and related facilities will be maintained and used in a manner as to prevent fire and in accordance with the

the A-weighted response scale, fast response. The meter shall meet the American National Standards Institute (ANSI S 1 4 - 1961) American Standards Specification for General Purpose Sound Meters.

**2.7 Insurance**

The operator shall carry public liability insurance in at least the following amounts: \$300,000.00 Bodily Injury (per person); \$500,000.00 Bodily Injury (per occurrence); and \$100,000.00 property damages.

**2.8 Penalty**

Any person or party violating the provisions of Section 3 of this Ordinance shall be subject to a fine of one thousand dollars (\$1,000.00), plus costs, recoverable for the use and benefit of the Town of Anson.

Given under our hands this 11th day of February, 2003 at Anson, Maine

Selectmen of Anson

Arnold P. Luce  
Arnold P. Luce

Darrol Bartlett  
Darrol Bartlett

H. Ralph Withee  
H. Ralph Withee

Inez Moody  
Inez Moody

Warren Bown  
Warren Bown

Attest: A true copy of an ordinance entitled "Town of Anson Mass Gathering Ordinance" as certified to me by the municipal officers of Anson, Maine on the 11th day of February, 2003.

Signature: Robert S. Worthley  
Robert S. Worthley, Town Clerk of Anson, Maine

Adopted in open town meeting on March 8, 2003.

Robert S. Worthley  
Robert S. Worthley  
Town Clerk