

TOWN OF BERWICK

MASS GATHERING ORDINANCE

Section I: Statement of Purpose

The Town of Berwick is concerned about the adverse effect to the general health and safety of the community that may result from large crowds which attend outdoor events, including but not limited to, exhibitions, festivals, music concerts, and fairs. Large gatherings may lead to sanitation problems, resulting for inadequate waste disposal, insufficient drinking water and ill equipped first aid facilities. Such gatherings may also threaten the safety of the community through the obstruction of roads, violation of liquor and drug laws, and destruction of property. Therefore the following ordinance is hereby ordained for the purpose of protecting the general welfare, preventing disease, promoting health and providing for the public safety.

Section II: Requirements of a License for Large Outdoor Events

- A. No person or group may sponsor, promote, operate or hold a festival, exhibition, amusement show, fair, theatrical performance, music concert, parade or other activity which 175 or more people are reasonably expected to attend and in which a substantial portion of the entertainment or the people attending will be out of doors unless a license is first obtained from the Town of Berwick Board of Selectmen.
- B. The licensing procedure will be administered in the following manner.
 1. The person or group of persons seeking a license must file an application form with the Town Clerk of the Town of Berwick no less than 45 days before the proposed commencement of the outdoor event.
 2. The non-refundable fee for the license shall be \$100.00 and must accompany the application therefore.
 3. Before a license is issued the Board of Selectmen shall hold a Public Hearing in order to review the application and determine the conditions required to safeguard the public health, safety and welfare. The Code Enforcement Officer shall prepare and have ready for the publics review the findings after inspecting the site and review of the application. The license applicants have the right to attend and to represent their interests at such hearing. After assessing the possible effects that the proposed event may have on the public's health, safety, and welfare the Board of Selectmen may deny the permit or grant the permit, or grant the permit and impose such reasonable conditions on the issuance of a license which would safeguard the public interest, including requiring the applicant to:
 - a. Post a cooperate bond from a company authorized to do business in Maine, to ensure prompt cleaning of the grounds after the close of the outdoor event, and to ensure prompt payment for all damages by any attendee or employee to public or private property in the vicinity resulting from or in connection with the licensed event. The surety shall be to the benefit of the town and shall allow the town to draw funds if actions are not taken within (3) working days after the event.
 - b. Agree and hire security guards or police at the expense of the licensee. All security guards and/or police must be approved by the Chief of Police. The Chief

of Police shall also determine the number of security guards and or police to be hired.

- c. Agree and hire Firefighters or EMS personnel at the expense of the licensee. All Firefighter & EMS personnel must be approved by the Fire Chief who will determine the type and amount needed for the event. All associated costs for this personnel will be approved by the Fire Chief and paid for by the person or persons seeking the license
- d. Demonstrate, by means of a written descriptive plan, that adequate facilities will be provided at the site of the outdoor event, in order to protect the health of the people who attend, including:
 1. Adequate waste disposal facilities;
 2. Adequate fire fighting & EMS equipment and personnel;
 3. Adequate water supplies;
 4. Adequate first aid facilities; and
 5. Adequate communication facilities.
 6. Adequate security equipment & personnel
- e. Provide notice to the appropriate town official, as named by the Board of Selectmen. In addition all property owners within 500 feet must be notified of the event. This notification is the responsibility of the applicant who shall provide at the Public Hearing a list of the properties contacted.
- f. File proof of authority from landowners whose property will be used in holding the outdoor event.
- g. Demonstrate in a written descriptive plan that adequate parking space will be available. Permission from any property owner whose property will be used for parking must also be included.
- h. All tents and air supported structures shall comply with BOCA Building Code, as provided if adopted or established under existing code relative to Special Use and Occupancy Requirements.
- i. Time limits for the event may be established by the Board of Selectmen after Public Hearing and will be based upon the type of event held, recommendations received and discussions occurring at the Public Hearing.
- j. If required decibel readings for noise based on Article VII Performance Standards 7.6 Noise for Residential, Industrial /Commercial Districts as identified in the Berwick Land Use Ordinance, may occur.

Section III Exemptions

All outdoor events, festivals, music concerts, fairs and other large gatherings sponsored and under the direct supervision of the Town of Berwick, RSU #60 and independent Youth Organizations recognized by the Town of Berwick shall be exempt from the provisions of this ordinance. In addition exempt function will also include Funerals, Outdoor Weddings, Family Reunions All such activities conducted as an auxiliary use to normal operations of a licensed campground shall also be exempt.

Section IV Reminder

If vendors are to use used, contact needs to be made to the Berwick Town Clerks Office to obtain the necessary permits.