MASS GATHERINGS

Enacted April 5, 2008

The Town of Poland hereby adopts:

Section I Title: **Mass Gathering Ordinance**

Section II Purpose and Authority:

WHEREAS, the Inhabitants of the Town of Poland are concerned about serious public health and safety problems that may result when crowds assemble for any organized event. Such assemblies may lead to serious problems involving public health and safety;

WHEREAS, matters relating to waste disposal, potable water, first aid, obstruction and damage to road and highway, violation of alcohol and controlled substance laws, and destruction of both public and private property are of great concern;

THEREFORE, the following ordinance is hereby adopted in the interest of promoting the general welfare, public health, and providing for public safety.

Section III: License Required
No person, corporation, partnership, association or group of any kind shall sponsor, promote or conduct any pageant, amusement show, theatrical performance, or other mass outdoor gathering where there is expected, or will be in fact a total number of attendees in excess of three hundred (300) people for 6 or more hours without procuring a license therefore from the Poland Board of Selectmen (hereinafter the Board.).

Section IIIa: Exceptions to Licensure Owners of facilities specifically designed for entertaining, housing and physically caring for 200 or more guests or campers are exempt from this Ordinance. Municipally-promoted events are also exempted from licensure under this Ordinance.

Section IV: License Request Deadline
Any person seeking issuance of a mass gathering license must make application therefore to the Board no later than 21 days prior to the event.

Section V: License Fees
There shall be paid at the time of processing the application for an assembly license a fee of $50.00.

Section VI: Contents of Request
No license shall be granted by the Board unless the applicant satisfies the Board that proper facilities will be available for the proposed event in the area to be used and that adequate precautions have been taken to ensure the public health and safety of attendees and the general public.

Section VII: Standards for Issuance
The Board shall issue a license to the applicant in the event that the Board determines that the applicant has the ability to comply with and complies with the following standards, considering the size, duration and nature of the proposed event:

- Adequate supplies of potable water shall be available and reasonably spaced throughout the area.

- Adequate toilet facilities shall be available;

- Area to be used is adequately equipped with containers for disposal of solid waste and garbage and that provisions are made for the prompt removal and disposal of such wastes and garbage.

- Adequate first aid facilities shall be provided and staffed;

- Adequate parking facilities are available in the area in which the event is to be held;

- Determine that the event will not impair the safety and orderly flow of traffic on public ways; and

- That adequate police protection be provided;

- That adequate fire protection is provided.

- Make any additional determination reasonably necessary for the Board to find that the applicant shall continue to comply with the standards set forth above for issuance of the license as of the date of the event.

- The sound of the mass gathering should not carry unreasonably beyond the boundaries of the mass gathering area.

- The time of day when the event shall disburse fully shall not exceed 11:30 pm on Sunday through Thursday, nor 1:00 a.m. of the following day on a Friday or Saturday event.

Section VIII: Private Landowner Authority

In the event that private property is to be used in connection with such event, the applicant shall file with the Board adequate proof that the applicant has authority from any landowner upon which the event is to be held to use his or her property.

Section IX: Plan of Area

The applicant shall furnish a plan showing the size of the area to be used with designated locations for drinking water, toilet and washing facilities, waste containers, first aid facilities and available parking.

Section X Duties of Licensee

A. The licensee shall comply with all conditions of any license issued hereunder and with all applicable local, state and federal laws and ordinances.

B. The licensee, or its designee, shall make available to any Selectmen, Sheriff's Deputy, or to the Code Enforcement Officer**,** any license issued hereunder during the entire course of the event.

Section XI: Violation and Penalties

Any person or persons found guilty of violating this Ordinance or who fails to comply with any stated permit condition or restriction commits a violation of this ordinance. The Board may assess a penalty on a per-day basis. The minimum penalty for a specific violation is $500 per day, with a maximum penalty of $2,500. Any person found guilty of violating this Ordinance shall also be responsible for any legal fees incurred by the Town of Poland. A violation to each individual section above, or any individual condition of the permit, shall constitute a separate violation.

Section XII: Revocation

The Poland Code Enforcement Officer**,** after a hearing by the Board of Selectmen, shall have the authority to revoke any license issued hereunder in consequence of a violation of any conditions of the license or any noncompliance with the standards for issuance of a license.

Section XIII: Enforcement

The Poland Board of Selectmen, the Poland Code Enforcement Officer, or any duly sworn Law Enforcement Officer may enforce the provisions of this Ordinance.

Section XIV: Savings Clause

If any section or part thereof, sentence, clause or phrase of this Ordinance shall be held to be invalid, the remaining provisions thereof shall remain in full force and effect.