

# Organized Special Event Ordinance

Town of Dedham, Maine

Adopted June 17, 2006

Effective June 17, 2006

Amended February 4, 2021

## Section 1: Purpose

1. Crowds assembled for organized events may lead to serious public health and safety problems regarding waste disposal, potable water, first aid, obstruction of, and damage to, roads; violation of controlled substance laws, and destruction of public or private property.
2. This ordinance is adopted to promote the general welfare, public health, and providing for public safety of the community.

## Section 2: Authority

This ordinance is enacted pursuant to the Home Rule Authority granted to the Town in accordance with provisions of 30 MRSA §3001.

## Section 3: Definitions

1. Applicant: An individual person, partnership, firm, company, corporation, group, organization, owner, lessor, lessee, or their agents.
2. Event permit: A written permit issued by the Code Enforcement Officer (CEO) permitting the event and listing any requirements &/or restrictions.
3. Shall: required, mandatory.
4. Should: A preferred procedure, yet providing for the use of effective alternatives.
5. Person: An individual person, partnership, firm, company, corporation, group, organization, owner, lessor, lessee, or their agents.

## Section 4: Permits

- A. Activities requiring permits - no person shall exhibit, sponsor, hold, promote, or operate any pageant, amusement show, theatrical performance, or other organized public assemblage where attendance exceeds 50 people and/or available off-street parking without procuring a permit from the CEO.
  - a. Parties or other gatherings at private homes are not excluded from this requirement.
  - b. Activities sponsored by the Town of Dedham and public assemblies for purposes of town government are excluded from the permitting requirement of this ordinance.
  - c. Activities of the Dedham School or Holbrook Recreation Committee are excluded from the permitting requirement of this ordinance.
- B. Permit request deadline: any person seeking issuance of a special event permit must make a request to the CEO no later than thirty-one (31) days, and no more than one calendar year prior to the event. The Dedham CEO will provide a response within 30 days of the permit request.
- C. Fees – Permit fees will be set by the Board of Selectmen in accordance with Policy ADM-14.
- D. Contents of request & standards of issuance – no permit shall be granted unless the applicant satisfies the CEO and Fire Chief 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.

The application form will be available on the Town's website and must be submitted electronically. A final permit will be provided via email.

The CEO will issue a permit to the applicant for an event that the CEO determines complies with and that the applicant has the ability to comply with following standards, considering the size, duration, and nature of the proposed event:

- a. That adequate supplies of potable water shall be available and reasonably spaced throughout the area;
- b. That adequate toilet facilities shall be provided;
- c. That the area to be used is adequately equipped with containers for disposal of solid waste and garbage and that provisions are made for the removal and disposal of such waste and garbage;
- d. That adequate first aid facilities shall be provided;
- e. That adequate parking facilities are available in the area in which the event is to be held or reasonable alternatives exist for the delivery of participants;
- f. That the event will not impair the safe and orderly flow of traffic on public ways;
- g. Any additional requirements reasonably necessary for the CEO and Fire Chief to find that the applicant would be able to continue to comply with the standards set forth above as of the date of the event.

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

The CEO or Fire Chief may attach conditions to any permit issued that would be necessary for the applicant to comply with this ordinance, including, but not limited to, the applicant hiring security &/or traffic control for the event.

If the CEO issues a permit under this ordinance, the CEO will notify the Dedham Fire Chief and the Town Office electronically with a copy of the permit.

- E. Surety bond - If the CEO determines that a surety bond is necessary to assure the applicant's compliance with the conditions of the permit, the applicant may be required to furnish a surety bond acceptable to the municipal officers. This would ensure that the grounds are cleared of waste and that any damage to public or private property in the area in connection with the event is promptly corrected or compensated for.
- F. Private land owner authority – In the event that private property is to be used in connection with an organized special event, a non-owner applicant shall file with the CEO, proof that the applicant has written authorization from the landowner to use his property.
- G. Duties of the applicant:
  - a. The applicant shall comply with all conditions of any organized special event permit issued, and applicable local, state, and federal laws and ordinances.
  - b. The applicant or designated agent shall make any organized special event permit issued available to the CEO, Fire Chief, or any law enforcement officer during the event.

### Section 5: Revocation

The CEO shall have the authority to revoke any organized special event permit issued due to a violation of any conditions of the permit or noncompliance with the standards for issuance of a permit.

### Section 6: Fines/Penalties

Under 30-A M.R.S.A. §4452, the minimum penalty for undertaking a land use activity without the required permit is \$100, and the maximum penalty is \$2,500.00. Section XVIII of the Ordinance states that “a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.” The applicable State statute states that, “Each day that the violation continues constitutes a separate offense.” 30 M.R.S.A. §3758-A(3). This means that YOU WILL BE ASSESSED A SEPARATE \$100.00 - \$2,500.00 FINE FOR EACH DAY ON WHICH THE VIOLATION(S) HAS OCCURRED.

### Section 7: Severability

This ordinance is severable; if any phrase, clause, sentence, or provision is declared to be contrary to law, the validity of the remainder shall not be affected, unless the application of any remaining portion of the ordinance would result in action which would be inconsistent with the objectives of this ordinance.