

# TOWN of CAMBRIDGE MASS GATHERING ORDINANCE

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## ARTICLE I - TITLE, AUTHORITY AND PURPOSE

### A. TITLE

This Ordinance shall be known as and may be cited as the Mass Gathering Ordinance of the Town of Cambridge.

### B. AUTHORITY

This Ordinance is enacted pursuant to the Home Rule Authority granted to the Town of Cambridge in accordance with the provisions of 30-A M.R.S.A. Section 3001.

### C. ADMINISTRATION

- 1) *The Planning Board of the Town of Cambridge shall be the Review and Permitting Authority of this Mass Gathering Ordinance;*
- 2) *The Board of Selectmen shall be the Enforcement Authority for this Mass Gathering Ordinance.*

### D. STATEMENT OF PURPOSE

A mass gathering shall be deemed to mean any actual or anticipated assembly of more than 150 people occurring mostly outdoors, but also includes a temporary site and whose assembly at the mass gathering area continues or is reasonably expected to continue for more than eight (8) consecutive hours. See Mass Gathering definition in Article XIII for more details. The Town of Cambridge recognizes that unregulated mass gathering events pose a potential threat to the health, safety and welfare of the Cambridge community. The specific purposes of this Ordinance are as follows:

- 1) To ensure that large numbers of patrons, as defined by this Ordinance, do not overtax the municipal roadways leading to the location where the mass gathering event shall be held;
- 2) To allow the safe passage of emergency vehicles, to reduce the incidence of delays of private individuals using the public roadway system throughout Town, and to prevent the obstruction of entrances to private homes and businesses to allow access to private homes and businesses by the general public;
- 3) To ensure for the provision of adequate lodging, camping, parking, food, water, medical services, and sanitary facilities for those in attendance at any mass gathering event;
- 4) To prevent trespassing and damage to private properties near and around the mass gathering event;
- 5) To provide for sufficient security measures to cope with large crowds expected at such events and to prevent the violation of any breach of the peace, including but not limited to the illegal consumption of alcohol and drugs;
- 6) To maintain and secure the use and peaceful enjoyment of property owners and their private homes, and to regulate the unwanted creation of noise,

- dust, glare, odor, congestion or otherwise that negatively impacts said peaceful use of personal properties caused by unauthorized intrusions;
- 7) To eliminate the potential for hazards to the health, safety and welfare of both private citizens and patrons of the mass gathering event;
  - 8) To provide a balance between the right of assembly under the Constitution and the legitimate rights to privacy of residents of Cambridge; and
  - 9) To ensure that the Town is held harmless from any and all liability issues pertaining to financial and legal burdens based on the potential negative impact on municipal services, infrastructure and resources.

## **ARTICLE II - PERMITS REQUIRED**

- A. No person, corporation, partnership, association, or entity of any kind shall sponsor, promote, or conduct a Mass Gathering until all necessary permits have been obtained from the Town in accordance with this Ordinance, when applicable. The necessary permits are:
- (a) A permit from the Town of Cambridge, pursuant to this Ordinance.
  - (b) A permit from the Maine State Department of Human Services, pursuant to Title 22 M.R.S.A., Chapter 1601-1602 and regulations promulgated there under.
  - (c) A "B.Y.O.B." or other appropriate permit from the Maine State Bureau of Liquor Enforcement, pursuant to Title 28-A M.R.S.A., Chapter 163, is required if the Mass Gathering allows the consumption of alcoholic beverages on the premises.
  - (d) If applicable, a permit for a campground from the Maine Department of Human Services, pursuant to Title 22, M.R.S.A., Section 2491 to 2501, and regulations, promulgated there under.
  - (e) All other permits required by state law, rules promulgated under state law and other permits required by this Ordinance.

## **ARTICLE III - TOWN OF CAMBRIDGE PERMIT PROCESS**

### **A. Written Application**

An application for a permit to hold a Mass Gathering shall be filed with the Cambridge Planning Board not less than One Hundred and Twenty (120) days before the date of the proposed Mass Gathering. From the time of submission of the application the Cambridge Planning Board has ninety (90) days to deem the application complete and decide on it. The application shall be accompanied by a non-refundable check or money order made payable to the "Town of Cambridge", according to the following:

The applicant must pay a non-refundable one hundred fifty-dollar (\$150.00) fee. In addition to the non-refundable application fee, the applicant shall also pay such other costs as advertising, public hearings, land abutter notices, technical and

professional costs to review the application and time, and staff time, as deemed necessary by the Town of Cambridge. The Planning Board has the discretion to waive the application fee ONLY if the applicant is a non-profit organization for the Town of Cambridge.

For each event planned in a "multi-event" proposal, multiple applications may be filed with the Town at the same time, but each request shall require a separate application and a separate filing fee for each event planned.

#### B. Public Hearing

Within thirty (30) days of the filing of a complete application, the Planning Board shall hold a public hearing to consider the issuance of the permit. Upon receipt of the application, the Planning Board may also send a copy of the application to the Department of Human Services, the County Sherriff, and State Police and request their presence at the public hearing.

Based upon a list of abutters determined by the Town, the applicant shall notify all abutters in writing of the Public Hearing by certified mail, return receipt. Notice of the Public Hearing shall also be given by the applicant by posting the same in at least two public places in the Town of Cambridge and publishing the same at least once in a newspaper having general circulation in the Town of Cambridge, at least seven (7) days before the date of the Public Hearing and on the day of the Public Hearing. This notice of the Public Hearing shall contain the date, location, number of expected attendees, and a general description of the event, as well as the date and location of the Public Hearing. A copy of the notice shall also be mailed to or served upon the operator.

#### C. Issuance of Permit

Within fourteen (14) days of the conclusion of the public hearing the Planning Board will make a decision on the permit. This timeline can be extended by mutual agreement of the applicant and Planning Board. If the permit is granted, all assurances made, and obligations assumed by the operator shall become conditions of the permit. In issuing the permit, the Planning Board may impose such additional conditions as may be necessary to assure compliance with this Ordinance. If the permit is denied, the Planning Board shall issue written reasons for the denial within seven (7) days of the public hearing.

#### D. Plans; Cooperation

In its review of applications for permits for the holding or promoting of Mass Gatherings, the Planning Board shall require such plans, specifications, and reports as it shall deem necessary for a proper review. In its review of such applications, (Article V), as well as carrying out its other duties and functions in connection with such a gathering, the Planning Board may require such cooperation and assistance

as may be deemed necessary and proper from all public officers, departments and agencies of the Town of Cambridge.

The Planning Board shall work with the Department of Human Services, the Maine State Police, the Somerset County Sheriff's Office, the Bureau of Liquor Enforcement, the Regional Fire Warden, the Department of Transportation and any other local, state or federal officials to insure that Town concerns regarding fire protection, police protection, traffic control, and any other matters as may affect the security of the public health and safety are adequately addressed.

#### E. Variance

In any case in which strict compliance with the terms of this ordinance will cause the applicant to suffer undue hardship and the Planning Board have reasonably determined that waiving strict compliance with the terms of this ordinance will not compromise its enforcement or the accomplishment of its purposes, they shall issue a variance specifying in writing its terms and the reasons why it has been granted.

#### F. Permit Denied: Appeal

An applicant who has been aggrieved by the Town of Cambridge's decision to deny a permit under this Ordinance may appeal to the Town of Cambridge Board of Appeals. The appeal must be filed with the Board of Appeals no later than thirty (30) days from receipt of the written reasons for the denial of the permit.

### **ARTICLE IV - PERMIT APPLICATION**

#### **A. PERFORMANCE STANDARDS**

##### I. Contents of Application

The permit application submitted pursuant to Section **401, Article IV**, shall be on the application form prescribed by the Planning Board and shall include no less than all of the information required under 501-B to be considered a completed application.

##### a. Description

The application shall include a description of the proposed event. A statement of the number of persons expected to attend the event together with the maximum number of tickets that will be made available, if tickets are issued. **PERSONS NOT HOLDING VALID TICKETS FOR AN EVENT FOR WHICH TICKETS HAVE BEEN ISSUED SHALL NOT BE PERMITTED TO ATTEND.**

The application shall also provide site map(s) of the area, at a scale of no more than one hundred (100) feet to the inch, showing the following:

- 1) The location and number of all proposed toilets.
- 2) The location and number of all lavatory and bathing facilities.

- 3) The location and number of water supply sources.
- 4) The location and size of the assemblage area(s).
- 5) The location of the food service area(s).
- 6) The location and size of the camping areas, and number of campsites.
- 7) The onsite ingress and egress of pedestrian and vehicular traffic. (See Section 50 I-C)
- 8) The offsite ingress and egress roads. (This map may be a Maine Gazetteer or USGS Topographic Map)
- 9) The location of refuse disposal facilities and collection facilities.
- 10) The location and size of the parking areas, including the number of parking spaces.
- 11) The location of all traffic control personnel.
- 12) The location of the first aid facilities.

All facilities required by this Ordinance shall comply with the regulations promulgated by the DHS pertaining to Mass Gatherings. When offsite facilities are to be utilized in order to meet the requirements of this Ordinance, there shall be a notarized affidavit from the property owners who are providing the facilities that is submitted along with the application indicating that they have read the application and understand the scope and nature of the Mass Gathering. The affidavit shall also state that permission is given to use such property.

b. Access

Written documentation shall be provided showing that provisions for access for the ingress and egress of pedestrians and vehicular traffic shall be maintained, and that all public roadways in the proximity of the Mass Gathering will be adequately staffed with trained traffic control personnel to insure public safety for the duration of the Mass Gathering.

A detailed plan for controlling traffic shall be submitted, in writing, which shall include:

- 1) A description of the routes which persons attending the event are likely to take.
- 2) The number, and assigned location of persons who will be present to direct traffic at the site both before and after the event. **UNDER NO CIRCUMSTANCES, SHALL PRIVATE CITIZENS BE ASSIGNED THE DUTY OF DIRECTING TRAFFIC ON PUBLIC ROADS. Proof that an individual is trained to direct traffic shall be provided.**
- 3) A written description of what means will be available to remove disabled vehicles from locations where their presence will obstruct the free flow of traffic, including a written statement by any private towing agencies that their towing services will be available.
- 4) A written description of parking shall be provided, specifying the location of all roads and parking lots.
  - a. Width of service roads shall be at least twelve (12) feet for one traffic lane, twenty-four (24) feet for two traffic lanes, and seven (7) feet for parallel parking lanes.



- b. There shall be at least one (1) parking space for every four (4) persons and the density shall not exceed one hundred (100) passenger cars or thirty (30) buses per usable acre.
- c. Parking shall comply with Federal regulations regarding the Americans with Disabilities Act (28 CFR Part 36 Revised July 1994 Section 4.1.2(5)(a)(b)).

c. Medical

The applicant shall demonstrate, in writing how emergency medical services will be provided, and further demonstrate coordination with the manager of the ambulance facility serving the Town of Cambridge. All necessary personnel shall be licensed by the State of Maine, as either Physician Assistant, Registered Nurse, or Emergency Medical Technician and/or Paramedic. A First Aid building, tent, or ambulance, duly licensed by the State of Maine, shall be available on site during the entire time of the Mass Gathering. Telephone and radio communications shall be provided and kept available for emergency purposes. The operator of the Mass Gathering shall contact area hospital(s), advising them that a Mass Gathering shall be held, and inform them of the expected attendance of the event. A written acknowledgement from the area hospital(s) shall be submitted as part of the application.

d. Law Enforcement

Evidence shall be provided, in writing, that a sufficient number of certified security personnel, licensed pursuant to 32 M.R.S.A. Sections 9401 through 9417, shall be on duty near and within the assembly site area and that the Town authorized officials have approved the same. A MINIMUM OF AT LEAST TWO (2) MAINE CRIMINAL JUSTICE ACADEMY CERTIFIED LAW ENFORCEMENT OFFICERS, (NOT INCLUDING PERSONS CONCERNED SOLELY WITH TRAFFIC CONTROL) SHALL BE ON SITE FOR EACH ONE HUNDRED AND FIFTY (150) PERSONS IN ATTENDANCE.

***Should, for any reason, the Maine Criminal Justice Academy personnel be unavailable and/or cannot be assigned by the appropriate enforcement agency, the Planning Board shall consider the assignment of two (2) bonded security personnel to fulfill this requirement.***

If deemed necessary in the interest of public safety, the Planning Board shall have the authority to require that additional law enforcement and/or security personnel be at the Mass Gathering and shall require the permittee to allow reasonable inspections by law enforcement personnel to perform compliance checks.

Because the Town of Cambridge does not have its own police force, the applicant shall obtain the certificate of the Somerset County Sheriff or their designee as to the arrangements that have been made for the presence of sheriff's deputies during the mass gathering. The certificate of the sheriff must state that enough deputies will be present in their judgement. The applicant shall bear the total financial burden hereunder.

e. Fire Protection

Written documentation shall be provided that the Cambridge Fire Chief has accepted the Mass Gathering plans as meeting fire protection concerns. If, in the Fire Chief's judgment, the conditions that exist at the Mass Gathering area constitute an unsafe environment, they shall recommend that the Planning Board deny the issuance of a Mass Gathering permit. If the Fire Chief should so determine, fire prevention equipment shall be present at the site of the Mass Gathering.

In addition, written documentation shall be provided that the Regional Forest Ranger has inspected the site and assessed the forest fire hazard. IF CONDITIONS WARRANT, THE REGIONAL FOREST RANGER SHALL HAVE THE AUTHORITY TO IMPOSE A BAN ON ANY AND ALL FIRES DURING THE MASS GATHERING.

The Mass Gathering electrical system or electrical equipment shall comply with applicable State of Maine Standards and Regulations pursuant to 32 M.R.S.A., Section 17.

f. Water Supply

Written documentation shall be provided from the operator concerning the source(s) of potable water. Where water is distributed under pressure and flush toilets are used, the water system shall deliver water at normal operating pressure (20 lbs. per square inch minimum to all fixtures at the rate of at least 30 gallons per person per day).

Where water under pressure is not available, and non-water toilets are used, at least three (3) gallons of water per person per day shall be provided for drinking and lavatory purposes.

Transported water shall be obtained from an approved source and stored and dispensed in an approved manner. Approval as used in this paragraph means in compliance with standards adopted by the Division of Human Services, Division of Health Engineering.

g. Sanitary Facilities

- 1) A signed contract shall be submitted by the vendor demonstrating that the toilets shall be provided at the rate of one (1) for each twenty five (25) persons attending the Mass Gathering event and will be kept in a sanitary condition.
- 2) Sanitary facilities shall be conveniently accessible, well identified and well maintained.
- 3) Water points or drinking fountains shall be provided at a rate of one (1) per one hundred (100) persons and shall be conveniently accessible, well identified and well maintained.



- 4) Sanitary facilities shall comply with the Federal Regulations regarding the Americans With Disabilities Act (28 CFR Part 36 Revised July 1994 Section 4.1.2(6)).

#### h. Refuse Disposal

The applicant shall provide, in writing, a description of the number, type, and location of refuse facilities including a statement as to when and how the accumulated refuse will be picked up, by whom, and to what facilities it will be taken.

The operator shall provide written proof that refuse containers will be readily accessible throughout the Mass Gathering area, and that at least one (1) fifty-gallon refuse container or equivalent shall be provided for each twenty-five (25) persons expected to attend the Mass Gathering. **THE OPERATOR SHALL BE RESPONSIBLE FOR ALL FEES ASSOCIATED WITH THE CLEANUP AND DISPOSAL OF REFUSE RESULTING FROM THE MASS GATHERING.**

- 1) All refuse shall be collected from the Mass Gathering area at least once every day of the Mass Gathering and disposed of in an approved area.
- 2) The Mass Gathering area and immediate surrounding properties shall be cleaned of refuse within twenty-four (24) hours following the Mass Gathering.

Areas where cars and Recreational Vehicles (RVs) or buses are parked shall have rubbish disposal facilities at the rate of one (1) for every twenty-five (25) cars, RVs or buses.

#### i. Containment

The operator of the Mass Gathering shall have the means to discourage the presence of persons not holding tickets from trespassing on private property in the vicinity of the event. In conformance with the State Department of Human Services requirements, the operator shall provide provision for preventing people in excess of the maximum permitted number from gaining access to the Mass Gathering area. These provisions shall include the following:

- 1) A written statement that persons not holding valid tickets shall not be permitted to remain on property under the operator's control in the vicinity of the event.
- 2) Written authorization to police to arrest persons not holding valid tickets who are trespassing on property owned or under the control of the operator in the vicinity of the event. Upon issuance of the permit, the operator authorizes police officers to enter upon any property under the operator's control in order to enforce compliance of all laws.
- 3) A written description of the means that shall be used to publicize the fact that the event has been sold out or is cancelled. If this occurs, and that persons not holding tickets are trespassing on private property near the scene of the event shall be subject to arrest.

#### j. Promotion

A detailed description, in writing, shall be provided of the methods being used to publicize the event.

k. Compliance Check

The operator of any Mass Gathering with an expected attendance of more than one hundred and fifty (150) persons shall have all facilities in place and subject to inspection by the Planning Board or their designated inspection committee a minimum of twenty-four (24) hours prior to the scheduled commencement of the event.

l. Lighting

- 1) The assembly area should be adequately lighted but not unreasonably reflect beyond the assembly area boundaries unless adjacent properties are uninhabited.
- 2) Light level intensities should be at least five-foot candles.
- 3) There should be at least twenty (20) square feet per person at the site for daytime assemblage and at least forty (40) square feet per person for overnight assemblage.
- 4) A written detailed description of location and light level intensities shall be provided.
- 5)

m. Noise

The maximum permissible sound pressure level of any continuous, regular or frequent, or intermittent source of sound produced by any activity for the purposes of this Ordinance shall be as follows:

9:00 AM to Midnight	70dB(a)
12:01 AM to 6:00 AM	30dB(a)
6:00AM to 9:00AM	45 dB(a)

Sound pressure level limits using the sound equivalent level of one minute (leq) (measured in dB(a) scale). Noise shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the American National Standards Institute (ANSI S1 4-1964) American Standards Specification for General Purpose Sound Level Meters. Sound pressure level measurements shall not exceed the above limits when measured at the property of an abutter to the mass outdoor gathering as defined in section 201, or another effected property owner not an abutter. THE OPERATOR SHALL BE RESPONSIBLE FOR ALL FEES ASSOCIATED WITH THE MONITORING EQUIPMENT.

**B. - REVIEW STANDARDS**

a. Board's Determination

In determining whether to grant or deny the permit, the Planning Board shall consider all of the criteria included in but not limited to sections

- 1) An adequate and satisfactory water supply and facilities.
- 2) Adequate refuse storage and disposal facilities.
- 3) Adequate sleeping areas and facilities.
- 4) Adequate medical supplies and care.
- 5) Adequate fire protection.
- 6) Adequate police protection.
- 7) Adequate traffic control.
- 8) Adequate liability insurance.
- 9) Adequate protection for adjacent protected natural resources..
- 10) Any additional matters as may affect the security of the public health or safety.
- 11) Adequate protection for abutting property, including but not limited to temporary fencing to be used as a buffer. The cost of which would be covered by the operator.

b. Medical

The numbers and schedules of Emergency Medical Technician personnel and ambulance needed will be determined by the manager of the ambulance facility serving the Town of Cambridge.

c. State and Local Requirements

The operator of the Mass Gathering must comply with all laws and regulations of the State of Maine and the Town of Cambridge, which pertain to the event in question as stipulated in this Ordinance, Article III. Copies of all such licenses and permits shall be filed at the time of submittal of the completed application. The Planning Board shall have the authority to issue requirements more stringent than the requirements of Title 22 M.R.S.A., Chapter 265.

**ARTICLE V - LIABILITY INSURANCE AND PUBLIC COSTS**

A. Liability Insurance

At the time of submittal of the completed application, the operator shall furnish to the Planning Board a written certificate of insurance issued by a licensed insurance company of the State of Maine with the Town of Cambridge as co-insured, providing liability coverage in the amount of at least four hundred thousand dollars (\$400,000.00) with respect to the injury or death of one or more persons in connection with the Mass Gathering. Such insurance policy shall also provide coverage for property damage in the amount no less than a minimum amount of two hundred fifty thousand dollars (\$250,000.00). The insurance policy in question shall contain a provision requiring that at least ten (10) days notice be given to the Town of Cambridge prior to cancellation. If such cancellation occurs prior to the event, the permit issued by the Planning Board is void.

B. Security Bond for Town Costs

Prior to receiving a valid permit from the Planning Board, the applicant shall file with the Planning Board a surety bond issued by a company licensed by the State of Maine in an amount equal to \$50,000 at least fourteen (14) days prior to the mass gathering event. Cash or negotiable securities acceptable to the Town Treasurer may be pledged to satisfy the provisions of this Section. The bond shall be used to satisfy any valid claims for damage to real or personal property caused by the permittee, thier agents and/or employees or by persons attending the event and to reimburse expenses incurred in cleaning up or otherwise incurred as a direct result of the mass gathering for which the permit was issued. The permittee shall make an irrevocable designation of an agent within the State of Maine to receive notices in connection filing of claims against the security bond or to receive notices of permit issuance or revocation. Any person, including the Town, having such a claim shall file notice of a claim upon the bond with the applicant or their agent within ninety (90) days after the claim arose.

#### C. Deposit for Town Costs

The operator of the Mass Gathering shall provide a cash deposit to the Town, which amount shall be determined by the Planning Board, but in no event shall be less than two thousand dollars (\$2,000.00). A permit shall not be issued until receipt of said deposit.

#### D. Liability for Town Costs

Town costs shall be those incurred by the Town in connection with the Mass Gathering which relates to any adverse consequences due to the Mass Gathering, and which would not have been incurred by the Town if such Mass Gathering were not held. Such costs shall include but not be restricted to: road signs, damage to Town roads or ditches, or any other adverse consequences to any public facilities or works.

Town costs shall also include the cost of hiring police personnel (including the County Sheriff) and equipment to oversee the Town's interests in ensuring the public safety and enforcing the conditions of this Ordinance. Within thirty (30) days after the Mass Gathering, the Town costs shall be calculated, and the deposit shall be refunded to the operator to the extent it exceeds the actual Town costs. If the actual Town costs exceed the amount deposited, the operator shall pay the excess to the Town within ten (10) days after being so notified.

#### E. Indemnification

Prior to receiving a valid permit from the Planning Board and, in any event, no later than forty-five (45) days prior to the scheduled date of the Mass Gathering, the operator shall furnish to the Planning Board a notarized statemen that the operator agrees to defend, indemnify and hold harmless the Town, its agents, officers, and

employees for any and all losses, liabilities, or expenses (including attorney's fees) arising as a result of the Mass Gathering.

## **ARTICLE VI - INSPECTION**

### **A. Inspection**

The Planning Board shall appoint an inspection committee that shall consist of the following: One member from the Board of Selectmen, one member from the Planning Board, the Code Enforcement Officer /Health Officer, and one citizen at large, who shall have the right to enter upon the Mass Gathering Area at least twenty-four (24) hours prior to the scheduled event for the purpose of ascertaining that all facilities (water, toilet, parking spots, signs, etc.) are in place and that all conditions of the Mass Gathering Permit have been met.

The Planning Board shall convene a meeting upon completion of the inspection for the purpose of determining if the Mass Gathering is in compliance with all conditions of the Mass Gathering Ordinance.

## **ARTICLE VII - REVOCATION OF PERMIT**

The Planning Board shall revoke the permit at any time prior to the date of the scheduled event if the operator has failed to comply with any of the commitments made in the application, or the requirements of this Ordinance, or if the operator has failed to secure any other license or permit required by the Town of Cambridge or any government agency in order to hold the Mass Gathering on the proposed site.

Except in cases of an emergency, the Planning Board shall revoke a permit only after giving notice to the operator of the reasons for the proposed revocation and providing an opportunity to be heard with respect thereto. Written notice of the reasons for the revocation shall be delivered to the operator or their agent, personally or by expedited mail service.

## **ARTICLE VIII - LIMITATIONS ON FREQUENCY OF EVENTS**

No more than one (1) permit under this ordinance shall be issued to any single operator or group, within any thirty (30) day period, for an event for which more than one hundred and fifty (150) persons are reasonably expected to attend.

## **ARTICLE IX - PENALTIES**

Any person who violates any provision of this Ordinance or any condition of a permit issued pursuant to this Ordinance shall be subject to the enforcement provisions

of Title 30-A, Section 4452 including, but not limited to, injunctive relief, civil penalties, attorney's fees and costs. The Planning Board or its designated agent shall enforce this Ordinance.

## **ARTICLE X - WAIVERS**

The Planning Board does not have the authority to waive any of the provisions of this Ordinance. A party denied a permit and upon a timely appeal to the Board of Appeals may seek a waiver of a provision or provisions of this Ordinance as provided by state law and local ordinances.

## **ARTICLE XI - SEVERABILITY**

Each part of this Ordinance is severable and, if any phrase, clause, sentence, or provision is declared to be contrary to law, the validity of the remainder shall not be affected thereby unless the application of any remaining portion of the Ordinance would result in action being taken which is inconsistent with the objective of this Ordinance.

## **ARTICLE XII - AMENDMENTS**

This Ordinance may be amended by a majority vote at the Town Meeting. Amendments may be initiated by a majority vote of the Planning Board or by request of the Board of Selectmen to the Planning Board or on petition of ten percent (10%) of the votes cast in the last gubernatorial election of the Town. The Planning Board shall conduct a Public Hearing on any proposed amendment.

## **ARTICLE XIII - DEFINITIONS**

Terms used in this Ordinance are defined as follows:  
Any term not defined shall have its common, ordinary meaning.

**Abutter-** means any person whose property adjoins or is directly across the street or stream from the land that will be directly affected by the proposal under consideration.

**Board of Selectmen-** means the duly elected Board of Selectmen of the Town of Cambridge. The Board of Selectmen shall be the enforcement authority under this Ordinance.

**DHS-** means the State of Maine Department of Human Services.

**Evidence-** when used in this Ordinance shall mean written documentation.



Mass Gathering Area- means a place, public or private, maintained, operated or used for or in connection with a mass gathering.

In this Ordinance, "Mass gathering area" also includes all camping areas used primarily or exclusively in connection with the mass gathering and those camping areas need not be contiguous.

Mass Outdoor Gathering- means an actual or anticipated assembly of more than 150 people occurring at a temporary site and whose assembly at the mass gathering area continues or is reasonably expected to continue for more than eight consecutive hours. To determine whether a mass outdoor gathering extends for more than eight consecutive hours, the 8-hour period begins when people are first permitted at the mass gathering area and ends when people in attendance are expected to depart. A mass outdoor gathering includes all congregations and assemblies organized or held for any purpose, but do not include assemblies at permanent sites designed or intended for use by a large number of people already approved through the Town of Cambridge. Mass gathering areas also includes all camping areas used primarily or exclusively in the connection with the mass gathering and those camping areas need not be contiguous with the event site.

M.R.S.A.- means the Maine Revised Statutes Annotated.

Nuisance: The following shall be defined as nuisances:

- (a) Any public nuisance known at common law or in equity jurisprudence.
- (b) Any attractive nuisance known at common law or in equity jurisprudence.
- (c) Any condition that violates federal, state or local health or environmental laws or regulations.

Operator- means a person who holds, stages, sponsors or promotes a mass gathering. The operator also means the person responsible for the managing of the mass gathering area and, if no person is responsible, the operator means the owner, lessee or possessor of the real property upon which the mass gathering takes place.

Permanent Site- means a church, stadium, an arena, an auditorium, a coliseum, a fairground or other established sites for assemblies with sufficient permanent water and sanitary facilities as described in *Section 501-G (Water Supply) and Section 501-H (Sanitary Facilities) of Article V.*

Planning Board- means the duly elected Planning Board of the Town of Cambridge. The Planning Board shall be the Review and Permitting Authority under this Ordinance.

Refuse- means all combustible or non-combustible putrescible or non-putrescible solid or liquid waste.

Sanitary Facilities- means toilets, vault privies, lavatories, urinals, drinking fountains, and service buildings or rooms provided for installation and use of these units.

Temporary Site- means a site erected or located for temporary or nonpermanent use.

Ticket- means any receipt, stamp, or token of eligibility to attend the Mass Gathering whether or not a piece of paper or other physical evidence of payment is issued to the patron.

Town- means the Town of Cambridge, Maine.

Variance- is the relaxation of the strict requirements of this Ordinance.

#### **ARTICLE XIV - EFFECTIVE DATE**

This Ordinance shall take effect immediately upon adoption of the same by the Town of Cambridge, dated \_\_\_\_\_, 20\_\_

#### **ARTICLE XV - ENACTMENT**

ENACTED AND ORDAINED into an Ordinance on \_\_\_\_\_, by the Legislative body of the Town of Cambridge in lawful session duly assembled.

Selectmen of Town of Cambridge Certified:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_