

TOWN OF BRIDGTON
MASS GATHERING ORDINANCE



Enacted June 11, 2024 (repealing and replacing the *Town of Bridgton Outdoor Festival Ordinance*, enacted in 1971,
revised 6/9/93, 6/11/19)

**TOWN OF BRIDGTON
MASS GATHERING ORDINANCE**

I. AUTHORITY AND PURPOSE

This Town of Bridgton Mass Gathering Ordinance (“Ordinance”) is adopted pursuant to Article VIII, Part Second of the Maine Constitution, 30-A M.R.S. § 3001 *et seq.*, and 22 M.R.S.A. § 1602. The Town of Bridgton (“Town”) finds that mass outdoor gatherings frequently create a hazard to the public health, safety, and welfare. Accordingly, the Town deems it appropriate and in the interest of the public welfare to regulate the conduct of such gatherings, including, but not limited to, traffic congestion, crowd control, health and sanitation, compliance with alcohol and drug laws, and protection of public and private property.

II. DEFINITIONS

As used in this Ordinance, the following terms have the meanings indicated:

- A. **Assembly Area** — The premises on which a mass gathering is held.
- B. **Mass Gathering** — Any outdoor event or gathering (including, but not limited to, a pageant, amusement show, exhibition, festival, theatrical performance, musical performance, road race, athletic event, wedding, or other special event) that attracts, or is intended to attract, 500 or more persons at any time in an assembly area that is not otherwise operating under site plan approval pursuant to the *Bridgton Land Use Code*.
- C. **Mobile Temporary Vendor** — A person who sells or offers for sale food, beverages, or merchandise from a mobile vehicle, mobile structure, or from their person.
- D. **Performance Guarantee** — An irrevocable letter of credit from a banking institution authorized to do business in Maine, cash escrow, or other financial guarantee acceptable to the Town Manager as to amount, and in a form approved by the Town Attorney as to form, sufficiency, manner of execution, and surety.
- E. **Person** — Any individual, firm, partnership, corporation, company, association, club, joint venture, estate, trust, governmental agency, municipality, other legal entity, or any group or combination acting as a unit and the individuals constituting such group or unit.
- F. **Public Costs** — Those costs incurred by the Town in connection with a mass gathering which would not be incurred by the Town if the mass gathering were not held.
- G. **Select Board** — The municipal officers of the Town of Bridgton.

III. LICENSE REQUIRED

- A. Except as provided in Section III.B, no person may sponsor, promote, operate, or hold any mass gathering without first procuring a mass gathering license from the Select Board in accordance with this Ordinance. Each mass gathering requires a separate license.
- B. The following mass gatherings are exempt from the licensing requirements of this Ordinance:
 - 1. Mass gatherings that are sponsored or operated by the Town and authorized by the Select Board.
 - 2. Mass gatherings involving a student population and staff that are held on school property and authorized by the school board, or its designee, of Regional School Unit No. 61 or its successor public school.

3. Mass gatherings involving a student population and staff that are held on school property and authorized by a board of trustees, or its designee, of a private school accredited by the New England Association of Schools and Colleges or its successor organization.

IV. LICENSING AUTHORITY

The Select Board shall have the authority to approve, approve with conditions, or deny all mass gathering applications.

V. REVIEW PROCEDURES

A. Review Procedures.

1. Application. A person seeking a mass gathering license (“applicant”) must file a complete application in accordance with Section V.B with the Town Clerk not less than 60 days before the proposed mass gathering. The application must be accompanied by an application fee as set forth in the *Town of Bridgton Fee Schedule*.
2. Notice. The applicant must give notice of the application to the owners of property located within 100 feet of the lot boundaries of the assembly area and to the Town Clerk; provided, however, that notice of a mass gathering that occupies more than one assembly area or public property, such as a road race, may be given by publication in a newspaper of general circulation within the Town. The notice must contain a description of the mass gathering, including the location, dates, and times of the mass gathering and the anticipated number of attendees. Notice must be given not less than 60 days before the proposed mass gathering.
3. Review. Within five business days of receipt of a complete application, the Town Clerk shall forward the application to the Select Board. If the Select Board finds the application incomplete, the Select Board may direct the applicant to submit any omitted or incomplete information or may return the application as incomplete and conclude its review. If the application is found complete for review, the Select Board must determine whether the application complies with the license standards in Section VI. At any time during the review of an application, the Select Board may (i) accept, in its discretion, supplemental information or proposed modifications to the application which the applicant requests to submit; or (ii) require additional information from the applicant.
4. Decision. The Select Board must issue a license approving or approving with conditions the mass gathering or a written decision denying the application.
5. Burden of Proof. The applicant has the burden of proving, by demonstrable evidence, that a proposal complies with the requirements of this Ordinance.

B. Submission Requirements. The application must include the following information:

1. The name, address, and telephone number of the applicant and the property owner, if different from the applicant.
2. Proof of adequate technical and financial capacity to carry out the proposed mass gathering in conformance with this Ordinance.
3. Proof that the applicant holds right, title, or interest in the assembly area or, if the applicant is not the property owner, a letter of authorization or written permission

from the property owner allowing use of the assembly area for the intended purpose.

4. Copies of the notices required by this Ordinance.
5. A plan drawn to scale showing, at minimum:
 - (a) The size and location of the assembly area.
 - (b) Names and locations of all public and private roadways, rights-of-way, and easements on or adjacent to the assembly area.
 - (c) Names of abutting property owners.
 - (d) The size and location of all existing structures and other man-made features of the assembly area.
 - (e) The size and locations of any proposed temporary structures, equipment, and facilities, including: toilet and sanitation facilities, water supply sources, trash disposal and collection facilities, lighting sources, areas of assembly, stages, vendor booths, exhibition halls, demonstration areas, show rings, vehicular and bicycle parking areas, camping areas, food service or food truck areas, communication equipment, and areas of ingress and egress for pedestrian and vehicular traffic (including vendor, contractor, and employee traffic).
 - (f) All watercourses, wetlands, water bodies, wooded areas, and sensitive natural resources on the affected property.
 - (g) Any areas proposed to be cleared of vegetation.
6. A written statement containing an explanation of the applicant's plan for ensuring that each of the licensing standards in Section VI are met, and demonstrating that adequate services and facilities will be provided to protect the health and safety of attendees and the general public.
7. A contract with a refuse collection company or other reasonable plan for trash disposal.
8. Copies of any state permits required by 22 M.R.S. § 1601 and proof of state licensing for any vendors that are proposed to operate in the assembly area during the mass gathering.

VI. LICENSE STANDARDS

In determining whether to issue a license or deny a mass gathering application, the Select Board must evaluate whether the applicant has demonstrated that the proposal complies with the following license standards.

- A. Site Arrangement. The mass gathering site must be arranged to ensure that all areas are well drained; to prevent unreasonable soil erosion; and to provide convenient and safe space for persons assembled, vehicles, equipment, facilities, and appurtenances.
- B. Convenient and Safe Access. The proposal must provide for convenient and safe access for ingress and egress of emergency vehicles and for ingress and egress of pedestrian, bicycle, and vehicular traffic, including by adequate traffic control. Traffic safety must be maintained on public or private roads serving the mass gathering. The proposal must:

1. Identify routes that persons are likely to take;
 2. Describe methods to be used to publicize alternative routes;
 3. Describe methods to be used to remove disabled vehicles from locations if such vehicles would prevent the free flow of traffic;
 4. Specify number and locations of personnel who will be present to direct traffic at the assembly area before, during, and after the mass gathering; and
 5. Provide a plan for evacuating the assembly area in the event of a natural disaster or civil emergency.
- C. Parking. The proposal must provide adequate off-street parking to accommodate the projected needs of the mass gathering.
- D. Sewage Disposal. The proposal must provide for adequate sewage disposal, including by demonstrating compliance with all applicable provisions of the state wastewater disposal rules and 22 M.R.S.A. § 1601 *et seq.*
- E. Water Supply. Sufficient water must be available for the reasonably foreseeable needs of attendees at the proposed mass gathering. When water under pressure is not available and temporary toilets are used, at least three gallons of water per person per day must be provided for drinking and sanitation purposes.
- F. Trash Disposal. The assembly area must be free from accumulation of trash during and after the mass gathering. Trash must be collected, transported, and stored so as to protect from odor, infestation, and other nuisance conditions.
- G. Noise. The proposal must not, alone or in conjunction with existing activities, raise noise levels to the extent that abutting or nearby residents or properties are adversely affected.
- H. Exterior Lighting. All exterior lighting must be located and designed to (i) ensure safe movement of people and vehicles; (ii) avoid glare and reflection on adjacent properties and roads; and (iii) not impair the vision of the driver of any vehicle upon any road.
- I. Vegetation. The assembly area must be preserved in its natural state to the greatest extent possible by minimizing tree removal, minimizing disturbance of soil, and retaining natural vegetation in order to minimize the impacts of the proposal on neighboring land uses, facilitate drainage, and prevent erosion.
- J. Safety and Security. The applicant must ensure crowd security and the protection of public health and property before, during, and after the mass gathering by demonstrating that:
1. Adequate law enforcement or private security will be available and deployed before, during, and after the mass gathering;
 2. Adequate medical supplies and personnel (including emergency medical services) will be available and deployed during the mass gathering;
 3. Adequate fire protection equipment and fire rescue services will be available and deployed during the mass gathering; and
 4. Adequate communications systems will be available at the mass gathering site for emergency purposes.

- K. Hours of Operation. The hours of operation for a mass gathering must not cause unreasonable disruption to the normal pattern of activities in the neighborhood.
- L. Food Service. Adequate provision must be made to provide wholesome and sanitary food for any mass gathering exceeding six hours in length.
- M. Overnight Accommodations. If the mass gathering exceeds 24 hours, adequate provision must be made to provide safe and sanitary overnight accommodations for persons assembled.

VII. POST-APPROVAL REQUIREMENTS

- A. Performance Guarantee. The license holder must post a performance guarantee to ensure the prompt cleanup and repair of the assembly area and payment for any damage to public or private property. The Town will release the performance guarantee if the license holder pays all cleanup and public costs within ten business days after the mass gathering.
- B. Insurance. At least 14 days before the scheduled date of any licensed mass gathering, the license holder must provide to the Select Board a certificate of insurance issued by an insurer licensed to do business in the State of Maine and demonstrating that the license holder carries special event or general liability insurance covering death, bodily injury, and property damage written on an occurrence form and in a sum no less than \$1,000,000 general aggregate and \$1,000,000 each occurrence.
- C. Inspections. The license holder must admit any Town officer, official, employee, or agent to make inspections of the mass gathering site for compliance with this Ordinance and any license conditions.
- D. Assignment or Transfer. No license issued pursuant to this Ordinance may be assigned or transferred to another person. Licenses are limited to the assembly area for which they are issued and are not transferrable to another location.

VIII. APPEALS

An appeal from any final decision of the Select Board made pursuant to this Ordinance shall be taken by an aggrieved party to the Superior Court in accordance with the provisions of Rule 80B of the Maine Rules of Civil Procedure.

IX. PENALTY

Any act made unlawful by this Ordinance and any violation of this Ordinance shall be a civil violation subject to a penalty in accordance with 30-A M.R.S. § 4452. Each day that such unlawful act or violation continues shall constitute a separate offense. The Select Board or its designee shall enforce the provisions of this Ordinance.

X. SEVERABILITY

If any provision of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.