

**CONCOURSE GATHERING ORDINANCE  
TOWN OF HAMPDEN, MAINE  
TABLE OF CONTENTS**

ARTICLE 1 - GENERAL ADMINISTRATION.....	2
1.1 Title.....	2
1.2 Purpose.....	2
1.3 Definitions.....	2
1.4 Separability.....	2
1.5 Effective Date.....	2
ARTICLE 2 - STANDARDS OF ISSUANCE.....	2
2.1 Factors Applicable to Issuance of Permit.....	2
2.2 Water Supply.....	3
2.3 Off Street Parking Facilities.....	3
2.4 Sanitation Facilities.....	3
2.5 Medical Facilities.....	4
2.6 Dining Facilities.....	4
2.7 Fire Prevention Facilities.....	4
ARTICLE 3 - PERMIT PROCEDURE.....	4
3.1 Permit Required.....	4
3.2 Permit Application.....	4
3.3 Information Included on Application.....	5
3.4 Fee.....	6
3.5 Notice of Rejection.....	6
3.6 Appeal Procedure.....	6
3.7 Notice to Town Officials arid Other Officials.....	6
3.8 Contents of Permit.....	6
3.9 Duties of Permittee.....	6
ARTICLE 4 - MISCELLANEOUS REGULATIONS.....	7
4.1 Public Conduct During Concourse Gathering.....	7
4.2 Revocation of Permit.....	7
4.3 Release of Corporate Surety Bond.....	7
ARTICLE 5 - ENFORCEMENT.....	7
5.1 Penalties.....	7

ADOPTED: Hampden Town Council July 24, 1978  
Effective Date: August 24, 1978

AMENDED: Hampden Town Council November 17, 2003  
Effective Date: December 17, 2003

**CONCOURSE GATHERING ORDINANCE  
TOWN OF HAMPDEN, MAINE**

**ARTICLE 1  
GENERAL ADMINISTRATION**

**1.1. Title.** This ordinance shall be known and may be cited as the “Concourse Gathering Ordinance of the Town of Hampden, Maine,” and will be referred to herein as “this Ordinance”.

**1.2. Purpose.** The purposes of this ordinance are to further the maintenance of safe and healthful conditions for the masses of people which attend public outdoor gatherings for an extended period of time and to assure the comfort, convenience, safety, health and welfare of the citizens of the Town of Hampden, Maine and surrounding communities.

**1.3. Definitions.** In general, words and terms used in this ordinance shall have their customary dictionary meanings. For the purpose of this ordinance, certain words and terms are defined as follows:

*Concourse:* An outdoor space where crowds of people may gather.

*Concourse Gathering:* A gathering of 200 or more persons for an extended period of time in an outdoor space.

*Concourse Gathering Permit:* A permit is required by this ordinance.

*Extended Period of Time:* A duration of time greater than 20 hours. Such time will include eight (8) hours before and eight (8) hours after the scheduled times of the permit.

*Gathering of People:* An accumulation of people attending an event such as an amusement show, music festival, theatrical performance or pageant.

*Municipality:* A city, town or other district having local self-government. The specific meaning of the word “municipality” used herein would be the Town of Hampden, Maine.

*Parking Space:* As defined in State laws.

*Person:* Any person, firm, partnership, association, corporation, company or organization of any kind.

**1.4. Separability.** The invalidity of any provision of this ordinance shall not invalidate any other part.

**1.5. Effective Date.** This ordinance shall take effect and be in force thirty (30) days after it is enacted by the voters of the Town of Hampden, Maine.

The effective date of this ordinance is August 24, 1978.

**ARTICLE 2  
STANDARDS OF ISSUANCE**

**2.1. Factors Applicable to Issuance of Permit.** The municipal officers shall issue a permit as provided for hereunder when, from a consideration of the application and from such other information as may

otherwise be obtained, they find that:

1. The conduct of such gathering of people will not interfere with the movement of fire fighting equipment enroute to a fire.
2. The concentration of persons, animals, and vehicles at the concourse gathering site will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas or within the concourse area.
3. Control over the concourse gathering will be such that the entire group of people understand that this ordinance does not grant any property rights, it does not authorize any person to trespass, it does not authorize any person to infringe upon or injure the property of another, it does not excuse any person of the necessity of complying with other laws and regulations.
4. The conduct of such gathering of people will not create a fire hazard such as to grassland or woodland.

**2.2. *Water Supply.*** The water supply shall be adequate, of a safe, sanitary quality and from a source approved by the Town of Hampden Plumbing Inspectors

*2.2.1. Inspection of Water Supplies.* All water supplies shall be subject to inspection at all times by the Town of Hampden Plumbing Inspector. Water from such sources shall not be used or supplied to the public unless samples therefrom have been tested and approved by the State of Maine Department of Health and Welfare within the preceding six (6) months. A copy of the water analysis shall be available on the premises.

*2.2.2. Distribution of Water Supply.* Supplies of safe, sanitary, portable water shall be located throughout the concourse gathering area at reasonable intervals or sequence. The volume of water available at these locations shall be such that it will serve each person a minimum of one and one half gallons per day. There shall be an adequate number of spigots, drinking cups, and dispensers provided at these water supply locations.

**2.3. *Off Street Parking Facilities.*** Adequate off street parking facilities shall be provided and shall be subject to approval of the Town of Hampden Road Commissioner.

*2.3.1. Parking Facilities Per Person.* Off street parking facilities shall be provided at a minimum rate of one parking space for each four (4) persons reasonably expected to attend.

*2.3.2. Parking Facility Entrances.* All entrances to the off street parking facility from a public street shall be approved by the Town of Hampden Road Commissioner or the State of Maine Department of Transportation or both. Any expense involved with the provision of these entrances shall be born by the permittee.

*2.3.3. Traffic Officers.* Traffic officers shall be provided, at each off street parking entrance during periods of substantial use. It shall be the obligation of the permittee to provide said traffic officers and bear any and all expenses involved.

**2.4. *Sanitation Facilities.***

*2.4.1. Solid Waste Containers.* Solid waste containers constructed of metal, wood, or plastic shall be located throughout the concourse gathering area at a reasonable interval for the disposal of material

such as paper, cans, bottles, and garbage. These containers shall be emptied of all their contents at least every six (6) hours or when full, whichever comes first. The material from these containers shall be disposed of by removal from the gathering site and taken to a municipal dump.

*2.4.2. Toilet Facilities.* Separate male and female toilet facilities shall be provided at the rate of one toilet seat for each forty persons. One third of the male facilities may consist of urinals hand washing provisions shall be available at each toilet facility and shall consist of stored water in containers equipped with spring operated spigots, soap dispensers, and paper towels. Adequate provision for the disposal of hand washing waste water shall be made such as by dry wells or soakage pits.

*2.4.3. Inspection of Sanitary Facilities.* All sanitary facilities shall be subject to inspection at all times by the Town of Hampden Plumbing Inspector.

**2.5. Medical Facilities.** A first aid facility shall be provided. This facility shall consist of a structurally stable enclosure and stocked with medical supplies sufficient to administer necessary medical attention to the number of people attending the concourse gathering.

*2.5.1. Registered Nurses.* The first aid facility shall be staffed with a minimum of two Registered Nurses certified by the State of Maine.

*2.5.2. Ambulance Vehicles.* A minimum of two vehicles, in a safe and good running condition, shall be available at all times (with a driver for each vehicle) to be used as ambulances.

*2.5.3. Inspection of First Aid Facility.* The first aid facility shall be subject to inspection at all times by the State of Maine Department of Human Services and the Town of Hampden Civil Emergency Preparedness Director.

**2.6. Dining Facilities.** A reasonable number of outdoor fireplaces and tables shall be provided throughout the concourse gathering area.

**2.7. Fire Prevention Facilities.** Fire prevention facilities shall be provided throughout the concourse gathering area. Equipment such as fire extinguishers, shovels, brooms, sand and water shall be provided.

The fire prevention facilities shall be approved by the Town of Hampden Fire Chief and shall be subject to inspection at all times by the Town of Hampden Fire Chief.

### ARTICLE 3 PERMIT PROCEDURE

**3.1. Permit Required.** No person shall engage in, participate in, aid, form, or start any concourse gathering unless a concourse gathering permit shall have been obtained from the municipal officers.

*3.1.1. Governmental Agencies Exempted.* This ordinance shall not apply to any governmental agency acting within the scope of its functions.

*3.1.2. Boy Scouts and Girl Scouts of America Exempted.* This ordinance shall not apply to outdoor outings concerned with the Boy Scouts of America or the Girl Scouts of America, in performance of their normal Scout activities.

**3.2. Permit Application.** A person seeking issuance of a concourse gathering permit shall file an application with the municipal officers.

*3.2.1. Filing Period.* An application for a concourse gathering permit shall be filed with the municipal officers not less than twenty one (21) days nor more than sixty (60) days before the date on which it is proposed to commence the event.

*3.2.2. Authorization.* If the concourse gathering is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such concourse gathering permit shall file with the municipal officers a communication in writing from the person proposing to hold the concourse gathering event authorizing the applicant to apply for the permit on his behalf.

**3.3. *Information Included on Application.*** The application for a concourse gathering permit shall set forth the following information:

1. The name, address, and telephone number of the person applying to conduct such event requiring a concourse gathering permit.
2. If the concourse gathering event is proposed to be conducted for on behalf of, or by an organization, the name, address, and telephone number of the headquarters of the organization, and the names, addresses, and telephone numbers of the authorized and responsible officials of such organization.
3. The name, address, and telephone number of the person or persons providing the site or sites for the concourse gathering event to be held.
4. A written statement from the property owner or owners providing the site or sites for the concourse gathering event stating that he authorizes the use of his land for such event.
5. The name, address, and telephone number of the person who will be the chairman of the event and who will be responsible for its conduct.
6. The commencing date of the concourse gathering and the termination date of the concourse gathering.
7. The location or locations of the Concourse gathering event.
8. The number of persons who, the number and kind of animals which, and the number and types of vehicles which are expected to attend and/or take part in the concourse gathering event.
9. A Plan View Drawing of the site or sites specifically showing the location and size of the site, location and extent of water supply facilities, location and extent of sanitary facilities, location and extent of fire protection facilities, location and extent of first aid facilities, location and extent of dining facilities, location and extent of off street parking facilities, and other pertinent data.
10. A corporate surety bond from a company authorized to do business in the State of Maine insuring that after the event is over and the mass of people have vacated the site or sites the grounds shall be left in a clean and neat fashion, and damages to public and/or private property arising out of or in connection with the event will be paid promptly. Such bond shall be in the amount of five thousand dollars (\$5,000.00) for each one thousand (1,000) persons or fractional part thereof, expected to be in attendance.

The municipal officers may request any additional information which is deemed reasonably necessary for a fair determination to issue a concourse gathering permit.

**3.4. Fee.** There shall be paid at the time of filing the application for a concourse gathering permit a fee in accordance with the Town of Hampden Fees Ordinance. (*Amended: 11-17-03*)

**3.5. Notice of Rejection.** The application must be presented at least five (5) days prior to the next regularly scheduled Town Council meeting. Action to be taken by the Town Council within thirty (30) days of said regular meeting, and notification of the decision to be sent to the applicant stating the reason for the denial.

**3.6. Appeal Procedure.** Any person aggrieved by the denial of the municipal officers to issue a concourse gathering permit shall have the right to appeal the denial of concourse gathering permit to the Penobscot County Superior Court. The appeal shall be taken within seven (7) days after notice.

**3.7. Notice to Town Officials and Other Officials.** Immediately upon issuance of a concourse gathering permit, the municipal officers shall send a copy thereof to the following:

1. The Town Manager
2. The Town Attorney
3. The Fire Chief
4. The Police Chief
5. The Municipal Officers of:
  - a. The City of Bangor
  - b. The Town of Hermon
  - c. The Town of Newburgh
  - d. The Town of Winterport

**3.8. Contents of Permit.** Each concourse gathering permit shall state the following information:

1. Starting Date and Time
2. Ending Date and Time
3. Location
4. Such other information as the municipal officers shall find necessary to the enforcement of this ordinance.

**3.9. Duties of Permittee.** A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

The concourse gathering chairman or other person heading such activity shall carry the permit upon his person during the conduct of the concourse gathering.

ARTICLE 4  
**MISCELLANEOUS REGULATIONS**

**4.1. *Public Conduct During Concourse Gathering.*** No person shall unreasonably hamper, obstruct, impede, or interfere with any legally authorized concourse gathering or with any person, vehicle, or animal participating in, or involved with, such concourse gathering.

**4.2. *Revocation of Permit.*** The municipal officers shall have the authority to revoke a concourse gathering permit issued hereunder upon application of the standards for issuance herein set forth.

**4.3. *Release of Corporate Surety Bond.*** Before a permittee may be released from any obligation required by his corporate surety bond, the municipal officers will require from the Town Manager, and what ever other agencies may be involved, certification that the concourse gathering site or sites have been satisfactorily cleaned up and that all damages to public and private property have been settled.

ARTICLE 5  
**ENFORCEMENT**

**5.1. *Penalties.*** Any person, firm, or corporation convicted of violating any of the provisions of this ordinance shall be fined an amount not exceeding five hundred dollars (\$500.00) per day for each violation of this ordinance.