

**MASS GATHERING  
ORDINANCE  
FOR THE  
MUNICIPAL TOWN OF  
OXFORD**

Adopted  
October 21, 1988

Amended  
January 6, 2011

Amended  
June 8, 2019

**Town of Oxford**  
**Mass Gathering Ordinance**

Sec. 1 Statement of Purpose

The Town of Oxford finds that unregulated mass gatherings pose a threat to the health, safety, and welfare of the community. Large numbers of patrons overtax the roads leading to the place where the gathering is being held preventing the passage of emergency vehicles, delaying persons using these roads for other purposes, and obstructing entrances to homes and places of business so that residents and business guests are denied access. Mass gatherings also exceed the capacity of the community to provide lodging, parking, food, water, medical services and sanitary facilities resulting in trespasses upon and damage to private property, the use of private property as public toilets, and the creation of hazards to the health of both patrons and residents. A lack of sufficient security forces to cope with large crowd's results in open violations of laws intended to prevent breaches of the peace and illegal consumption of drugs and alcohol. Unregulated mass gatherings also interfere with the peaceful enjoyment of their homes and property by residents of the Town through the creation of noise, congestion, and unauthorized use of private property.

Sec. 2 Regulation of Gatherings Exceeding 1,000 Persons

Any person, corporation, or organization that sponsors or promotes a gathering of 1,000 or more persons or permits the same to take place on land under his ownership or control shall be subject to the following.

- (a) The facilities provided at the site of the gathering shall comply with the regulations promulgated November 7, 1978 by the State of Maine Department of Human Services pertaining to mass gatherings including the guidelines attached thereto as Appendix A without limitation as to the site or duration of the event. A copy of such guidelines is attached to and made a part of this ordinance.
- (b) Prior to the date of the gathering, the sponsor or promoter shall give notice to the Town of Oxford of the time and place of the gathering and the nature of the event by requesting a permit through the application process.
- (c) No such gathering shall continue later than 12 midnight.
- (d) Noise generated by the event will not unreasonably disturb persons living in the vicinity where the event will take place.
- (e) Where more stringent regulations are provided with respect to gatherings of more than 15,000 persons, those provisions shall apply.

(f) If a road is to be closed for an event all abutter on road will be given written notification.

(g) For events over 10,000 people, all abutters within 500 feet will be given written notification of a public hearing on the application.

### Sec. 3 Permits Required

No person, corporation, or organization may sponsor, promote, or carry on a mass gathering without first obtaining a permit therefore. For purposes of this ordinance, a “mass gathering” (sometimes hereinafter referred to simply as “an event”) is defined as any festival, amusement, show, concert, parade or other activity attended by ~~5,000~~ 1,000 or more persons.

### Sec. 4 Application Procedure

An application for a permit to hold a mass gathering shall be filed with the Town Clerk not less than 60 days before the date of the event. The application shall be accompanied by a non- refundable fee of \$100.00 (1,000 – 4,999 attendees); 250.00 (5,000-15,000 attendees); \$500 (greater than 15,000 attendees). The Board of Selectmen shall hold a public hearing for all applications for events with 5,000 attendees or more. Promptly following the filing of an application for an event with 5,000 or more attendees, the Selectmen shall give notice of the public hearing on the application by publishing at least once in a newspaper having general circulation in the town. The notice shall include the date and location of the proposed mass gathering, the number of tickets proposed to be sold and a general description of the proposed event. The notice shall also include the time and location of the public hearing. A copy of the notice shall also be mailed to the applicant.

### Sec. 5 Contents of Application:

(a) A statement of the number of persons expected to attend the event together with the maximum number of tickets which will be made available.

(b) A description of the proposed event. When a performance of some kind is to be presented, the applicant shall include information regarding the three most recent outdoor performances by the same person or persons in question including the date and location of the performance, the number of persons who attended, and the names of the persons or organizations who sponsored the performance. If there have been no outdoor performances within the previous six months, the applicant shall provide the same information with respect to the three most recent indoor performances.

(c) A description of the place where the event will take place including the permanent and temporary seating capacity of the facility, number of toilets which will be available, sources of potable water, and parking spaces on? The site. All

facilities required by this ordinance shall comply with the regulations promulgated by the Department of Human Services pertaining to a mass gatherings without limitation regarding the site or duration of the event. When off-site facilities are to be utilized, they shall be described and written consents from the owners of the property to be utilized shall be submitted with the application.

(d) Availability of first aid and emergency medical facilities including:

1. Location of first aid building or tent.
2. Description of available emergency communications by radio and telephone.
3. Assurance that area hospitals have been made aware of the date and time of the proposed mass gathering and number of persons expected.
4. All emergency medical services (EMS) shall be provided. All EMS personnel must be either Oxford Fire Rescue personnel and/or an EMS provider approved by the Oxford Fire and Rescue Chief(s). All EMS personnel shall be licensed by the State of Maine as EMS providers. An appeal may be taken from the decision of the Oxford Fire and Rescue Chief(s) to the Board of Selectmen whose decision shall be final.
  - a. Onsite emergency medical services available must be adequate to accommodate the number of persons expected at the event. All costs associated with furnishing emergency medical services shall be borne by the applicant.
  - b. A detailed plan as to how the EMS system will work at the event shall be submitted to the Oxford Fire/Rescue Chief(s) 30 days prior to the event.

(e) A description of the number, type, and location of refuse disposal facilities including a statement as to when and how the accumulated refuse will be picked up, by whom, and to what facility it will be taken. The applicant shall provide assurance that refuse containers will be readily accessible and that at least one 50 gallon refuse container or equivalent will be provided for each 100 persons expected to attend.

(f) A detailed plan showing how crowd security and police protection of private property will be accomplished. The plan shall contain at a minimum the following:

1. Assurance that at least one professionally certified police officer (not including persons concerned solely with traffic control) will be available for each 1,000 persons expected to be in attendance, under the direction and control of the Oxford Police Chief. A statement as to where the officers in question will be recruited from shall be provided. The Selectmen, after consultation with the Police Chief, may increase or decrease the number of police officers required to be present based on satisfactory evidence that greater or less security will be required because of the nature of the particular event being proposed and the availability of competent noncertified personnel to control the crowd.

2. An explanation of how and where the police officers in question will be deployed before, during, and after the event.

3. An adequate number of persons with experience in traffic control will be provided to direct traffic at the site both before and after the event.

4. A signed statement of the Oxford Chief of Police, Fire Chief and Code Enforcement Officer that he/she has reviewed the proposed plan and has found it to be acceptable. It is understood that the Chief of Police, Fire Chief and Code Enforcement Officer are only expected to exercise his/her best judgment in reviewing the plan and that he/she will not be civilly responsible if the approved plan later proves to be defective. If the Chief of Police, Fire Chief and Code Enforcement Officer do not accept the plan, he/she shall state in writing the basis for his/her objections. The applicant may appeal his decision to the Board of Selectmen whose decision shall be final.

(g) A detailed plan for controlling traffic. The plan shall contain at a minimum the following:

1. A description of the routes which persons attending the event are likely to take. Towns adjoining Oxford shall be notified regarding the nature of the event, the number of persons expected to attend, and the routes likely to be utilized when they pass through the town in question.

1. The methods which will be used to publicize alternative means of Reaching the scene of the event from out-of-town locations.

3. The number and description of persons who will be present to direct traffic at the site both before and after the event and their locations.

4. A description of what means will be available to remove disabled vehicles from locations under the control of the applicant where their presence will obstruct the free flow of traffic including a written statement

by any private towing agency proposed to be utilized that his towing service will be available.

5. Assurance that adequate parking will be available for the number of vehicles expected.

(h) A detailed plan for discouraging the presence of persons not holding tickets have been issued and preventing such persons from trespassing on private property in the vicinity of the event. The plan shall contain at a minimum the following:

1. A statement that persons not holding valid tickets to an event for which tickets are issued will not be permitted to remain on property under the applicant's control in the vicinity of the event.

2. Written authorization to police to remove persons not holding valid tickets who are trespassing on property owned by or under the applicant in the vicinity of the event after the event is sold out. By filing the application, the applicant authorizes police officers to enter any premises under his control at reasonable times in order to remove trespassers and otherwise enforce compliance with this restriction.

3. Assurance that persons not holding tickets for an event for which tickets have been issued will not be permitted to use parking, toilet, or camping facilities under the control of the applicant except persons employed by the applicant or otherwise authorized to provide support service for the event.

4. Assurance that best efforts will be used by the applicant to terminate all advertising and other publicity promoting the event as soon as it is apparent that the event will be sold out.

5. A description of the means which will be used to publicize the fact that the event has been sold out or cancelled, if this occurs, and that persons not holding tickets who are trespassing on private property near the scene of the event will be subject to arrest, and that all state laws and local ordinances protecting private property will be strictly enforce. This information shall be publicized in the same media markets in which publicity was originally given to the holding of the event.

(i) Assurance that any noise generated by the event will not unreasonably disturb persons living in the vicinity of the location where the event will take place.

(j) Assurance that all other licenses or permits required by state or local agencies to hold the event in question on the designated site including any licenses or permits required to cover the facilities to be furnished by the applicant in connection with

the event have been obtained and, if not, what means are being pursued to obtain them and when approval is anticipated. Copies of all such permits shall be filed with the Town clerk when received by the applicant.

(k) A detailed description of the media in which the event will be publicized.

(l) An irrevocable designation of an agent within the State of Maine to receive notices in connection with the issuance or revocation of the permit or the filing of claims against the security bond.

(m) Such other information as the Selectmen may reasonably require.

#### Sec. 6 Liability Insurance

Prior to receiving a permit for a mass gathering and, in any event, no later than 15 days prior to the scheduled date of the event, the applicant shall furnish to the Town clerk a certificate of insurance issued by a reputable insurance company providing liability coverage in the amount of at least \$1,000,000 with respect to the injury or death of one or more persons in connection with the event in question. Such insurance policy shall also provide coverage for property damage in the amount of at least \$100,000. The insurance policy in question shall contain a provision requiring at least 10 days' notice be given to the Town prior to cancellation. This section shall apply to all mass gatherings regardless of the maximum number of persons expected.

#### Sec. 7 Security Bond

Prior to receiving a permit for a mass gathering of 15,000 persons or more, in any event, no later than 15 days before the scheduled date of the mass gathering, the applicant shall file with the Town Clerk a surety bond issued by a reputable surety company licensed to do business in the State of Maine in an amount equal in dollars to the number of tickets available for the event multiplied by four. Cash or negotiable securities acceptable to the Selectmen may be pledged to satisfy the provisions of this sub-section in lieu of a bond. The amount of the bond may be reduced by the amount of any similar bond furnished to the Department of Human Services in connection with the same event pursuant to 22 M.R.S.A. §1604. The bond shall be used to satisfy any valid claims for Damage to real or personal property caused by the applicant, his agents and 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. Any individual, including the Town of Oxford, having such a claim, shall file notice of the claim upon the bond with the applicant or his agent and the surety by registered mail within 90 days after the date of the claim providing full details regarding the nature of the claim and the circumstances under which it arose, and shall bring an action, if necessary, upon the applicant and the surety in the Superior Court of Oxford County within six months of the date of the claim.

#### Sec. 8 Issuance of Permit

The Selectmen shall issue the permit when satisfied that the assurances and obligations imposed by this ordinance and assumed by the applicant have been or will be met. All assurances made and obligations assumed by the applicant in the application shall be deemed to be conditions upon the issuance of the permit. In issuing the permit, the Selectmen may impose such additional conditions as may be reasonably required to assure compliance with the terms of the application or the provisions of this ordinance. The Selectmen may decline to issue the permit when the mass gathering for which the permit is being requested is scheduled on a holiday or a holiday week-end when so many nonresidents are reasonably expected to be present in the Town of Oxford for reasons having nothing to do with the proposed event that the facilities of the town will be insufficient to meet the needs of the person attending the proposed event as well as the other persons who are present because of the holiday. The Selectmen shall issue or deny the permit not more than 35 days after the application is filed with the Town Clerk. If the permit is denied, the Selectmen shall give the applicant written reasons for the denial which shall include a statement of the actions on the part of the applicant which must be taken in order for the permit to be issued. If the Selectmen fail to issue the permit or send written reasons for denial within the allotted time, the permit shall be deemed to have been denied.

#### Sec. 9 Revocation of Permit

The Selectmen may revoke a permit for any mass gathering issued pursuant to this ordinance at any time prior to the date of the scheduled event when satisfied that the applicant has failed to comply with any of the assurances given and obligations assumed in the application or the conditions imposed by the Selectmen or the requirements of this ordinance or that the applicant has failed to secure in a timely manner any other license or permit required by the Town of Oxford or any other government agency in order to hold the event in question on the proposed site. Whenever possible, the Selectmen shall revoke a permit only after notice to the applicant or his/her authorized agent of the reasons for the proposed revocation and an opportunity to be heard with respect thereto. Written notice of the reasons for the revocation shall in any case be delivered to the applicant or his agent within the State of Maine personally or by expedited mail service.

#### Sec. 10 Number of Tickets Sold

Not more than the number of tickets specified in the application and, in no event, more than 25,000 tickets shall be issued for a single event. A "ticket" includes any receipt or token of eligibility to attend the event whether or not a piece of paper or other physical evidence of payment is issued to the patron. Persons not holding valid tickets for a mass gathering for which tickets have been issued shall not be permitted to attend. Promptly after all tickets have been sold or the occurrence of the event, whichever first occurs, the applicant shall furnish to the Selectmen a sworn statement as to the number of tickets sold or otherwise distributed. When ticket sales have been handled by an authorized ticket agent's report regarding the number of tickets sold.

#### Sec. 11 Events Expected to be attended by More than 25,000 Persons

With respect to mass gatherings for which tickets will be issued, if the available information indicates that the performance is very likely to attract more than 25,000 persons, the Selectmen may impose such additional conditions upon the issuance of the permit as may be necessary to limit the number of persons in attendance to 25,000 or, if the sponsors of the mass gathering are unable to provide reasonable assurance that they can restrict the number of persons who appear for the event to 25,000 or less, they may limit the number of tickets which may be sold to less than 25,000 or, if necessary, refuse to issue the permit altogether. With respect to any mass gathering subject to this ordinance for which tickets will not be issued, the Selectmen shall deny the permit if they reasonably determine that the sponsors will be unable to restrict the number of persons attending to 25,000 or less.

#### Sec. 12 Variance

In any case in which strict compliance with the terms of this ordinance will cause the applicant to suffer undue hardship and the Selectmen 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.

#### Sec. 13 Limitation on Gatherings Attended by More than 15,000 persons

No more than one permit for a mass gathering to be attended by 15,000 persons or more shall be issued under this ordinance during any 17 day period.

#### Sec.14 Penalty

Any person who violates any provision of this ordinance or any term of a permit issued pursuant to this ordinance shall be subject to a civil penalty payable for the use of the Town of Oxford in an amount not to exceed \$5,000.00. In the case of a willful violation of this ordinance, a civil penalty not to exceed \$50,000.00 may be imposed. In addition, the town may seek an injunction where necessary to prevent the applicant from publicizing, promoting or conduction the proposed event.

#### Sec. 15 Severability

If any section of this ordinance is found to be invalid, the remaining sections of the ordinance shall nevertheless remain in full force and effect.

#### Sec. 16 Effective Date

This ordinance shall become effective upon passage.

## APPENDIX A

### A. Water Supply

1. Where water is distributed under pressure for drinking, washing, flushing toilets, and showers, the water supply system should deliver water at normal operating pressures (20lb. per sq. /in. minimum) to all fixtures at a rate of at least 30 gallons per person per day.
2. Where water is not available under pressure, and non-water carriage toilets are used, at least 3 gallon of water per person per day should be provided for drinking and washing purposes.

### B. Refuse Disposal

1. One fifty (50) gallon refuse container or its equivalent should be provided for each one hundred (100) persons anticipated.
2. All refuse should be collected from the mass gathering area at least once each day of the assembly and disposed of in an approved area.
3. The mass gathering area and immediate surrounding properties should be cleaned of refuse within twenty four (24) hours following the mass gathering.
4. Area where cars and recreational vehicles are parked should have rubbish disposal facilities one for every 25 cars or recreational vehicles.

### C. Grounds

1. 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.
  2. There should be at least 20 square feet per person at the site for daytime assemblage and at least 40 square feet per person for overnight assemblage.

### D. Roads and Parking Space

1. Width of services roads should be at least 12 feet for one traffic lane, 24 feet for two traffic lanes, and 7 feet for parallel parking lane.

2. There should be at least one parking space for every four persons and the density should not exceed 100 passenger cars or 30 buses per usable acre.

#### E. Sanitary Facilities

1. Toilets should be provided at a rate of one (1) for each 150 persons.
2. Urinals and Sani stands may be substituted for up to one-third (1/3) of the required number of toilets. Twenty- four inches (24") of through urinals in a men's room shall be considered the equivalent of one urinal or toilet.
3. Sanitary facilities should be conveniently accessible and well identified.
4. Each toilet should have a continuous supply of toilet paper.
5. Service buildings or rooms housing necessary plumbing fixtures, should be constructed of easily cleanable, non-absorbent materials.
6. Separate service buildings or rooms containing sanitary facilities, clearly marked, and should be provided for each sex and each toilet room should be provided with a self-closing door to insure privacy or the entrance should be screened so that the interior is not visible from the outside.
7. Water points or drinking fountains, should be conveniently accessible and well identified.
8. Common drinking cups should not be used.

#### F. Medical Facilities

1. Emergency medical services should be provided under the supervision of a licensed physician.
2. A first aid building or tent, with adequate medical supplies, should be available.
3. Emergency first aid vehicles should be available on site during the complete time of mass gathering.
4. A telephone or other two way electronic communication facilities.
5. Operator of mass gathering should contact area hospitals and advise them that a mass gathering will be held and let them know the approximate number of participants expected.

#### G. Safety

1. The mass gathering electrical system or electrical equipment should comply with applicable state standards and regulations. (Title 32, Chap. 17 M.R.S.A.)
2. Fire prevention equipment should be present on site of the mass gathering.

#### H. Noise Control

1. The sound of the mass gathering should not carry unreasonably beyond the boundaries of the mass gathering areas.
2. The noise level at the perimeters of the area should not exceed 70 decibels on the A scale of a sound level meter meeting specifications on the American National Standards Institute unless the mass gathering area is remotely located and surrounding adjacent properties are uninhabited.

Adopted October 21, 1988

Adopted January 6, 2011