

# Mass Gathering Ordinance

***REVISED DRAFT 3.7.2018***

## 1. Purpose:

The Town of Somers recognizes the desirability of certain outdoor/indoor events, including exhibitions, festivals, music concerts, sporting events, and fairs; and hereby adopts the following ordinance to protect the general welfare and promote public health and safety by addressing issues arising there from, such as traffic congestion, crowd control, health and sanitation, compliance with alcohol and drug laws and protection of public and private property.

## 2. Definitions:

### a. Mass Gathering:

1. Any **temporary** gathering, pageant, amusement show, exhibition, festival, theatrical performance, or other special event held with the intent to attract at least one thousand (1,000) persons during the course of the event; or
2. Any event which exceeds the normal rated capacity of the building or space; or
3. Any public event that will require a special liquor permit; or
4. Any public event that needs to have on site Emergency Medical Services

### b. Assembly Area – that portion of the premises which the Mass Gathering is held

### c. Operator – the licensee, the person or entity responsible for the Mass Gathering

### d. Person – any natural person, sole proprietor, partnership, corporation or other entity

### ~~e. Not For Profit organization – a religious, charitable or benevolent association or organization which is registered with the State of Connecticut and is Tax Exempt under the internal Revenue Code~~

### f. Public Costs – those costs incurred by the Town in connection with the Mass Gathering which would not be incurred by the Town if the Mass Gathering were not held

### g. Town – Town of Somers

## 3. Permit Requirements, Application, Fees

### Permit Requirements

- a. No person, firm, corporation or partnership shall stage, sponsor, promote, operate or hold any Mass Gathering without first procuring a Mass Gathering permit from the Town of

Somers \*The property owner of a location for an event, is responsible for ensuring the proper permit(s) are obtained.

- b. When police protection is necessary or required, as determined by the Chief of Police, the amount of such protection necessary shall be determined and furnished by the Chief of Police or designee, of the Town of Somers. Such protection shall be paid for by the person or persons operating, conducting or promoting the event, pursuant to Connecticut General Statute 7-284.
- c. Per CT General Statute 29-291a-3a, the local Fire Marshal may regulate and control special events, including, but not limited to, assemblage of people, exhibits, trade shows, amusement parks, haunted houses, outdoor events and other similar special temporary and permanent occupancies. When a fire watch is deemed necessary, the amount of such protection shall be determined by the Somers Fire Marshal or Deputy Fire Marshal. Standby fire personnel and apparatus (if necessary) shall be furnished by the Somers Fire Department. Such protection shall be paid for by the person or persons operating, conducting or promoting the event.
- d. **If EMS coverage is required by Connecticut state statute or is requested by the event organizer, then the EMS personnel and apparatus (if necessary) shall be furnished by the Town of Somers Fire Department, which is the licensed Public Safety Area Responder for the Town of Somers. No other provider or agency can conduct an EMS standby in Somers per CT State Regulations 19a-179-9 and 19a-179-11, Such protection shall be paid for by the person or persons operating, conducting or promoting the event.**
- e. **A local Mass Gathering permit shall not be required of agricultural fairs that fully comply with Connecticut state statute chapter 386s, section 19a-443 part C.**
- f. Permits for a Mass Gathering shall be issued by the Town Clerk according to the procedure contained herein
- g. An application for a Mass Gathering shall be filed with the Town Clerk a minimum of 60 days prior to the event.

### **Application**

- a. The person(s) seeking a permit must file a completed application with the Town Clerk not less than 60 days before the proposed event.
- b. **Venues that hold events on a regular basis may elect to submit one request for the year with a calendar outlining planned events and expected attendance for those dates.**

- c. The Town of Somers shall have up to 15 business days to review the permit. After this period the permit shall be a) issued without restriction, b) issued with restrictions and/or conditions, or c) denied with a reason provided.
- d. If an application for a Mass Gathering is filed with the Town Clerk less than 60 days in advance, then the Town reserves the right to limit or prohibit the event if the Town is not able to provide the resources necessary to ensure public safety.

### **Fees**

It shall be the responsibility of the person seeking a permit to ensure all fees associated with Police, Fire, Medical, Health or Town services are paid upon receipt of invoice.

## **4. Enforcement, Penalty, Assignability**

### **Enforcement**

The Town of Somers Chief of Police or designee will enforce the provisions of this ordinance, as well as any restrictions or conditions of the actual event permit.

### **Penalty**

Any person, firm, corporation, property owner or partnership which violates any portion of this ordinance or fails to obtain required approvals will be subject to a Cease and Desist Order and shall be fined two hundred fifty dollars (\$250) per day, pursuant to CT General Statute 7-148, each day constitutes a separate violation.

### **Assignability**

Permits issued under this ordinance are not transferable or assignable without prior approval.

### **Expiration**

Permits issued under this ordinance are valid only during the approved operating hours of the Mass Gathering or approved rain date. The permit is void should the event be cancelled or postponed.

### **Conflicts with Other Ordinances**

This ordinance shall not repeal, annul, or in any way, impair or remove the necessity of compliance with any other rules, regulations, bylaws, permits, or provision of the Town of Somers.

Public Hearing:

Approval by Board of Selectmen:

Publication Date:

Effective Date: