ARTICLE II. - SPECIAL EVENTS

DIVISION 1. - GENERALLY

Sec. 66-36. - Necessity for regulation declared.

The regulation of special events and the supervision of such events are hereby declared necessary for the protection of the health, property, peace, safety and welfare of the residents of the town.

(Ord. No. 104, § 1, 10-4-71)

Sec. 66-37. - Definitions.

For the purposes of sections 66-36 through 66-66 of this Code, inclusive, the following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Responsible person. The person who, whether as an individual or as a representative of an organization sponsoring the event, will have the primary responsibility for managing the public gathering or special event and whom the town may contact regarding any concerns or problems that may arise during, or as a result of, the gathering or event.

Special event. General definition. Any assembly, festival, carnival, circus, artistic performance (theatrical, musical, etc.), dance, exhibition, party, celebration or similar event or activity that can reasonably be anticipated to include or attract 300 or more persons, except as provided in subsection (b), and that meets both of the following criteria:

(1) Open to the public or to which members of the public are invited for a charge or free of cost.

(2) Held outdoors or other than in a permanent structure that was constructed so that it could be used for conducting such an event or activity. The incidental use of any patio, courtyard, deck, or other area adjacent to and outside of the permanent structure by the participants at the event or activity shall be exempt.

Exemptions. The following events are excluded from the definition of "special event" as set forth in subsection (a):

(1) Any event held or to be held in a building that has the capacity lawfully to contain the number of persons reasonably anticipated to attend such event and that has sufficient on-site parking spaces to accommodate the vehicles reasonably to be anticipated for such event. For the purposes of the exemption provided by this subsection, the event may also involve the use of any porch, patio, deck, or other permanent,
partially covered or uncovered surface structure that is adjacent to such building and that is intended for the assembly of persons, but not including driveways or vehicular parking or loading areas.

(2) Any event held for academic purposes on the grounds of a school, or other school functions, including, but not limited to, board of education, PTO and student events as determined by the superintendent of schools.

(3) Any event customarily held on an annual or more frequent basis on the grounds of a church, synagogue, temple or other place of religious worship.

(4) Any assembly of persons that occurs in connection with the customary operation of a commercial enterprise.

(5) Any event sponsored or sanctioned by the town as determined by the town council or town manager.

(Ord. No. 104, § 2, 10-4-71; Ord. No. 227, § 1, 8-14-08)

Cross reference—Definitions generally, § 1-2.

Sec. 66-38. - Penalty for violation of article.

Any person, corporation, partnership, club or association violating any of the provisions of this article shall be subject to punishment as provided in section 1-10 for each offense.

(Ord. No. 104, § 9, 10-4-71)

Secs. 66-39—66-60. - Reserved.

DIVISION 2. - LICENSE

Sec. 66-61. - Required; application generally; public notice; grant or denial.

(a) No special event shall be held without a valid license.

(b) Applications for such licenses shall be made to the town manager not later than 30 days before the starting date of the special event upon forms to be supplied by him for that purpose.

(Ord. No. 104, § 3, 10-4-71; Ord. No. 227, § 1, 8-14-08)

Sec. 66-62. - Application; contents.

The application for such a license shall contain the following information under oath:
(1) Name(s) of the applicant(s). If the applicant is a partnership, corporation, limited liability company or partnership, club, association, or other org. application must identify the person who will have the primary responsibility for managing the special event (the "responsible person").

(2) Residential and business addresses of the applicant(s).

(3) Whether the applicant(s), if individual(s), is/are 21 years of age or older; if a corporation, club, partnership, limited liability company or partnership, association or other organization, the date the same was organized or formed and under the laws of what state.

(4) The type of business or activity.

(5) Whether the applicant(s), or if a corporation, club, partnership, limited liability company or partnership, association or other organization, whether the Responsible Person has ever been convicted of a crime.

(6) A description of the type of event to be held.

(7) The location where the event will be held.

(8) The anticipated maximum number of persons who will be assembled at one time for the event. No persons in excess of this number shall be permitted within the confines of the location of the event.

(9) Whether alcohol will be served or available for purchase or consumption at the event.

(10) Whether any roads will need to be closed to accommodate the event, and whether any traffic management devices or signs will be needed or used.

(11) The Town Manager may require a plot plan or a sketch of facilities and a writeup demonstrating adequate plans to meet local, state and other applicable standards for the following, as may be required by the event:

   a. Parking;
   b. Food services;
   c. Drinking water;
   d. Toilets;
   e. Lodging;
   f. Fire prevention;
   g. Fire protection;
   h. Refuse disposal;
   i. Public notice of the event as determined by the Town Manager; and
   j. Law enforcement.

(12) The facilities for the event shall be subject to review by the chief of police, fire marshals, building inspector and director of health of the town within 48 hours of the time that the licensed event will begin.
(13) Dates and hours of the special events must be specified, and no licenses shall be valid for more than three consecutive calendar days.

(Ord. No. 104, § 4, 10-4-71; Ord. No. 227, § 1, 8-14-08)

Sec. 66-63. - Investigation of applicants.

The town manager shall investigate the character and record of the applicants and the location wherein it is proposed to hold a special event described in the application and shall not approve such application or issue a license unless he finds that the applicants are over 21 years of age and are persons of good moral character and that the business or activity in such location is a bona fide and lawful one. The town manager in granting or refusing the license shall consider each of the sections of this article as well as all other valid concerns of the residents relating to the lack of good moral character on the part of the applicant or applicant's conformance to the requirements of this article or any other applicable law, rule or regulation, brought before him. In case of the denial or refusal to grant a license, the town manager shall notify the applicant by certified mail of his proposed action and set a day and place for a hearing thereon, giving the applicant reasonable notice in advance thereof and an opportunity to be represented by counsel at such hearing.

(Ord. No. 104, § 5, 10-4-71; Ord. No. 227, § 1, 8-14-08)

Sec. 66-64. - Fees.

A license shall be issued by the town manager in the name of each applicant. The license fee shall be $50.00 for each special event applied for.

(Ord. No. 104, § 6, 10-4-71; Ord. No. 227, § 1, 8-14-08)

Sec. 66-65. - Transferral; applicant to maintain sanitary facilities; payment by applicant for police officers.

A license may not be transferred by the licensee to any other person, corporation, partnership, club, limited liability company or partnership, association or other organization. Each licensee shall maintain proper sanitary facilities, and each licensee shall pay for police officers as shall be deemed required by the town manager.

(Ord. No. 104, § 7, 10-4-71; Ord. No. 227, § 1, 8-14-08)

Sec. 66-66. - Revocation.

The town manager shall have the power to revoke any license issued under this article for cause, after due notice. Cause shall be deemed to include, but shall not be limited to, false information knowingly given in the application for a license, failure to show good intent to comply with the conditions under which the license has been granted or any violation of this article or conviction of a crime involving moral turpitude subsequent to the issuance of the license.
(Ord. No. 104, § 8, 10-4-71)