ARTICLE XX. SPECIAL EVENTS

Sec. XX. Purpose.

The purpose of this article is to control the conduct via the issuance of permits for Special Events in order to protect the public health, safety, welfare and peace of the inhabitants of the town.

Sec. XX. Definitions.

A Special Event is defined as (1) an event attracting in excess of 100 people that occurs on Town of Lisbon property or that requires the closure of any town way or state aid highway; or (2) an event on private property attracting in excess of 500 people.

A Major Special Event is defined as a Special Event which attracts more than 1,000 people.

A Minor Special Event is defined as a Special Event that does not meet the definition of a Major Special Event.

The Permitting Authority is defined as the Town Clerk (for Minor Special Events) or the Town Council (for Major Special Events).

Sec. XX. Permit Required.

Any Special Event shall require application and approval of a Special Event permit. An application for any Special Event permit shall be submitted to the Town Clerk for review in such form as produced by the Town for that purpose. Applications for a Major Special Event shall be acted upon by the Town Council. Applications for a Minor Special Event shall be acted upon by the Town Clerk.

Sec. XX. Application Review.

All Special Event applications will be reviewed by the Town Clerk, Police Chief, Parks and Recreation Director (for events on Town property), and other appropriate department managers, at the discretion of the Town Clerk. If determined to be a Major Special Event, the application shall be forwarded along with comment from appropriate officials to the Town Council for final decision. If determined to be a Minor Special Event, the Town Clerk shall apply the appropriate fee and render a decision on the application following input from appropriate officials.

(a) An application for a Major Special Event shall be submitted to the Town Clerk at least 20 days prior to a regular meeting of Town Council, unless waived by the Town Council. The application shall be on a form provided by the Town Clerk in adherence with town policies.

(b) *Issuance.* The Town Clerk or Town Council will issue the Special Event permit only if the Police Chief and, if required, any other officials deemed necessary by the Town Clerk, determine that all conditions of town ordinances and policies, as well as the approval standards under this Article, have been met. If the Chief of Police, Code Enforcement Officer and/or Fire Chief request conditions to be attached to the issuance of the permit as may be required to assure that the standards of this or any other applicable ordinance or policy will be met, or as may be necessary to protect the health, safety, welfare, and peace of the community, the permitting authority shall attach those condition(s) to the permit unless it deems the condition(s) to be illegal or outside the Town's jurisdiction.

(c) *Fees and deposits.* Upon issuance of the Special Event permit and prior to the conduct of the Special Event, the applicant shall pay to the Town Clerk a non-refundable permit fee based on a fee schedule set by the Town Council. The permitting authority may waive or reduce the permit fees at will for non-profit charitable Special Events, or for Special Events which are sponsored or co-sponsored by the Town.

(d) *Permit availability.* The permit issued pursuant to this Ordinance shall either be posted at the Special Event or immediately available upon request by any public official or law enforcement officer during the Special Event.

Sec. XX. Public safety review.

The Police and Fire departments will review all Special Event applications to ensure that the requested event will not cause an undue risk of harm to persons or property.

Sec. XX. Standards of Approval.

The Permitting Authority may approve the Special Event permit only if it finds that:

(a) The application is complete and all requested information, including any follow-up requests for information, has been provided;

(b) The proposed Special Event is compliant with existing town policies and ordinances and does not expose the town to risks deemed unacceptable by the town's liability insurer;

(c) The proposed special event will not unreasonably disrupt vehicular or pedestrian traffic or increase noise or odor levels;

(d) If the proposed Special Event will require special services to be provided by the town or others in order to prevent unsafe or harmful conditions, the applicant has demonstrated the availability of such services and has agreed to pay for the expected cost of such additional services.

Sec. XX. Revocation of permit.

Any permit issued under this article may be revoked by town officials after notice and hearing as provided in 30A MRSA Sec. 3814 if the applicant materially misrepresented anything in the Special Event application or in communications to Town officials regarding the Special Event

Sec. XX. Violation, penalties and disqualification.

(a) The holder of a Special Event permit shall be responsible for conducting the Special Event in compliance with the conditions of the permit and for maintaining adequate public safety coverage during the Special Event. The Town of Lisbon assumes no liability or responsibility by issuing a Special Event permit.

(b) *Violation.* It shall be a violation of this article, for any Special Event to be advertised or allowed to occur without the appropriate permit having been issued by the town Clerk, or to hold a Special Event in a manner which violates any requirement of this article, including any conditions that may be attached to a permit, or in violation of any other applicable code, rule, statute, or regulation of the town or the state.

(c) *Penalties.*

(1) *Revocation.* Any violation of this article may result in a revocation of the permit issued.

(2) *Penalty amount.* Any violation will be punished by a civil penalty of $500.00 for the first offense, $1,000.00 for the second offense, and $2,000.00 for the third or subsequent offense regardless of the time between the offenses. All penalties will include the costs of prosecution including, but not limited to, attorney's fees. Each act of violation and every day upon which any violation occurs constitutes a separate offense.

Sec. XX. Enforcement.

This article and the terms of any Special Event permit issued may be enforced by any law enforcement officer, by any public health and safety officer, and their designees, or by any other designated town official duly authorized by the Town Manager to enforce its provisions. The Parks and Recreation Department Director may, along with other authorized officials, enforce violations of this article as related to Special Events held on town-owned property.