

Ordinance Number Assigned: **2011-500**
SPECIAL EVENTS PERMIT ORDINANCE

Title

This Ordinance shall be known as the City of Calais, Maine “Special Events Permit Ordinance”.

Purpose

The purpose of this Ordinance is to provide the City of Calais with a mechanism for regulating the dates, times, location and conditions under which permittees are authorized to make use of City Property in a manner which is consistent with public health, safety and welfare and which promotes the use of City Property for special recreational, entertainment, or charitable events.

Definitions

For purposed of this Ordinance, the following definitions shall apply:

1. Special Event shall mean any event, sponsored by an individual, corporation, partnership or other entity or organization intended primarily for recreational, entertainment or charitable purposes, which requires the use of City Property of the City of Calais, Maine.
 - a. Minor Event shall mean an event not exceeding four hours in duration and/or anticipate less than 100 people affiliated with the event. (i.e. wedding ceremony; etc.)
 - b. Major Event shall mean an event exceeding four hours in duration and/or anticipate more than 100 people affiliated with the event. (i.e. community festival; carnival; street dance; charitable walk for a cause) Also, a major event clearly involves additional city services (i.e. police protection; more than one vendor needing electrical usage; etc.)
2. City Property shall mean any land owned by the City of Calais, Maine including but not limited to parks and streets.

Special events permit required

All special events applications will be reviewed and interpreted as a major or minor event by the City Manager, City Clerk, Police Chief, Fire Chief and other appropriate department managers. No person may conduct a Major or Minor Special Event on City Property without a Special Events Permit issued by the Calais City Council pursuant to this Ordinance.

Special events permit application

Each Special Events Permit Application shall be submitted to the City Clerk no earlier than six (6) months prior to the proposed special event and no later than thirty (30) days prior to the date of a minor event and four (2) months prior to the date of a major event unless waived by the city council. The application shall be on a form provided by the city and shall include, at a minimum:

1. Dates and times of event.
2. Description of the event.

3. Designated areas of City Property to be affected.
4. Estimated number of people attending event.
5. Evidence of liability insurance.
6. Plan for after function clean up.
7. Plan for dealing with traffic, parking, and crowd control.
8. Need for sanitary facilities for the event.
9. List of proposed vendors, if any at the event.
10. Need for city services, utilities, etc. for the event.
11. Whether amplified sound will be used.
12. Such additional information as the Calais City Council feels necessary for determination of compliance with this ordinance and efficient operation of city property.
13. Show proof of all State licensing and permits.

Council may waive application submission deadlines upon showing of good cause.

Criteria for issuance of special events permit

In considering whether to issue a Special Events permit, the City Council shall consider:

1. Whether the proposed Special Event is consistent with the goal of promoting use of City Property for recreational, entertainment or charitable events.
2. Whether the proposed Special Event can be conducted in the location proposed without endangering public health and order of the city property by
 - a. Has provided adequate traffic control for the event.
 - b. Has provided adequate crowd control for the event.
 - c. Has adequate liability insurance.
 - d. Has made arrangements for clean-up of the property following the event.
 - e. Does not pose a burden on municipal services or utilities.
 - f. Does not have an undue adverse effect on neighboring properties due to noise, litter or other negative features.

Penalties

Any person who violates any provision of this Ordinance or who fails to comply with terms of a Special Events Permit commits a civil violation and shall be subject to a penalty not to exceed \$500.00. Penalties may include monetary amounts for recovery of police services, trash removal or property damage of public property. Each day such violation continues or is repeated by the same person shall constitute a separate violation. All penalties collected hereunder shall enure to the City of Calais.

General

1. No rights created

This ordinance grants no rights to and creates no property or other legal interest in any person. The City Council retains full control over City Property and may at its sole and exclusive discretion issue, issue with conditions or deny Special Events Permits. Decision of the City Council under this Ordinance shall be final, and this Ordinance provides no right of appeal.

2. City not liable

The holder of a Special Events Permit shall be solely responsible for conducting the Special

Event in compliance with the conditions of the Permit and for maintaining public safety and order during the Special Event. The City of Calais assumes no liability or responsibility by issuing the Permit.

3. Conflict with Other Ordinances

This Ordinance shall not repeal, annul, or in any way impair or remove the necessity of compliance with any other statute, rule, ordinance, regulation, by-law, permit or other legal requirements. Where this Ordinance imposes a greater restriction upon the use of City Property, the provisions of this Ordinance shall prevail.

4. Validity and Severability

Should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not invalidate any other section or provision of this Ordinance.

5. Exemptions

This Ordinance shall not apply to any event sponsored, organized or conducted by any department or agency of the City of Calais. Scheduling of such municipal events shall be subject to the control of the City Council or their designee for events held on City Property.

6. Effective Date

The effective date of this Ordinance is the date of its enactment by the City Council of Calais.

Adopted: City Council June 30, 2011

Effective: July 31, 2011

Amended: August 15, 2013

Effective: September 14, 2013

Repealed: