

ORDINANCE # 328

AN ORDINANCE ENTITLED “AN ORDINANCE CONCERNING EVENTS AND GATHERINGS” REPEALING AND REPLACING ORDINANCE # 312

§ 8-171. Purpose.

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

§ 8-172. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

EVENT OR GATHERING -

- (1) Any temporary gathering, pageant, amusement show, exhibition, festival, theatrical performance, or other special event held with the intent to attract at least five hundred (500) persons during the course of the event, or at least two-hundred fifty (250) persons on site at any given time; or
- (2) Any public event that will require a special liquor permit; or
- (3) Any public event that needs to have on-site emergency medical services; or
- (4) Any event which will result in a temporary road closure or lane restrictions; or
- (5) Any event held on town property (i.e. Henry Park) potentially attracting a crowd in excess of 100 non-related individuals and/or have food provided by on-site commercial provider.

This definition shall exclude any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, place of business, or similar permanently established place of assembly for assemblies which do not exceed the maximum occupancy as set by the Fire Marshal of the facility where the assembly is held, any government sponsored event, or any agricultural fair that fully complies with Conn. Gen. Stat. § 19a-443(c).

PERSON — Any natural person, sole proprietor, partnership, corporation, firm or other entity.

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.

TOWN — Town of Vernon.

§ 8-173. Permit requirements; application; fees.

(a) Permit requirements.

(1) No person shall stage, sponsor, promote, operate or hold any event or gathering without first procuring an event or gathering permit from the town. While the event organizer/sponsor shall complete such applications, the property owner of a location for an event or gathering is responsible for ensuring the proper permits are obtained.

(2) When determined by the Chief of Police that police protection is necessary or required, the amount of such protection necessary shall be determined and furnished by the chief of police, or designee. Such protection shall be paid for by the person or persons operating, conducting or promoting the event, pursuant to Conn. Gen. Stat. § 7-284.

(3) Per Conn. Gen. Stat. § 29-291a, 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 Vernon Fire Marshal or Deputy Fire Marshal. Standby fire personnel and apparatus (if necessary) shall be furnished by the Town of Vernon Fire Department. Such protection shall be paid for by the person or persons operating, conducting or promoting the event or gathering.

(4) If EMS coverage is required by Connecticut State Statute or is requested by the event or gathering organizer, then the EMS personnel and apparatus (if necessary) shall be furnished by the town fire department. No other provider or agency can conduct an EMS standby in Vernon per Conn. Gen. Stat. §§ 19a-179-9 and 19a-179-11. Such protection shall be paid for by the person or persons operating, conducting or promoting the event or gathering.

(5) Permits for an event or gathering shall be issued by the Planning Department according to the procedure contained herein.

(b) Application.

(1) The person(s) seeking a permit must file a completed application along with an application fee as set by the Vernon Town Council with the Planning Department not less than thirty (30) days before the proposed event or gathering. The application shall include all information listed in Conn. Gen. Stat. §§ 19a-437 and 19a-438.

(2) The application shall be reviewed by the following town departments to ensure the event or gathering planning has accounted for each agency's needs:

- Police
- Fire Marshal / Fire Department

- Health Department
- Public Works
- The Agency with jurisdiction over the facility

(3) The town shall have up to thirty (30) 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.

(4) If an application for an event or gathering is filed with the Planning Department less than thirty (30) days in advance, then the town reserves the right to limit or prohibit the event or gathering if the town is not able to provide the resources necessary to ensure public safety.

(c) *Fees.* It shall be the responsibility of the person seeking a permit to ensure all public costs and fees associated with police, fire, medical, health or town services are paid upon receipt of invoice. All labor and equipment rates will be charged at the current FEMA rate.

§ 8-174. Enforcement.

The chief of police or duly authorized town officials will enforce the provisions of this chapter, as well as any restrictions or conditions of the actual event or gathering permit. The chief of police may revoke a permit issued under the provisions of this chapter at any time if the person holding such permit fails to comply with any of the conditions (1) necessary for the issuance of the permit, or (2) contained in the permit.

§ 8-175. Penalties for offenses.

Any person, firm, corporation, property owner or partnership which violates any portion of this chapter or fails to obtain required approvals will be subject to a cease-and-desist order, will be required to pay any public costs and fees associated with police, fire, medical, health or town services, and shall be fined two hundred fifty dollars (\$250.00) per day, pursuant to Conn. Gen. Stat. § 7-148 in addition to any penalties provided in Conn. Gen. Stat. § 19a-442. Each day that a violation continues constitutes a separate violation.

§ 8-176. Assignability.

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

§ 8-177. Expiration.

Permits issued under this chapter are valid only during the approved operating hours of the event or gathering or approved rain date. The permit is void should the event or gathering be canceled or postponed.

§ 8-178. Appeal.

Any person aggrieved by any order denying or revoking a permit pursuant to this chapter may appeal to the superior court.

§ 8-179. Conflicts with other legislation.

This chapter shall not repeal, annul, or in any way impair or remove the necessity of compliance with any other rules, regulations, bylaws, permits, or provisions of the Town of Vernon and the State of Connecticut. The requirements of this chapter shall be in addition to all requirements concerning licenses for mass gatherings contained in the Connecticut General Statutes.

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