

TOWN OF NEW SHOREHAM
APPLICATION FOR
SPECIAL EVENT LICENSE

- Please remit non-refundable fee of \$50.00 to the Town Clerk with completed application.
- The application must be filed at least 30 days prior to the event.

Any of the following conditions require a Special Event License. Check the conditions that apply:

- Fireworks display
- The event will be held in a commercial zone and will attract 250 persons or more, including participants, spectators and support staff
- The event will be held in a residential zone and will attract 75 persons or more, including participants, spectators and support staff
- The event will attract 100 persons or more, at one time to use Fred Benson Town Beach or other state- or town-owned property
- The event will attract more than 30 automobiles
- The event will require additional police services or special attention by police
- The event will require traffic control
- The event will require full or partial closure of a road or a street
- The event warrants special attention by any town office, due to size or extraordinary nature
- The event will require fire or emergency services
- The event will require trash cleanup

LIMITATIONS:

- ◆ Licensed outdoor events open to the public, for which admission is charged, must end by 5:00 p.m.
- ◆ Only the owner of the property to be licensed or the authorized agent of the owner may apply for and hold a license
- ◆ Applicants in commercial zones may not apply for more than 20 events per calendar year, of which no more than 4 are open to the public
- ◆ Applicants in residential zones may not apply for more than 4 events per calendar year
- ◆ Events are subject to the decibel sound limit set for the zone. Sound limits reduce significantly at 9:00 p.m. in residential zones.
- ◆ If event is open to the public, there must be a minimum of at least one trained crowd manager/supervisor present.

Please fill out application in its entirety (page 1 – page 3)

This application will be mailed to the owner of record of the property hosting the event.

Event Information

Description of Event:

Date: _____ Hours: _____

Location (or route): _____

Plat _____ Lot _____ Fire Number and Street: _____

Zoning designation (circle): RA RB RC RC/M M OHC NHC SC C

Does the property have town water service? Yes No

Does the property have town sewer service? Yes No

If not on town sewer, have you made arrangements for portable toilets? Yes No

Estimated number attending: _____ Estimated number of motor vehicles: _____

I am applying under 8-302(g) and have attached a copy of my zoning certificate.

The New Shoreham Special Event Ordinance requires the property owner to apply for the license if the event is in a residential zone. If the property owner is a legal entity, only a stockholder, member, partner or other owner of the legal entity may apply for a license.

Property Owner: _____

Applicant: _____

Applicant's Mailing Address: _____

The ordinance requires a designated "contact person" who will be present during the event.

Name _____

Phone Number (during event) _____

Describe your plans for parking and emergency vehicle access:

If your event is open to the public: The Rhode Island State Fire Marshals' Office requires at least one trained crowd manager on site for any assembly over 50 people.

Name of crowd manager: _____

Contact Number: _____

If parking will be off-site, attach a statement from the property owner(s) allowing parking on their property during the event.

The ordinance requires a statement that you have made provisions for:

1. Compliance with all state laws, including those regarding liquor sales and fire protection
2. Compliance with all Town ordinances, including the noise ordinance
3. Medical and emergency assistance
4. Protection of neighboring properties
5. Litter control, clean-up and removal
6. Septic waste disposal
7. Parking and traffic control

I have provided for items 1 – 7 above. I, _____, the owner of the private property where the proposed event is to be held, accept liability for violations of town ordinances. I or my authorized agent ("contact person") will be present during the event. My authorized agent ("contact person") is _____

Applicant's signature: _____ Date: _____

Owner's Signature (if different): _____ Date: _____

I request this event be excluded from this property's license limit because the event is sponsored by or for a 501(c) (3) organization. Proof attached.

I request a waiver of the \$50 application fee because I am applying on behalf of a nonprofit organization. Proof of the nonprofit's status is attached.

Organization: _____

Basis for Denial:

- Incomplete application
- Police Chief has determined that multiple licenses issued for the same day create an extraordinary burden on Town services
- The event presents an actual danger to public health, safety or welfare
- The event presents an unreasonable disruption of traffic or a burden on normal use
- Exceeds annual limit for the property
- Application was received less than thirty days prior to the event

NEW SHOREHAM GENERAL ORDINANCES
CHAPTER 8, LICENSES AND BUSINESS REGULATIONS
ARTICLE X. - SPECIAL EVENTS

Sec. 8-300. - Purpose.

(a) The purpose of this article is to establish standards for persons and organizations to hold special events:

- (1) That are not part of the ordinary use of commercial or residential properties;
- (2) That may use more than one property;
- (3) That may use public roads or town property; or
- (4) That warrant special attention by the police department or other town offices because of their size or extraordinary nature.

(b) A special event is an infrequent occurrence that by its nature may be offered on a one-time or experimental basis.

(Ord. of 4-6-2005(2), § 8-300)

Sec. 8-301. - Definitions.

(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Special event means any event that the applicant or sponsor knows or should know by promotion, public announcements, or past experience will attract more than 250 persons or 50 motor vehicles in the commercial zones, or 75 persons or 30 motor vehicles in the residential zones, or will require services beyond those that are regularly provided by the town such as additional police services, traffic control, fire and emergency and medical planning or services, street closures, or trash clean up.

(b) Special events may include parades, dances, concerts, fairs, parties, traveling shows or exhibits, road races, fireworks display, triathlons, biathlons, decathlons, bicycle races, amplified music and performances.

(c) Special events shall include:

- (1) An event that requires the partial or full closure of a road or street.
- (2) An event that will attract 100 or more persons at one time to use the Fred Benson Town Beach or other state- or town-owned property at one time.
- (3) A wedding, party, or other event in a residential zone, if the owner knows or has reason to know that the event will attract more than 75 persons or-30 motor vehicles.

(Ord. of 4-6-2005(2) (Ord of 6-18-2014)

Sec. 8-302. - License required.

(a) It shall be unlawful for a person or organization to sponsor, promote, engage in, or hold a special

event within the town without having first obtained a license for a special event from the office of the town clerk.

(b) (i) In a residential zone, only the owner of the property to be licensed may apply for and hold a license for a special event. In the event that the owner of the property is a legal entity, only a stockholder, member, partner or other owner of such legal entity may apply on behalf of such legal entity for a license for a special event.

(ii) In all zones other than a residential zone, only the owner of the property to be licensed or the authorized agent of the owner may apply for and hold a license for a special event.

(c) An applicant shall file with the town clerk on a form provided the following information: name and address of the applicant; a description of the proposed event; Assessor's Plat and Lot number and fire number, dates and times of the event; an estimate of the expected attendance and expected number of motor vehicles; the identity of the owner and agent and telephone number by which they may be contacted during the event; a statement by the owner of any private property to be used for which the owner accepts liability for violations of town ordinances and that the owner or an authorized agent of the owner will be present during the event; a statement by the applicant that he or she has made provisions for medical and emergency assistance, protection of neighboring property, litter control and cleanup, septic waste disposal, parking and traffic control, and compliance with all town ordinances including the noise ordinance and all state laws, including those on liquor sales and fire protection.

(d) The fee for the license shall be set annually by the town council, and will be on file in the town clerk's office. The fee is nonrefundable. There shall be no fee for nonprofit organizations. An applicant shall file the form at least 30 days before an event.

(e) An applicant in a commercial zone may apply for and hold no more than 20 licenses for a special event in any calendar year, of which not more than four shall be open to the public. The town council reserves the right to limit events based on past history.

(f) An owner in a residential zone may apply for and hold no more than four licenses for special events in any calendar year; provided, however, that for good cause shown, the town council, in consideration of matters pertaining to health, safety, economics, general welfare, and such other matters as the town council shall deem appropriate, may grant an owner an additional license(s) above the four license maximum during any calendar year.

(g) To the extent that legal pre-existing non-conforming commercial uses exist in residential zones and mixed use zones, applicants on behalf of such uses shall conform to the requirements of 8-301, concerning the number of people expected at the event, and 8-302(e), concerning the maximum number of licenses in a calendar year.

(h) Outdoor events open to the public for which admission is charged shall end at 5:00 p.m.

(Ord. of 4-6-2005(2), § 8-302) (Ord of 6-18-2014)

Sec. 8-303. - Review.

(a) Departmental review may be required by some or all of the following: office of wastewater

management, building official, harbormaster, police chief, highway supervisor, and the volunteer fire department and rescue squad.

(b) An application may be denied if:

- (1) The applicant has not complied with 8-302(b) above;
- (2) The event will present an actual danger to the public health, safety or welfare; or
- (3) The event will unreasonably disrupt traffic or cause a burden on normal use.
- (4) If the police chief determines that multiple licenses issued on the same day will create an extraordinary burden on town services.

(c) An applicant whose permit application is denied may appeal to the town council.

(Ord. of 4-6-2005(2), § 8-303)

Sec. 8-304. - Violations.

(a) Any license holder who violates the terms of the license, or any ordinance of the town, shall be subject to a fine, on file in the office of the town clerk.

(b) In addition, the town council, if it determines that a license applicant has violated town ordinances or the terms of the license, may revoke a license for the calendar year, or suspend it, or reissue it conditionally, or deny an application for a subsequent calendar year, after notification has been given and a duly advertised show cause hearing has been convened by the town council acting as board of license commissioners.

(Ord. of 4-6-2005(2), § 8-304)

Sec. 8-305. - Exceptions.

Following are the exceptions to the provisions of this article:

- (1) Events sponsored by the town or the school committee.
- (2) The traditional town sanctioned Fourth of July Parade.
- (3) The town sanctioned Fourth of July fireworks display on Crescent Beach.
- (4) Religious events sponsored by a religious organization.
- (5) Funerals and funeral processions.
- (6) Events sponsored by or for 26 USC § 501(c)(3) nonprofit charitable organizations shall not be counted against the limit on licenses in a calendar year.

(Ord. of 4-6-2005(2), § 8-305)