TOWN OF

NEW DURHAM

NEW HAMPSHIRE
03855

GUIDELINES AND PROCEDURES FOR REVIEW OF LICENSE APPLICATIONS

FOR SPECIAL EVENTS IN THE TOWN OF NEW DURHAM

PER RSA 286:1-4

ADOPTED MAY 20, 1985

A license shall be required for all special events in New Durham per RSA 286:1-4. The Board of Selectmen is the licensing authority. Special events are defined in RSA 286:1-4 and shall also include but not be limited to the following: Musical concerts and/or dances, sporting events.

Any special event as defined above whether held inside or outside, on public property, or on private property abutting public property, shall require compliance with these guidelines and procedures.

Each request to be licensed requires the completion of an application, available at the Town Office, and additional supporting data the applicant may forward with the application.

Applications are expected to be received by the Board of Selectmen sixty (60) days prior to the date that the proposed special event is scheduled. The Board of Selectmen will, however, accept such applications if received more than thirty (30) days prior to the proposed special event, but will then determine if sufficient time is available to thoroughly review the application and proposed special event.

Upon receiving the license application with additional supporting data as submitted by applicant, the Board of Selectmen may request recommendations and advice from others pertaining to the issuance of such license.

The license, when issued by the Board of Selectmen, will be for a specific purpose or special event at a designated time and location and may contain exceptions and conditions set forth in writing, The license may be revoked at any time prior to or during the special event if the exceptions and conditions contained in the license have not been performed or completed as specified.

In reviewing the application, the Board of Selectmen may request information and/or consider the following:

1. Has this event been previously held in New Durham? If yes; where, when and the promoters of said event. Is input from the neighborhoood nearby the proposed special event location appropriate due to the uniqueness, size, and potential effects such event may cause to the neighbors. If appropriate, a public hearing may be held at the Board of Selectmen as it determines, in its sole discretion, to identify neighborhood concerns.

2. Attendance statistics for such events held in other locations and manner of formulating attendance estimates for the subject event; prior experience of applicant (promoter) relative to such event with at least three references for the applicant; the exact nature of the event (and type and name of performers). Any other background material helpful in assisting the Selectmen in the granting of the license.

3. A satisfactory security plan must be developed by the applicant and approved in writing by the Police Chief of New Durham. All inside events shall have a sufficient number of off duty policemen present to manage the maximum seating capacity for those attending. All outside events shall have a sufficient number of off duty policemen present to secure the area, control those attending and assume compliance with all applicable laws and license conditions.

4. A satisfactory fire plan must be developed by the applicant and approved by the Fire Chief, if requested by the Selectmen.

5. A traffic control plan for the event shall be provided which shall set forth the anticipated number of vehicles that will be at the event with the manner of formulating the estimate of such numbers; the availability of parking for vehicles; the type and placement of signage required; any special entrance or exit requirements; the number of police officers needed for traffic control procedures; and any other traffic control procedures required to handle the attendance at the subject event. The above procedures shall be approved by the Chief of Police.

6. An ambulance and medical plan will be provided by the applicant to insure proper safety care of those attending the subject event including whether or not on site services are appropriate due to the size and scope of the event and accessibility of such services during the event. (if requested by the Selectmen

7. A sanitary facility plan shall be submitted appropriate for the anticipated number of those in attendance which shall include portable toilet facilities, suitable number of trash containers with encouragement that those in attendance shall dispose of litter therein, and assurance that the area and the immediate roadways leading to the area for the event will be cleared of all debris within 12 hours after completing the event.

8. A ticket distribution plan and the availability of tickets at the time of the event and provisions for the limitation of ticket sales.

9. Details of financial arrangements sufficient to permit the town confidentially to compute the feasibility of plans and proposals of the subject applicant and for use in determining anticipated crowd size, traffic numbers, sanitary requirements, and other appropriate requirements.

10. The noise impact shall be assessed initially through the information submitted by the applicant. Depending on the appropriateness, but particularly if outside amplification of sound is a part of the event which proposes noise levels that may be considered disturbing in the neighborhood, a monitoring of the noise levels may be required at the expense of the applicant through a qualified sound expert approved by the town. In such event, the noise level guidelines of the town may be imposed as an additional condition in granting the license.

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11. A crowd control plan shall be submitted which shall include any reserved seating plans, the type and scope of the advertising procedures, provisions for limitation of ticket sales and sellout procedures, refreshment areas that may be opened in conjuction with the event and the location and type of such refreshment areas, the sale or allowance of alcholic beverages at the event, and generally all arrangements to assure a peaceful assembly of people at the event.

12. A performance bond plan and the type of bond which the applicant shall file with the town in assurance of the completion of the conditions that may be imposed on the granting of such license as generally allowed per RSA 286:4-a.

The above topics illustrate areas of health, safety and public welfare to be considered in reviewing an application and shall not be deemed to exclude all other references of concern that may be considered in determining whether or not to issue a license and the appropriateness of any exceptions and conditions necessary to be attached to the granting of such license. The Board of Selectmen reserve the right to waive or modify any of these guidelines and procedures based on the nature of the special event; its time and location; the size of the special event; and prior experience of the town with such special event.

The actual license for the special event will not be issued or considered valid until all preconditions and/or exceptions imposed for the special event have been satisfactorily completed or arranged. If any new exceptions or conditions are presented or otherwise sought by the applicant within fourteen (14) days of the sc eduled date of the special event, such presentment may be considered a basis for invalidation of the license application.

The noise guidelines are a part of the guidelines and procedures to be used by the Board of Selectmen where appropriate for those special events which due to their character, location and size indicate that the Selectmen may reasonably be concerned with noise pollution to the neighborhood in which the special event is to be located. Such separate guidelines for noise control are in such cases to be deemed a part of these Guidelines and Procedures.

Any expense incurred in complying with these guidelines for such things as off-duty police, sanitary facilities, etc. are to be borne by the applicant.

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NOISE GUIDELINES
FOR SPECIAL EVENTS

As appropriate to the type of special event proposed to be conducted within the Town of New Durham under Special License, RSA 286:1-4, the applicant may be required, as a condition of the granting of such license, to comply with the following noise requirements so as to avoid pollution to the neighborhood in which the event is conducted.

1. If the event is to be held outdoors and includes amplification of sound in a manner which may be disturbing to the neighborhood, the applicant may be required to engage, at its expense, an individual having expertise in sound measurement devices listed below and as approved by the Selectmen of New Durham, Such individual shall conduct measurements of sound levels by testing prior to the commencement of the event and during the event. An apparent violation of these guidelines will require the enforcing officer to give a verbal to cease or abate the noise immediately or within a specified period of time. Failure to comply with the order as specified shall cause immediate termination of the license and the violator shall be liable to the penalties therefor as provided under New Hampshire law.

2. MEASUREMENT OF NOISE

A. The measurement of sound or noise, unless otherwise specified by the Selectmen, shall be made with a sound level meter meeting the standards prescribed by ANSI S1.4-1971 TYPE 1 or TYPE 2 and IEC 179. The instrument shall be maintained in calibration and good working order. A calibration check shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measuremnet shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. Traffic, aircraft and other transportation noise sources and other background noises shall not be considered in taking measurements except where such background noise interferes with the primary noise being measured.

B. The slow meter response of the sound level meter shall be used in order to best determine that the amplitude has not exceeded the limiting noise levels set forth in Table 1 below.

C. The measurement shall be made upon the nearest public way, or at the location from which a complaint is received, at a level of five (5) feet above the ground.

The following Table 1 shall represent the limit of permissable noise levels in all districts within the town of New Durham.

TABLE 1

	Maximum Permissable A-weighted Sound Level	
	DAY	NIGHT
A. L_{10} level	55	45
Maximum	68	58

L_{10} refers to a national guideline for measuring noise levels over time and is recommended by the Environmental Protection Agency.

Sound levels are in decibels re: 20 micro pascals measured on the A-weighting network of a sound-level meter meeting the standards reference in Paragraph 2, measurements of noise.

(1) For the purpose of this Table, "Day" shall be defined as 10:00 a.m. to 10:00 p.m.: and "Night" shall be defined as 10:00 p.m. to 10:00 a.m. local time.

(2) If the noise is not smooth and continuous, one or more of the corrections in Table II below shall be added to or subtracted from each of the decibel levels given in Table I of this section.

TABLE II

(Correction in Decibels)

Noise of impulsive character (hammering, etc.); minus 5
Noise of periodic character(hum, screech, etc.); minus 5

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SPECIAL EVENT LICENSE APPLICATION

DATE: _____

1. Name & Address of Applicant: _____

2. Name & Address of Promoter(if different from above) _____

_____

3. Describe Nature of Event: _____

_____

4. Date & Time of Event: _____ 5. If Outside, Rain Date: _____

6. Has This Event Been Previously Held In New Durham? _____

7. If Yes Where? _____ When? _____ Promoter? _____

8. Estimated Attendance _____

9. Manner of Estimating Attendance _____

10. Prior Experience of Applicant Relative to This Event _____

_____

11. List Three(3) Character References by Name & Address:

_____

_____

_____

12. Type of Performers: _____

13. Name & Address of Performers: _____

_____

_____

14. Has a Security Plan Been Approved by the Chief of Police? _____

15. Has a Traffic Control Plan Been Approved by the Chief of Police? _____

16. If This Event is Held Outside, Will There Be One Portable Toilet for Every 75 People Attending?

17. Describe in Detail the Ticket Distribution Plan, Provisions for the Limitation of Ticket Sales, Ticket Prices, and What the Ticket Price Includes: _____

_____

_____

_____

_____

_____

_____

18. Will Refreshments be Served? _____

19. If Yes, Give Location and Type of Refreshments. _____

20. Are Alcholic Beverages to be Sold or Served? _____

21. If Yes, has a Special Liquor License been Obtained from the state of New Hampshire Liquor Commission? _____

	SELECTMEN	CHIEF OF POLICE
Approved: _____	_____	_____
Denied: _____	_____	
	_____	

Special Exceptions and/or requirements