



General Assembly

February Session, 2010

Raised Bill No. 5446

LCO No. 2004

02004_____PH_

Referred to Committee on Public Health

Introduced by:
(PH)

AN ACT CONCERNING MASS GATHERINGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-436 of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2010*):

4 (a) [No] Except as provided in subsection (d) of this section, no
5 person shall permit, maintain, promote, conduct, advertise, act as
6 entrepreneur, undertake, organize, manage or sell or give tickets to an
7 actual or reasonably anticipated assembly of two thousand or more
8 people [which] that continues or can reasonably be expected to
9 continue for twelve or more consecutive hours, whether on public or
10 private property, unless a license to hold the assembly has first been
11 issued by the chief of police of the municipality in which the assembly
12 is to gather or, if there is none, the first selectman. A license to hold an
13 assembly issued to one person shall permit any person to engage in
14 any lawful activity in connection with the holding of the licensed
15 assembly.

16 (b) A separate license shall be required for each day and each

17 location in which two thousand or more people assemble or can
18 reasonably be anticipated to assemble. The fee for each license shall be
19 one hundred dollars.

20 [(c) A license shall permit the assembly of only the maximum
21 number of people stated in the license. The licensee shall not sell
22 tickets to or permit to assemble at the licensed location more than the
23 maximum permissible number of people.]

24 [(d)] (c) The licensee shall not permit the sound of the assembly to
25 carry unreasonably beyond the boundaries of the location of the
26 assembly.

27 (d) A municipality may waive the licensure process prescribed in
28 this section, provided no assembly, as described in subsection (a) of
29 this section, may gather unless the person undertaking the assembly
30 has provided: (1) Prior notification to the chief elected official of the
31 municipality where the assembly is to gather, and (2) a letter to the
32 chief elected official of the municipality documenting that the
33 requirements of section 19a-437, as amended by this act, have been
34 met. The person undertaking the gathering shall provide such notice
35 and letter to the chief elected official of the municipality not less than
36 fifteen days prior to the date when the assembly is to gather.

37 Sec. 2. Section 19a-437 of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective October 1, 2010*):

39 Before the issuance of a license in accordance with the provisions of
40 this chapter, the applicant shall first:

41 (1) Determine the maximum number of people which will be
42 assembled or admitted to the location of the assembly, provided the
43 maximum number shall not exceed the maximum number which can
44 reasonably assemble at the location of the assembly in consideration of
45 the nature of the assembly and provided, where the assembly is to
46 continue overnight, the maximum number shall not be more than is

47 allowed to sleep within the boundaries of the location of the assembly
48 by the zoning or health ordinances of the municipality and that, for an
49 assembly that occurs on an annual basis, the maximum number of
50 people determined may be the average number of persons assembled
51 each day of the assembly during the prior four years of the assembly;

52 (2) Provide proof that food concessions will be in operation on the
53 grounds with sufficient capacity to accommodate the number of
54 persons expected to be in attendance and that he will furnish at his
55 own expense before the assembly commences: (A) Potable water,
56 meeting all federal and state requirements for purity, sufficient to
57 provide drinking water for the maximum number of people to be
58 assembled at the rate of at least one gallon per person per day and
59 water for bathing at the rate of at least ten gallons per person per day;
60 (B) separate enclosed toilets for males and females, meeting all state
61 and local specifications, conveniently located throughout the grounds,
62 sufficient to provide facilities for the maximum number of people to be
63 assembled at the rate of at least one toilet for every two hundred
64 females and at least one toilet for every three hundred males, together
65 with an efficient, sanitary means of disposing of waste matter
66 deposited, which is in compliance with all state and local laws and
67 regulations. A lavatory with running water under pressure and a
68 continuous supply of soap and paper towels shall be provided with
69 each toilet; (C) a sanitary method of disposing of solid waste, in
70 compliance with state and local laws and regulations, sufficient to
71 dispose of the solid waste production of the maximum number of
72 people to be assembled at the rate of at least two and one-half pounds
73 of solid waste per person per day, together with a plan for holding and
74 a plan for collecting all such waste at least once each day of the
75 assembly and sufficient trash cans with tight fitting lids and personnel
76 to perform the task; (D) a written plan reviewed by the primary service
77 area responder, as defined in section 19a-175, in the location where the
78 assembly is to be held, that indicates that the applicant has
79 satisfactorily planned and arranged for the on-site availability of an
80 emergency medical service organization, as defined in section 19a-175,

81 during the duration of the assembly; [(E) if the assembly is to continue
82 during hours of darkness, illumination sufficient to light the entire
83 area of the assembly at the rate of at least five foot candles, but not to
84 shine unreasonably beyond the boundaries of the location of the
85 assembly; (F)] (E) a [free] parking area [inside of the assembly
86 grounds] sufficient to provide parking space for the maximum number
87 of people to be assembled; [at the rate of at least one parking space for
88 every four persons; (G) telephones connected to outside lines sufficient
89 to provide service for the maximum number of people to be assembled
90 at the rate of at least one separate line and receiver for each one
91 thousand persons; (H)] (F) if the assembly is to continue overnight,
92 camping facilities in compliance with all state and local requirements,
93 sufficient to provide camping accommodations for the maximum
94 number of people to be assembled; [(I)] (G) security guards, either
95 regularly employed, duly sworn, off duty policemen or constables or
96 private guards, licensed in this state, sufficient to provide adequate
97 security for the maximum number of people to be assembled at the
98 rate [of at least one security guard for every seven hundred fifty
99 people] determined in consultation with the local police authority; [(J)]
100 (H) fire protection, including alarms, extinguishing devices and fire
101 lanes and escapes, sufficient to meet all state and local standards for
102 the location of the assembly and sufficient emergency personnel to
103 operate efficiently the required equipment; [(K) all reasonably
104 necessary precautions to insure that the sound of the assembly will not
105 carry unreasonably beyond the enclosed boundaries of the location of
106 the assembly;] and [(L)] (I) if required by the municipality where the
107 mass gathering will be assembled, a bond, filed with the clerk of the
108 municipality in which the assembly is to gather, either in cash or
109 underwritten by a surety company licensed to do business in this state,
110 [at the rate of four dollars per person for the maximum number of
111 people permitted to assemble, which] that (i) shall indemnify and hold
112 harmless the municipality or any of its agents, officers, servants or
113 employees from any liability or causes of action which might arise by
114 reason of granting the license, and from any cost incurred in cleaning

115 up any waste material produced or left by the assembly; (ii) guarantee
116 the state the payment of any taxes which may accrue as a result of the
117 gathering; and (iii) guarantee reimbursement of ticketholders if the
118 event is cancelled.

119 Sec. 3. Subsection (a) of section 19a-438 of the 2010 supplement to
120 the general statutes is repealed and the following is substituted in lieu
121 thereof (*Effective October 1, 2010*):

122 (a) Application for a license to hold an actual or anticipated
123 assembly of two thousand or more persons shall be made in writing to
124 the governing body of the municipality at least fifteen days in advance
125 of such assembly and shall be accompanied by the bond required by
126 subparagraph [(L)] (I) of subdivision (2) of section 19a-437, as
127 amended by this act, and the license fee required by subsection (b) of
128 section 19a-436, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	19a-436
Sec. 2	<i>October 1, 2010</i>	19a-437
Sec. 3	<i>October 1, 2010</i>	19a-438(a)

Statement of Purpose:

To provide municipalities with the discretion to exempt certain mass gatherings from statutory licensure requirements.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]