

MUNICIPAL ENTERTAINMENT REGULATION

Article I

Section 1100.0 Title & Enactment

Pursuant to Title 31, Section 442, and Title 24, Section 2291, Vermont Statutes Annotated, there are hereby established regulations relating to entertainment within the Town of Rockingham.

1200.0 Purpose

The purpose of this regulation is to promote the public good, health, safety, welfare, and convenience of the citizens and residents of the Town of Rockingham.

1300.0 Applicability of Regulation

All theaters, shows, moving picture shows, circuses, carnivals, menageries, concerts, entertainments, video games, plays, or exhibitions of any kind for which money is received, proposed to be conducted within the territorial limits of the Town of Rockingham, including Bellows Falls Village Corporation, shall obtain a license from the Selectmen of the Town of Rockingham.

Article II

2100.0 Annual Licenses

2100.1 Licenses shall be issued annually to any form of entertainment and/or exhibition covered by this regulation which operates for three months or more during any single calendar year on the basis of an annual license fee.

2100.2 Application for an annual license shall be made to the Board of Selectmen on or before June 1, 1985, and each year following on or before June 1st.

2100.3 Licenses shall be issued on an annual basis beginning June 1, 1986, upon such terms and conditions as affecting the public good, health, safety, welfare, and convenience of the citizens and residents of the Town of Rockingham as may be deemed necessary and proper by the Board of Selectmen of the Town.

2200.0 Limited Licenses

2200.1 The Selectmen shall issue licenses for a single performance or for several performances of a duration not to exceed three (3) months upon such terms and conditions as may be indicated affecting the public good, health, safety, welfare, and convenience of the citizens and residents of the Town of Rockingham as may be deemed necessary or proper by the Board of Selectmen.

2300.0 License Fees

2300.1 The annual license fee and the limited license fees shall be in an amount as determined by the Board of Selectmen and be payable to the general fund of the Town of Rockingham.

2300.2 The Selectmen may waive the requirement of payment of a fee when in its judgment the entertainment or exhibition is of a non-profit character or imposition of the license fee would cause an unreasonable burden upon the licensee.

2400.0 Application Forms

2400.1 The Town Manager shall provide application forms for annual and limited licenses.

Article III

3100.0 Hearings, Conditions & Denial

3100.1 At its option, the Board of Selectmen may require a hearing incident to the issuance of any license as herein provided and shall not issue a license, in any event, under circumstances wherein an entertainment or exhibition herein regulated, operating on an annual or limited basis, adversely affects the public good, health, safety, welfare and convenience of the public.

3100.2 The issuance of any license may be subject to reasonable conditions affecting the public good, health, safety, welfare, and convenience as may be necessary to guarantee compliance with the terms of this Regulation, and any license issued pursuant to said Regulation and to which conditions are attached, shall be deemed automatically revoked and of no further force and legal effect should any such condition be breached pursuant to the terms of the same.

Article IV

4100.0 Enforcement

4100.1 Any person who installs, operates, maintains or provides any form of entertainment or exhibition governed by this Regulation without first obtaining a license therefore, shall be fined no more than \$500.00 for each offense. Each week the violation continues shall constitute a separate offense.

4100.2 The presiding judge of the superior court, on application of the Board of Selectmen, shall have jurisdiction to enjoin the violation of this regulation, but the election of the Town to proceed under this section shall not prevent prosecutions under Section 4100.1.

Article V

5100.1 Aggrieved Parties

Any owner or operator of any form of entertainment or exhibition subject to these Regulations who is aggrieved by any decision of the Board of Selectmen shall be entitled to all legal rights and appeals as provided by law.

5200.1 Severability

If any portion of this Regulation is held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Regulation shall not be affected.

Adopted by the Town of Rockingham, Board of Selectmen, this 27th day of January, 1986.

s/ John Cook
s/ Maurice Kelly
s/ Richard Long
s/ Douglas MacPhee
s/ Albert White

And made effective on the 28th day of March, 1986. These regulations supercede the Town of Rockingham Theatre & Entertainment Ordinance of March 28, 1972, and the Regulations in re Theatre & Entertainment Ordinance of April 11, 1972.