



**TOWN OF LANCASTER, MASSACHUSETTS
SELECT BOARD**

Prescott Building, 701 Main Street, Suite 1

Lancaster, MA 01523

Tel: 978-365-3326 Fax: 978-368-8486

Email: krocco@lanasterma.net

Annual License Fee - \$400.00
Annual License Fee - \$100.00 w/M-Sat
License
Single Event - \$20.00

Selectmen's Office
Date Received

**APPLICATION FOR TOWN LICENSE
DANCING*, SPORTS, GAMES, FAIRS, EXPOSITIONS, PLAYS OR
ENTERTAINMENT OF PUBLIC DIVERSION** ON SUNDAY**

New Application _____ Renewal _____

Name of Concern: _____

Street Address of Concern: _____

Mailing Address (if different): _____

Contact Person & Title (*Owner, Director, Manager, Other*): _____

Telephone: _____ Facsimile: _____ E-Mail: _____

Describe in detail the proposed dancing, game, sport, fair, exposition, play, or entertainment of public diversion: _____

Hours of Proposed Entertainment: Starting Time: _____ P.M. Ending Time: _____ P.M.

NOTICE: No License issued pursuant to G.L. c.136, §4 shall be granted to permit activities before 1:00 p.m. without a License issued by the Commissioner of Public Safety, Attn: Special Licensing Division, One Ashburton Place, Boston, MA 02108-1618.

The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.

Signature of Applicant _____

Tax ID Required _____

_____ Date

License Fee must be submitted with this form. Make check payable to *Town of Lancaster*. Mail Application Form, Workers' Compensation Affidavit, and check to: *Select Board, 701 Main Street, Suite 1, Lancaster, MA 01523*.

*** *Dancing applies to watching dance (e.g. Ballet).***

**** *Public Diversion includes, but is not limited to, flea markets, coin-operated amusements, ice and roller-skating, carousels, inclined railways, Ferris wheels, and exhibitions of firefighting.***

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.



Town of Lancaster

Police Department

Edwin H. Burgwinkel
Chief of Police

Francine L. Moody
Administrative Secretary

Entertainment License Applicants

Police Detail Requirements

To All Applicant's,

The following shall be the policy of the Lancaster Police Department regarding the requirements and needs of a police presence at any event held in Lancaster. We understand that events differ greatly and some may be large enough that they affect the flow of traffic in and around the event location. We recognize that variables within the dynamic of an event may dictate the need of police officers to not only direct traffic patterns but also maintain a level of public order. Therefore the following will be used as a guideline.

0-200 Patrons -----Requires a determination of the Chief of Police.

200-300 Patrons----Requires 1-2 officers. Discretion of the Police Chief regarding further needs.

300-500 Patrons----Requires 2-3 officers. Discretion of the Police Chief regarding further needs.

500 and over -----Logistical meeting with Police Chief is required. Needs shall be dictated by the event.

This policy serves as a guideline to organizations wishing to have an event in Lancaster. We realize that at the application stage, some organizations may not have an exact number of patrons who may be attending. We understand that these numbers can sometimes vary greatly. In the event that an event grows beyond the estimated numbers given in the application stage, the owner of the entertainment license will contact the police department directly to determine the specific needs of the event.

MASSACHUSETTS GENERAL LAWS ANNOTATED
PART I. ADMINISTRATION OF THE GOVERNMENT
TITLE XX. PUBLIC SAFETY AND GOOD ORDER
CHAPTER 136. OBSERVANCE OF A COMMON DAY OF REST AND LEGAL HOLIDAYS
SPORTS, GAMES AND ENTERTAINMENT ON SUNDAY

Current through Ch. 11 of the 2003 1st Annual Sess.

§ 4. License; application; issuance; fee; revocation, etc.; application of section

(1) The mayor of a city or the selectmen of a town, upon written application describing the proposed dancing or game, sport, fair, exposition, play, entertainment or public diversion, except as provided in section one hundred and five of chapter one hundred and forty-nine, may grant, upon such reasonable terms and conditions as they may prescribe, a license to hold on Sunday dancing or any game, sport, fair, exposition, play, entertainment or public diversion for which a charge in the form of payment or collection of money or other valuable consideration is made for the privilege of being present thereat or engaging therein, except horse racing, dog racing, boxing, wrestling and hunting with firearms; provided, however, that no such license shall be issued for dancing for which a charge in the form of the payment or collection of money or other valuable consideration is made for the privilege of engaging therein; and provided further, however, that no license issued under this paragraph shall be granted to permit such activities before one o'clock in the afternoon; and provided further, that such application, except an application to conduct an athletic game or sport, shall be approved by the commissioner of public safety and shall be accompanied by a fee of two dollars, or in the case of an application for the approval of an annual license by a fee of fifty dollars.

(2) Licenses may be issued by the authorities designated in paragraph (1) to permit such activities before one o'clock in the afternoon, with the written approval of the commissioner of public safety and upon such reasonable terms and conditions as prescribed by him therein. The application for the approval of the proposed activity by the commissioner shall be in writing and shall be accompanied by a fee of five dollars or in the case of an application for the approval of an annual license by a fee of one hundred dollars.

(3) The licensing authority, or the commissioner of public safety or his designee, may revoke, cancel or suspend any license issued under this section upon evidence that the terms or conditions of such license or provisions of law are being violated; provided, however, that said commissioner shall not revoke, cancel or suspend any license issued under paragraph (1) which he is not required by said paragraph to approve.

(4) The city council of a city or Select Board of a town may determine fees for the issuance of licenses, but in no event shall any such fee be greater than twenty dollars per event and four hundred dollars per year.

(5) The city council of a city and Select Board of a town may make regulations relative to granting of licenses under this section and may revoke or amend them from time to time.

(6) The provisions of this section shall not apply to premises licensed under the provisions of section one hundred and eighty-three A of chapter one hundred and forty; provided, however, that paragraph (2), insofar as it regulates activities on such premises between the hours of two o'clock in the morning and one o'clock in the afternoon on Sunday, shall apply to premises licensed under said section one hundred and eighty-three A of said chapter one hundred and forty.

(7) Sections two and three and this section shall not apply to golf, tennis, bowling, skiing, or any activity in a gymnasium or on any rink, court, or field, for which a charge is made only for the privilege of engaging therein and not for the privilege of being present thereat as a spectator, nor to the conduct for charitable purposes of amateur contests involving time trial driving of automobiles nor to beano games licensed under the provisions of section thirty-eight of chapter ten.

(8) Sections 2 and 3 and this section shall not apply to an athletic game or contest for which a charge in the form of the payment of money or other valuable consideration is made for the privilege of being present thereat, conducted, presented or exhibited on Sunday prior to 1 o'clock antemeridian; provided, however, the said athletic game or contest

was commenced before the hour of 9 o'clock postmeridian on Saturday and it was necessary to continue said game after midnight on Saturday in order to complete the game.

(8A) Sections 2 and 3 and this section shall not apply to the exhibition of motion pictures by a movie theater, including any drive-in theater, licensed under the provisions of section 181 of chapter 140.

(9) Sections two and three and this section shall not apply to standardbred racing conducted under the provisions of clauses (b) and (c) of section eleven of chapter twenty.

MASSACHUSETTS GENERAL LAWS ANNOTATED
PART I. ADMINISTRATION OF THE GOVERNMENT
TITLE XX. PUBLIC SAFETY AND GOOD ORDER
CHAPTER 140. LICENSES
THEATRICAL EXHIBITIONS, PUBLIC AMUSEMENTS, ETC.
Current through Ch. 71 of the 2003 1st Annual Sess.

§ 183A. Concerts, dances, exhibitions, public shows, etc.; license; application; suspension or revocation; rules and regulations

No inn holder, common victualler, keeper of a tavern, or person owning, managing, or controlling any club, restaurant or other establishment required to be licensed under section twelve of chapter one hundred and thirty-eight or under section two, twenty-one A or twenty-one E of chapter one hundred and forty, and no person owning, managing, or controlling any concert, dance, exhibition, cabaret or public show of any description to be conducted on any premises required to be licensed under the sections described above, shall, as a part of its usual business, offer to view, set up, set on foot, maintain or carry on a concert, dance exhibition, cabaret or public show of any description, unless and until a license therefor has been issued by the licensing authorities.

The application for such license shall be in writing and shall state the type of concert, dance, exhibition, cabaret or public show sought to be licensed and shall state whether such public show will include: (a) dancing by patrons, (b) dancing by entertainers or performers, (c) recorded or live music, (d) the use of an amplification system, (e) a theatrical exhibition, play, or moving picture show, (f) a floor show of any description, (g) a light show of any description, or (h) any other dynamic audio or visual show, whether live or recorded.

The application shall also state whether as part of the concert, dance exhibition, cabaret or public show any person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or whether any female person will be permitted to appear on the premises in any manner or attire as to expose to public view any portion of the breast below the top of the areola, or any simulation thereof.

Upon request of the licensing authorities, the applicant shall furnish further additional information concerning the type of concert, dance exhibition, cabaret, or public show sought to be licensed, the conditions of the premises, and the actions to be taken in order to prevent danger to the public safety, health or order. Once a license has been granted to an applicant, the licensee shall continue to provide such information to the licensing authorities upon their request with regard to any particular concert, dance, exhibition, cabaret, or public show or with regard to the conduct of the premises in general.

Within forty-five days following receipt of an application for a license under this section, the licensing authorities may (a) grant a license or, (b) shall provide the opportunity for a hearing on the application by written notice to the applicant given seven days prior to the hearing date.

Within thirty days next following the final date of such opportunity for a hearing the licensing authorities shall, (a) grant the license or, (b) deliver to the applicant a written notice denying the license and stating in writing the reasons for such denial. No application having been denied as aforesaid and no similar application thereto may be filed within one year of said denial except in the discretion of the licensing authorities.

The licensing authorities shall grant a license under this section unless they find that the license, taken alone or in combination with other licensed activities on the premises, would adversely affect the public health, safety or order, in that the concert, dance, exhibition, cabaret, or public show cannot be conducted in a manner so as to: (a) protect employees, patrons, and members of the public inside or outside the premises from disruptive conduct, from criminal activity, or from health, safety or fire hazards; (b) prevent an unreasonable increase in the level of noise in the area caused by the licensed activity or caused by patrons entering or leaving the premises; or (c) prevent an unreasonable increase in the level of pedestrian or vehicular traffic in the area of the premises or an unreasonable increase in the number of vehicles to be parked in the area of the premises.

The licensing authorities may modify, suspend or revoke a license granted pursuant to the provisions of this section after providing an opportunity for a hearing preceded by a written notice to the licensee ten days prior to the hearing date. The licensing authorities may not modify, suspend or revoke such license unless they find that the license, taken alone or in combination with other licensed activities on the premises, has adversely affected the public health, safety or order as stated in the preceding paragraph. In any case in which the licensing authorities modify, suspend or revoke a license, they shall notify the licensee in writing of such action and said written notice shall be accompanied by a statement of reasons.

In order to preserve and protect the public health, safety, and order as aforesaid, the licensing authorities may place conditions upon the license and promulgate rules and regulations for such licenses. The licensing authorities may modify, suspend or revoke a license pursuant to this section for any violation of their rules and regulations or for any violation of law and may petition the superior court department of the trial court to enjoin any violation of this section.

The licensing authorities of any city or town may adopt a rule requiring licensees under this section to prohibit minors from attending any concert, dance, exhibition, cabaret or public show of any description in which or at which any person appears in a manner or attire as to expose to public view any portion of the pubic area, anus, or genitals, or any simulation thereof, or in which or at which any female person appears in a manner or attire as to expose to public view any portion of the breast below the top of the areola, or any simulation thereof.

A license issued under this section, unless sooner revoked, shall expire on December thirty-first of each year. The fee for any such license or for any renewal thereof shall not exceed one hundred dollars.

The provisions of this section shall be applicable seven days per week; provided, however, that no license under this section shall be granted to permit such activities, except an athletic game or sport, on Sundays or before 1 o'clock in the afternoon, without the written approval of the commissioner of public safety, made in accordance with the provisions of this section, upon written application to said commissioner accompanied by a fee of not more than \$5, or in the case of an annual license by a fee of not more than \$100.

MASSACHUSETTS GENERAL LAWS ANNOTATED
PART I. ADMINISTRATION OF THE GOVERNMENT
TITLE XXI. LABOR AND INDUSTRIES
CHAPTER 149. LABOR AND INDUSTRIES
WORK BY WOMEN AND CHILDREN
Current through Ch. 71 of the 2003 1st Annual Sess.

§ 105. License for theatrical exhibitions or shows in which children are employed

A license shall not be granted for a theatrical exhibition or public show in which children under fifteen are employed as acrobats or contortionists or in any feats of gymnastics or equestrianism, or in which such children attending the public schools are employed or allowed to take part as performers on the stage in any capacity, or if, in the opinion of the board authorized to grant licenses, such children are employed in such a manner as to corrupt their morals or impair their health; but this section shall not prevent granting the special permission authorized by the preceding section.