

Title 10
DEPARTMENT OF HEALTH AND MENTAL HYGIENE

Subtitle 16 HOUSING

Chapter 05 Outdoor Musical Festivals

Authority: Article 56 § 159A, Annotated Code of Maryland

.01 Definitions.

- A. “Outdoor musical festival” means a group or group of persons participating in musical entertainment in open spaces and not in a permanent structure and not on publicly owned property.
- B. “Promoter” means the:
 - (1) Organizer, operator, producer, or the person or persons, or corporation staging the outdoor musical festival; and
 - (2) Owner, tenant, or lessee of the land upon which the outdoor musical festival is performed.
- C. “Spectator” means a member of a gathering of 1,000 or more persons who are in attendance for the purpose of viewing or hearing the outdoor musical festival. In Washington and Frederick Counties, “spectator” means a member of a gathering of 500 or more persons who are in attendance for the purpose of viewing and hearing the outdoor musical festival.

.02 Licensing Procedures.

- A. Promoters applying for a permit to conduct an outdoor music festival shall complete a Maryland Department of Health and Mental Hygiene Form entitled “Application for Permit to Conduct and Outdoor Music Festival” and submit this form in triplicate to the deputy State health officer for the county in which the festival is to be held at least 30 days before the date that the festival is scheduled to begin.
- B. The applicant shall complete all information requested on the application and the information shall be the basis for which the permit is issued. Inconclusive information or misrepresentation of information shall be grounds for denial or revocation of the permit.

- C. Attached to the application shall be a site plan outlining the following locations:
- (1) All campsites;
 - (2) All sanitation facilities;
 - (3) Water supply
 - (4) Refuse and garbage disposal facilities;
 - (5) Sewage disposal facilities including public sewer systems, private sewage systems, and dump stations;
 - (6) Entertainment stage;
 - (7) All food facilities for service to the public.

.03 Sanitation, Medical, and Health Facilities.

Promoters shall establish adequate sanitation, medical, and health facilities.

- A. Lavatory Requirement. Toilets or portable sani-toilets shall be provided in the ratio of 1 per 100 persons of the maximum number of spectators anticipated at the music festival with the stipulation that the maximum number anticipated be strictly adhered to or that the contract with the portable toilet supplier have a clause in which the supplier indicates that he is capable of and will provide the proper ratio of portable toilets if the maximum number of anticipated spectators is exceeded.
- B. Dump Stations. Overnight spectators shall be provided with a dump station or a scavenger service shall be provided by the promoter to remove sewage from the holding tanks of recreational vehicles on a daily basis.
- C. Water Supply. Potable water shall be provided by the promoter from a source or supply approved by the county health department. Water shall be tested bacteriologically by the county health department at least 2 months or less before the musical event in order to verify or determine its potability. In determining the total quantity of water required, a figure of 5 gallons per person per day shall be used in computation. If the water supply on the site is inadequate in volume or quality, a temporary potable supply may be trucked in for dispensing to the spectators in order to satisfy the requirement of providing a potable water supply.
- D. Disposal of Garbage. Adequate sanitation for garbage and refuse removal shall be provided by the promoter on a daily or more frequent basis so as not to create a health problem, hazard, or nuisance both during and after the musical event.
- E. Litter. Litter control shall be provided by the promoter throughout the length of the musical event so as to prevent the accumulation of bottles, broken glass, or other sharp and dangerous objects on the premises.
- F. Insect Control. Insect control shall be provided by the promoter where or when necessary in the form of a mosquito spray program, a tick control program, or other program as determined by whatever insects are evident upon inspection by the county health department. All insecticides or larvicides shall meet the prior approval of the county health department.

- G. Emergency Health Services. Emergency health services shall be provided in the form of a physician on call at all times, a first-aid kit, an emergency vehicle transport service to transport any injured or ill spectators, and an area set aside to treat spectators with minor injuries or illnesses. The adequacy of the emergency health care services shall be determined by the deputy State health officer.
- H. Permit. The “Permit for a Music Festival” shall stipulate the maximum number of spectators to be accommodated and the duration of the event.

.04 Withholding of Permit.

The requirements of Regulation .03D shall be met by the promoter, or issuance of the permit may be withheld. The absence or inadequacy of any one of the above items shall be sufficient grounds for denial or revocation of the permit.

.05 Cash Bond.

All promoters are required by the deputy State health officer for the county to post a cash bond of not more than \$50,000, but not more than \$25,000 in Washington and Frederick Counties.

.06 Issuance of Permit

Upon satisfactory completion of the requirements of Regulation .03A-H, the promoter shall be issued a permit to conduct an outdoor music festival by the deputy State health officer of the county in which the festival is to be held.

.07 Presentation of Permits.

One the promoter has obtained two permits, one from the deputy State health officer and one from the State Police commanding officer, the applicant may present both permits to the deputy State health officer of the county or the Office of Licenses and Permits for a license.

Administrative History

Effective date: January 25, 1980 (7:2 Md. R. 115)

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