

# **TOWN OF LINCOLNVILLE BREEZEMERE PARK BANDSTAND USE GUIDELINES**

## **Purpose:**

The purpose of this document is to provide guidelines for the use of the Lincolnville Bandstand located at Breezemere Park. This bandstand is for the presentation of entertainment programs for the benefit of the public. The Town hereby designs these guidelines to ensure that the use of this facility provides that benefit while also protecting the asset and quality of life for the surrounding neighborhood.

## **Organization:**

The Lincolnville Bandstand will have an oversight group named Bandstand Trustees that will have a minimum of three regular members, each with one vote, to serve three year staggered terms: as well as, three alternate members to be appointed for one year terms, all appointed by the Lincolnville Board of Selectmen. The Trustees may have advisory members as directed by the Board. Three regular members and three alternate members shall be selected with one regular member and one alternate member from the Lincolnville Band, one regular member and one alternate member from the Lincolnville Recreation Commission and one regular member and one alternate member from the neighborhood residents. Advisory members may be selected from the Town Office staff, Board of Selectmen, and a resident building construction specialist at the direction of the Board.

## **Guidelines:**

1. The Lincolnville Bandstand Trustees shall supervise use of the bandstand for the purpose of entertainment, recreation, athletic use, or ceremonial purposes, subject to the condition that any such use shall not interfere with the use of the bandstand for events scheduled by the Town of Lincolnville, or the Music Department of the Lincolnville School. In scheduling use of the bandstand, the Lincolnville Bandstand Trustees shall have the discretion to permit a preference for use of the bandstand by the Lincolnville Band, so long as such use does not interfere with the use of the bandstand by the Town of Lincolnville and the Lincolnville School.
2. No alcoholic beverages or illegal drugs will be permitted on the premises.
3. Amplified musical instruments will not be permitted except through special permit by the Bandstand Trustees.
4. The Bandstand Trustees shall take reasonable precautions to prevent pets from entering the area of the bandstand during performances.
5. Parking for the purposes of attendance at public events involving the bandstand shall occur in such areas as designated by the Lincolnville Board of Selectmen.
6. With the exceptions of the Town of Lincolnville, Lincolnville School, Lincolnville Band (the Band playing by itself) and the Lincolnville churches, any party or organization using the bandstand shall be responsible for damage caused by negligence of that party or organization or attendees of the performance or during any other use of the bandstand by such party or organization. A deposit of \$100 shall be paid to the Town of Lincolnville, at the Town Office, to apply to payment for such

damage. The Bandstand Trustees shall be responsible for the inspection of the bandstand following any performance or other use. In the event that the Bandstand Trustees determine, based upon inspection of the bandstand, that no damage has occurred, then the Bandstand Trustees shall inform the Town Administrator in writing of this fact. Within two weeks following the report by the Bandstand Trustees, the Town shall return the deposit, unless the inspection reveals damage to the bandstand.

7. No paper, paint, tape, redecoration, or alteration of any kind shall be made in the bandstand without the prior written permission of the Bandstand Trustees.
8. Parties and/or organizations shall keep the premises in a reasonable sanitary and clean condition and shall leave the bandstand and surrounding park in the same or better condition as received. All trash must be removed. Trash removal may be provided for a fee.
9. Scheduling of events shall be done through the Lincolnville Town Office and in coordination with the Bandstand Trustees. Events scheduling by the Lincolnville Band shall have a high priority. A master calendar will be maintained at the Lincolnville Town Office.
10. No events will be scheduled on the bandstand on Sunday mornings through 12 O'clock noon.
11. All events on the bandstand shall conclude at the following times:

Sunday through Thursdays	9:00 PM
Fridays & Saturdays	9:30 PM
12. With the exceptions of the Town of Lincolnville, Lincolnville School, Lincolnville Band (the Band playing by itself) and Lincolnville churches, any party or organization using the bandstand as scheduled by the Bandstand Trustees, shall pay a fee in the amount of \$100.00 to the Town of Lincolnville to assist with maintenance of the structure and grounds.
  - a. License. A party or organization using the bandstand for the purpose of performance or other permitted purpose shall be a licensee of the Town concerning that use, and the Board of Selectmen reserves the right to revoke that license at any time.
  - b. Indemnification. Any party or organization using the bandstand shall indemnify and hold harmless the Town of Lincolnville from any liability for damage or injury, including property damage, from whatever source, arising out of or in connection with the use of the bandstand by that party or organization.
13. Any scheduled group shall split and any proceeds raised 50/50 with the Town of Lincolnville. The Town share of the proceeds shall be used to benefit the maintenance and improvements of the structure and grounds.

14. Concessions on the premises may be granted at the discretion of the Board of Selectmen. The Board of Selectmen may require a payment of fees in connection with any such arrangement, upon such terms and conditions as determined by the Board. Vendors are restricted from using generators to provide electrical power.
  
15. The Bandstand Trustees shall permit only one performance by any party or organization each day and no performance shall exceed two hours in duration, except for Town of Lincolnville or Lincolnville School events, and except as approved by the Board of Selectmen, and in circumstances in which notice has been published in a newspaper of general circulation at least two weeks prior to the scheduled event.

Date Approved: August 12, 2002