

**AN ORDINANCE FOR REGULATION OF
MASS GATHERINGS IN DUPLIN COUNTY**

Section 1. Purpose

The intent and purpose of this Ordinance is to provide for the protection of the public health, welfare, and safety of those persons in attendance at mass gatherings and of those persons who reside near or are located in proximity to the sites of mass gatherings or are directly affected thereby.

Section 2. Definitions

The following definitions shall apply in the enforcement and interpretation of this Ordinance:

- a. Mass Gatherings - means the congregation or assembly in which admission is charged in reasonable contemplation of profit of more than 500 people for a continuous period of more than six (6) hours in an open space or open air, or in a permanent buildings or structures. A mass gathering in a permanent building or structure shall include only those assemblies which by reason of their size the Duplin County Health Director determines to be likely to pose a threat to public health, safety or welfare through unsatisfactory provision of adequate public safety, fire and sanitary facilities. A mass gathering shall not include an event sponsored by a school or other agency of government or any private school when the assembly is of a size and scope such that there is a reasonably apparent capability to service the needs of that assembly without threatening the public health, welfare or safety, as determined by the County Health Director.
- b. Person - means any person, firm, corporation or legal entity.
- c. Permittee - means any person who is issued a permit under this Ordinance by the County Health Director of Duplin County.

Section 3. Permit Required, Revocation of Permit

- (a) No person shall organize, sponsor or hold any mass gatherings unless a permit has been issued to such person by the County Health Director under the provisions of this Ordinance. A permit shall be required for each mass gathering and is not transferable to other persons.
- (b) A permit may be revoked by the Duplin County Health Director at any time if he finds that the mass gathering is being or has been maintained or operated in violation of this Ordinance, or that prior to the mass gathering, the planning or preparation for the mass gathering is not in compliance with Section 7 of this Ordinance. A permit may be revoked upon request of the permittee or upon abandonment of the operation. A permit will otherwise expire upon satisfactory completion of the post-gathering cleanup following the close of the mass gathering.

Section 4. Application for Permit

- (a) Application for a permit for a mass gathering shall be made to the County Health Director of Duplin County on a form and in a manner prescribed by him, by the person who will organize, sponsor or hold the mass gathering. The application shall be filed with the County Health Director at least 30 days prior to the commencement of the mass gathering. A fee of ten dollars shall accompany the application.
- (b) The application shall contain the following information: identification of the applicant, identification of any

other person(s) responsible for organizing, sponsoring or holding the mass gathering, the location of the proposed mass gathering, the estimated maximum number of persons reasonably expected to be in attendance at any one time, the date or dates and the hours during which the mass gathering is to be conducted, and a statement as to the total time period involved.

- (c) The application shall be accompanied by an outline map of the area to be used, to approximate scale, showing the location of all proposed and existing privies or toilets; lavatory and bathing facilities; all water supply sources including lakes, ponds, streams, wells, storage tanks, etc.; all garbage and refuse storage and disposal areas; all entrances and exits to public highways; and emergency ingress and egress roads.
- (d) The application shall be accompanied by such additional plans, reports and information required by the County Health Director as he shall deem necessary to carry out the provisions of this Ordinance.

Section 5. Provisional Permit; Performance Bond; Liability Insurance

- (a) Within 10 days after the receipt of the application the County Health Director shall review the application and inspect the proposed site for the mass gathering. If it reasonably appears that the requirement of this Ordinance can be met by the applicant, a provisional permit shall be issued.
- (b) If the County Health Director shall deem it necessary to protect the health, welfare and safety of those persons in attendance at mass gatherings and of other persons who may be affected by mass gatherings and to carry out the provisions of this Ordinance, he may require the permittee within five days after issuance of the provisional permit to file with the County Health Director a performance bond or other surety to be executed to the County in the amount of five thousand dollars (\$5,000) for up to 10,000 persons and one thousand dollars (\$1,000) additional for each additional 5,000 persons or fraction thereof, reasonably estimated to attend the mass gathering. The bond, if required, shall be conditioned on full compliance with this Ordinance and shall be forfeitable upon noncompliance and a showing by the County Health Director of any injury, damage or other loss to the county or local governmental agencies caused by the noncompliance. The permittee shall in addition file satisfactory evidence of public liability and property damage insurance in an amount determined by the County Health Director to be reasonable (but not to exceed one million dollars (\$1,000,000) in amount) in relation to the risks and hazards involved in the proposed mass gathering.

Section 6. Issuance of Permit; Revocation; Forfeiture of Bond; Cancellation

- (a) If, upon inspection by the County Health Director fifteen (15) days prior to the starting date of the mass gathering, or earlier upon request of the permittee, the required facilities are found to be in place and satisfactory arrangements are found to have been made for required services, and other applicable provisions of this Ordinance are found to have been met, the County Health Director shall issue a permit for the mass gathering. If, upon such inspection, the facilities, arrangements, or other provisions are not satisfactory, the provisional permit shall be revoked and no permit issued.

- (b) Upon revocation of either the provisional permit or the permit, the permittee shall immediately announce cancellation of the mass gathering in as effective manner as is reasonable possible, including but not limited to the use of whatever methods were used for advertising or promoting the mass gathering.
- (c) If the provisional permit or the permit is revoked prior to or during the mass gathering, the County Health Director may order the permittee to install such facilities and make such arrangements as may be necessary to accommodate those persons who may nevertheless attend or be present at the mass gathering despite its cancellation and to restore the site to a safe and sanitary condition. In the event the permittee fails to comply with the order of the County Health Director, the County Health Director may immediately proceed to install such facilities and make such other arrangements and provisions for cleanup as may be minimally required in the interest of public health and safety, utilizing such county and local funds and resources as may be available to him. Prior to or within 60 days after such action, the Duplin County Health Director may apply to court or competent jurisdiction to order forfeiture of the permittee's performance bond or surety for violation of this Ordinance. The court may order that the proceeds shall be applied to the extent necessary to reimburse the County and other government agencies for expenditures made pursuant to the action taken by the County Health Director upon the permittee's failure to comply with his order. Any excess proceeds shall be returned to the insurer of the bond or to the surety after deducting court costs.

Section 7. Rules and Regulations

The rules and Regulations to protect the health, welfare, and safety of those attending mass gatherings and of other persons who may be affected by mass gatherings adopted on October 28, 1971, and promulgated by the North Carolina Division of Health Services are hereby adopted as the rules and regulations of Duplin County, except where they conflict with any of the provisions of this Ordinance. They are as follows:

Rules and Regulations:

The following standards and requirements, as authorized by G.S. 130-246, are intended to protect the health, welfare, and safety of those attending mass gatherings. In applying these standards and requirements to a particular mass gathering, the State Health Director is hereby authorized to apply more rigid or less rigid standards and requirements as called for by the specific characteristics of the gathering based upon generally recognized public health principles and practices. Any such alteration in the prescribed standards and requirements shall be in writing and shall be sent to the applicant. Necessary facilities and services shall be provided, including, but not limited to the following:

- Item 1. Activity Area. An activity area shall be provided of sufficient size to accommodate the estimated number of personal reasonably expected to be in attendance at any one time. This activity area is in addition to those areas required for parking in Item 7, for camping in Item 4, and for the command post in Item 5.
- Item 2. Distance from Dwellings. No part of the perimeter of the activity and camping areas shall be within 1500 feet of any residence unless the occupant or owner has signed a written waiver. Notarized copies of any such waivers shall accompany the application.
- Item 3. Distance from Certain Public Water Supply Sources. No part of the perimeters of the activity, including camping

areas, shall be located within one mile of a Class I or Class II reservoir, as classified by the Sanitary Engineering Division of the North Carolina Board of Health, or within three miles of protected watershed which drains into an A-1 stream, as classified by the North Carolina Board of Water and Air Resources, and which stream is used as a source of public water supply.

- Item 4. Camping Area. An area of adequate size shall be provided and designated for camping. Such area shall be in addition to the areas provided for activities in Item 1 and for parking in Item 7.
- Item 5. Command Post. An adequate command post at a conveniently accessible location approved by personnel of health, law enforcement, and other governmental agencies shall be provided for use by personnel of health, law enforcement, and other governmental agencies.
- The command post shall consist of at least one building or mobile unit equipped with an adequate number of telephones and other utilities, and an adequate number of parking spaces. The permittee shall insure access to it at all times by such governmental personnel.
- Item 6. Ingress and Egress Roads: Entrances and Exits. The permittee shall provide personnel and arrangements necessary to keep entrances and exits to public highways open to traffic at all times. He shall make arrangements with private parties and/or consult with the State Highway Commission regarding adequate ingress and egress roads.
- Item 7. Parking. Parking facilities shall be provided off public roadways sufficient to service the reasonable expected requirements at a rate of up to 100 passenger cars per acre or 30 buses per acre. One parking space for cars shall be provided for each four people to attend. Camper class vehicles shall park in the camping area provided in Item 4. Parking on shoulders of public highways shall not be permitted and temporary signs shall be erected by applicant to so indicate.
- Item 8. Plan for Limiting Attendance, Exclusion of Non-ticket Holders, Crowd Control, and Security Enforcement. The applications for permit shall be accompanied by a written plan for limiting attendance to the number stated in the application for permit, the exclusion of persons not holding tickets, and a written plan for security guards to be provided for internal and external crowd control and security enforcement. The plan shall be accompanied by a written statement by the sheriff or chief of police, whichever has jurisdiction over the area, that the plan seems adequate. The permittee shall execute the plan.
- Item 9. Dust Control. The application shall be accompanied by a written plan for dust control. The permittee shall execute the plan.
- Item 10. Fire Prevention and Control. The application shall be accompanied by a written plan for fire prevention and control.
- Item 11. Plans for Emergencies. The application shall be accompanied by written plans for dealing with emergency situations involving the occurrence of incidents requiring rapid evacuation, including arrangements for use of emergency egress roads.
- Item 12. Provisions of Adequate Medical Care. The application for permit shall be accompanied by a written plan for the provision of adequate medical care, such plan having been

approved in writing by the Local Health Director. At the time of the inspection required by G. S. 130-245, the structure and all supplies and equipment provided for in the plan shall be in place; and the agreements and statements provided for in the plan shall be determined to be valid. The plan shall include provisions for:

- (a) The name and address of a physician licensed to practice in North Carolina to be responsible for the organization and delivery of emergency medical services. A signed notarized statement by the physician accepting the responsibility shall accompany the plan. He shall determine how many licensed physicians, licensed nurses, and other medical personnel shall be on duty on the premises at any particular time;
- (b) At least one enclosed covered structure to be used as a medical treatment center. The structure or structures shall provide at least a total of 450 square feet and shall have a running water under pressure from an approved source;
- (c) A list of medical supplies and equipment sufficient to support reasonable anticipated medical care requirements;
- (d) Notification of all general public hospitals within 20 miles of the mass gathering location as to scheduled dates and anticipated attendance of the mass gathering;
- (e) The name and address of at least one licensed ambulance service agency to be responsible for providing emergency transportation. A signed notarized statement by an official of the agency accepting the responsibility shall accompany the plan.

- Item 13.
- (a) Water Supply-General. There shall be provided a water supply from an approved source. An approved emergency source shall be provided in addition where necessary. Approved facilities shall be provided for distribution and dispensing and the supply shall be adequate in quantity and quality. The sponsor shall have in his possession, at the time of the inspection as provided in G. S. 130-245, the reports of bacteriological and chemical examinations of water samples by the Laboratory Division of the State Board of Health. The water shall be chlorinated so as to provide a free chlorine residual of at least 1.0 part per million at all outlets at all times during the gathering. The water supply and the facilities for distribution and dispensing shall be provided with effective safeguards to prevent the introduction of hallucinogenic drugs or other contamination.
 - (b) Water Supply-Requirements. If water is to be provided only for drinking and washing, water shall be supplied at a rate of three gallons per person per day and a peak hour at a demand of one and one-half pints per person. If water is to be provided for drinking, washing, and bathing, water shall be supplied at a rate of 12 gallons per day per person and a peak hour demand of six pints per person.
 - (c) Water Supply-Source. Water shall be obtained from a public or community water supply approved by the Sanitary Engineering Division, North Carolina State Board of Health. If a new source of water supply is to be provided, the application shall be accompanied by the necessary plans, engineer's report,

and specifications (in triplicate) as required for review and approval by the Sanitary Engineering Division, North Carolina State Board of Health; and the application shall include plans, engineer's report, and specifications for an emergency source capable of supplying at least three gallons per day per person. If water is to be hauled from an off-site source, storage facilities shall be provided in the area sufficient in volume to supply the needs of the gathering for its duration. Before being filled with water for use during the gathering, all such storage tanks shall be cleaned thoroughly, filled with clean water containing a chlorine residual of at least 100 parts per million, and, after a contact time of at least twenty-four hours, all such tanks shall be emptied. Subsequently, and prior to the issuance of a permit, all such tanks shall be filled with water from an approved source and all inlets to such tanks shall be closed and locked so as to give positive protection against the introduction of contamination.

- (d) Water Supply-Distribution. Water outlets shall be provided at an adequate number of convenient and readily accessible locations properly distributed throughout the activity and camping areas.

- Item 14. Toilet Facilities; Sewage Disposal. Sanitary toilet facilities shall be provided at an adequate number of convenient and readily accessible locations properly distributed throughout the activity and camping areas at a rate of not more than 100 persons per toilet seat.

If chemical toilet rental service is to be employed, all toilets shall be so located as to be readily accessible by service vehicles and shall be serviced as often as necessary. Material removed from such toilets shall be disposed of in a public or community sewerage system, or in a disposal trench to be constructed in the area. Each load of material deposited in such trench shall be covered immediately with earth or lime. At the end of each 24-hour period, the material shall be covered with a layer of at least six inches of earth.

If trench latrines are to be used, all trenches shall be covered with fly-tight seat boxes with hinged lids.

If water-carried sewerage facilities are provided, the sewer system shall be connected to a public or community sewerage system having waste water treatment facilities of adequate capacity to treat the flow of waste water from the mass gathering; and the application shall be accompanied by a signed statement by the North Carolina Department of Water and Air Resources attesting to the adequacy of the treatment facilities. A similar statement shall accompany the application if material removed from chemical toilets is to be disposed of in a public or community sewerage system. No sewage shall be discharged to the surface of the ground or into any watercourse.

- Item 15. Solid Waste Collection and Disposal. Facilities shall be provided for all solid wastes to be collected and stored in lead-proof nonabsorbent containers, and all solid wastes shall be removed daily or oftener and disposed of in a community solid waste disposal facility or in a sanitary landfill to be constructed in the area. Solid wastes shall be placed in the landfill, compacted as densely as possible, and covered after each day of operation with a compacted layer of at least six inches of dirt. Approved receptacles having a maximum capacity of 32 gallons shall be provided at places conveniently located throughout the activity, camping and parking

areas, and at each food service facility for the deposition of solid wastes. If bulk solid waste storage containers are used, at least two four-cubic-yard containers shall be provided per 1,000 persons in the case of once-daily removal, and these containers shall be so located as to be accessible to solid waste service vehicles.

- Item 16. Food Dispensing. Sanitary food dispensing facilities shall be provided at accessible and convenient locations, and shall be maintained in a sanitary condition. Perishable food items dispensed from such facilities shall be limited to prepackaged items, such as wrapped sandwiches, prepared in commercial establishments and under official sanitary supervision, and shall be dispensed in the unbroken packages; provided, that chicken, hamburgers, and frankfurters obtained from approved sources may be cooked and packaged at the site if all operations of preparation, cooking and packages for dispensing to individuals are done inside an approved structure or vehicle, in a sanitary manner, and otherwise in compliance with Section 9 of the "Rules and Regulations Governing the Sanitation of Restaurants and Other Foodhandling Establishments" of the North Carolina State Board of Health. Perishable foods shall be stored at or below 45 degrees F., or in the frozen state, until heated or cooked immediately before serving.
- Item 17. Insect and Rodent Control. There shall be no fly or mosquito-breeding places, rodent harborages, or undrained areas on the premises. Necessary measures shall be taken to control flies, mosquitoes, rodents, or other vermin.
- Item 18. Post-Gathering Clean-Up. Within one week after the end of the gathering, all sanitary landfills and any trenches or pits used for sewage compacted earth material; and the areas and immediate surrounding properties shall be cleaned of all litter and solid wastes attributable to the mass gathering. In addition, any signs, litter, and solid wastes on roads leading from the areas and within one mile of the areas and which can be attributed to the mass gathering shall be removed. All solid wastes shall be disposed of as provided in Item 14. Unless otherwise directed by the owner of the property, all temporary facilities (such as solid waste receptacles and signs) shall be removed from the areas.
- Item 19. Noise Level at Perimeter. The application shall be accompanied by detailed plans for amplifying equipment, which shall be so located and operated as to limit the noise level at the perimeter of the site to no more than 70 decibels on the A scale of a sound level meter which meets the specifications of the American National Standards Institute. The applicant shall include a signed statement certifying that the noise level limit as herein specified will not be exceeded.
- Item 20. Lighting. The application shall be accompanied by detailed plans for lighting designed to illuminate the site.
- Item 21. Signs. Signs shall be posted throughout the area showing the locations of toilet facilities, water supply outlets, solid waste receptacles, food stands, first aid facilities, and the command post.

Section 8. Penalty.

Any person who violates any provision of this Ordinance shall be guilty of a misdemeanor and shall be punished as provided in G. S. Section 14-4. The County Health Director may through a court of competent jurisdiction enjoin violations of this Ordinance.

Section 9. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the remaining portions thereof.

Adopted the 20th day of January, 1975, by the Board of Commissioners to become effective april 1, 1975.

Adopted the 30th day of January, 1975, by the Board of Health to become effective April 1, 1975.

Signed and approved this the 30th day of January, 1975.

/S/ J. M. Kornegay
Chairman, Board of Health

/S/ Sue Sanders
Member, Board of Health

/S/ Lloyd M. Whaley
Vice-Chairman, Board of Health

/S/ C. F. Hawes
Member, Board of Health

/S/ Harry Carlton
Member, Board of Health

/S/ Gerald H. Quinn
Member, Board of Health

/S/ Margarett Kenan
Member, Board of Health

ATTESTED: /S/ Joseph L. Costin
Secretary

PROVISIONAL PERMIT

TO: _____ Date: _____

Address: _____

Phone: _____

Performance Bond

Amount: _____

Company: _____

The Duplin County Health Department, Kenansville, North Carolina, has issued this provisional permit for a "Mass Gathering" of persons in Duplin County. This permit is issued for a period of 10 days from above date. A copy of the "Mass Gathering" Ordinance of the Duplin County Board of Health has been delivered to the above applicant.

Signed: _____
Health Administrator
Duplin County Health Department

Signed: _____
Applicant

* * * * *

MASS GATHERING PERMIT

Date: _____

Name: _____

Address: _____

Phone: _____

A permit has been issued to the above allowing a "Mass Gathering" in Duplin County.

Name of Mass Gathering: _____

Location and Site: _____

Dates and Hours: _____

Estimated maximum number of attendees: _____

Regulations to be approved:

Map and Plot Mat

Approved | Not Approved

1. Activity Area	_____	_____
a)2. Distance from Dwellings	_____	_____
3. Distance from Public Water Supplies	_____	_____
4. Camping Area	_____	_____
5. Command Post	_____	_____
6. Entrances and Exits	_____	_____
7. Parking	_____	_____
b)8. Limiting Attendance & Security Enforcement	_____	_____
b)9. Dust Control	_____	_____
b)10. Fire Control	_____	_____
b)11. Control of Emergencies	_____	_____
a&b) 12. Medical Care	_____	_____
a)13. Water Supply	_____	_____
a)14. Sewage Disposal	_____	_____
15. Solid Waste Disposal	_____	_____
16. Food Dispensing	_____	_____
17. Insect & Rodent Control	_____	_____
18. Post-Gathering Clean-Up	_____	_____
b)19. Noise Level at Perimeter	_____	_____
b)20. Lighting	_____	_____
21. Signs	_____	_____

- * (a) - Notarized or signed statement required
- (b) - Written plan to be presented for approval

Signed: _____
 Health Administrator
 Duplin County Health Department

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