

MEETING WITH MAYOR JIM BOULEY- WINDMILL- 10-16-2015

Attendees: Mayor Jim Bouley; Donna Robie; Justin Robie and Tim Willis

Changes we are petitioning for:

(1) Permit applications are held to the same standard for all;  
*(copy of existing event permit attached)*

(2) In the future, permit violations will be clearly listed on a secondary page including the names and phone numbers of those to be called when permit restrictions are being violated; as well as listing the monetary fine and penalty attached to each violation.

*(copy of existing event permit attached)*

(3) Changes to permit policy going forward to include but not limited to, that events lasting for longer than 1-2 days, are better suited to be held in a public not residential area; and more thought is given on the impact of neighbors.

(4) We want to know: how many complaints, nature of those complaints and copies of logs of complaints that were made to the Concord PD. We want to know if police are even aware what are City of Concord's safety and code violations and if not, they need to be made aware; if they know, then why were they not acted upon?

*(We were told only 3 calls logged by PD. I made more than three calls alone and was told other neighbors did as well.)*

(5) Noise factor needs be added to permit restrictions concern. Municode noise ordinance was broken for nine day and nights and not rectified; even though another ordinance states it is in effect from 10:00 p.m. until 7:00 a.m. under normal circumstances. There needs to be a clause for special permits issued that cause or create excessive noise or disturbing the peace within the (7:00 a.m. to 10:00 p.m. permissible hours) and when that happens that the noise ordinance and tumultuous conduct will supercede any other noise

(timed) ordinance on file; \*(Municodes- Noise; Tumultuous conduct attached)

(6) In the future when violations are reported (such as health and safety issues) that they be immediately addressed. We would like an explanation from the city of Concord as to why when numerous safety and health violations were reported to the code department and a few to the police department, as well as providing visual (proof) evidence of such violations to the code department why they still were not enforced; (Such as 308.1 Article 13-1-1 and 13-1-3- photos attached)

(7) We would like the city officials to publicly assume some responsibility for this situation. This will go a long way to ease the tensions the media created.

PERMIT NO. \_\_\_\_\_

Return to: Code Administration  
Health & Licensing  
37 Green Street  
Concord NH 03301

-Police Department Use Only-
No. of Officers Required _____
Restrictions: _____
APPROVED _____
Concord Police Dept.

LICENSE FEE: \$ \_\_\_\_\_

**This application must be submitted forty five (45) days prior to proposed event to allow for processing of the application. Please make check payable to: CITY OF CONCORD**

**APPLICATION FOR ENTERTAINMENT/EVENT PERMIT**

Organization/Individual Name \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Person in charge of event \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Sponsor of Event \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

Type of and Description of Event \_\_\_\_\_

Location of Event \_\_\_\_\_

Proposed Dates: From \_\_\_\_\_ To \_\_\_\_\_

Proposed Hours: From \_\_\_\_\_ AM to \_\_\_\_\_ PM

Indicate the number of persons expected to participate \_\_\_\_\_

Indicate the approximate number of spectators \_\_\_\_\_

Will the event include food vendors? Yes: \_\_\_ No: \_\_\_ if yes please list name(s) below

**ADDITIONAL INFORMATION – use of a D.J, live band, guest speakers, food vendors, tents larger than 200sq ft. Note, Tents Larger than 200sq ft. need a permit from Fire Dept.**

**If the event is on City property, it is the responsibility of the permittee to clean up the area used, immediately after the event unless prior arrangements have been made with the City. There will be a fee charged for failure to comply**

If the event is on the City Plaza – front of “Arch”, will you need electricity? Yes  No

If “Yes”, please indicate times needed for electricity: \_\_\_\_\_ AM to \_\_\_\_\_ PM

Certificate of Insurance Enclosed: Yes  No

Request for Street Closure: Yes  No  Letter for closure attached: Yes  No

**Letter for Street Closure must be submitted to the CITY CLERK’S OFFICE and a copy to the Health & Licensing Office, along with this application. Approval for Street Closure from the City Council must be received before the permit is issued.**

Signed \_\_\_\_\_ Date \_\_\_\_\_

Approved \_\_\_\_\_ Date \_\_\_\_\_

Health & Licensing Officer

rev 12/9/14

MUNICODE- CITY OF CONCORD, NH



Noise. It shall be violation of this Ordinance if excessive noise from the licensed activity causes any deprivation to the use and enjoyment of property by residents located in the vicinity.

(d)

Tumultuous Conduct. It shall be violation of this Ordinance for a person affiliated with the licensed activity to knowingly permit another to disturb, tend to disturb or aid in disturbing the peace of others by violent, tumultuous, offensive or obstreperous (noisy, boisterous) conduct.

Disturbing the peace is a minor criminal offense that may be charged when someone makes excessive noise, especially in a residential area, such as by operation of any tool, equipment, vehicle, electronic device, set, instrument, television, phonograph, machine or other noise- or sound-producing device. Local laws vary, so they should be consulted for specific requirements in your area.

In some cases, an activity may only disturb a particular individual, and the remedy would be a private nuisance claim in which injunctive relief and/or damages may be recovered.

The following is an example of a state statute dealing with disturbing the peace:

"Elements of Disturbing the Peace: It shall be unlawful for any person to:

1. Make, continue, maintain or cause to be made or continued any excessive, unnecessary, unreasonable or unusually loud noise or any noise in such manner as to annoy, offend, disturb, injure or endanger the comfort, repose, health, peace or safety of any reasonable person of normal auditory sensitivity residing in the area.
2. Use, operate or permit the use or operation of any electronic device, radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of any reasonable person of normal auditory sensitivity inhabiting the area.
3. Congregate because of, participate in or be in any party or gathering of people from which sound emanates of a sufficient volume so as to disturb the peace, quiet or repose of any reasonable person of normal auditory sensitivity residing in any residential area. No person shall visit or remain within any residential dwelling unit wherein such party or gathering is taking place except persons who have gone there for the sole purpose of abating said disturbance. A police officer may order all persons present in any group or gathering from the dwelling unit to immediately disperse in lieu of being charged under this Section."

308.1 Accumulation of rubbish or garbage. All exterior property premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage, including, but not limited to: furniture, mattresses, tires, electronics, appliances, glass, metal, construction debris, or garbage. Enforcement of any rubbish or garbage violations will be pursuant to Articles 13-1-1 and 13-1-3 of the city of Concord Code of Ordinances, General Public Health Regulations.



Day after the event ended- a.m. we noticed heaps of black trash bags in center of back yard.



10/7/2015 in the morning. Look what now has become of the trash... it looks like they buried it- because you can see the soil is different colors and has bumps and lumps.



10/7/2015 in the morning.

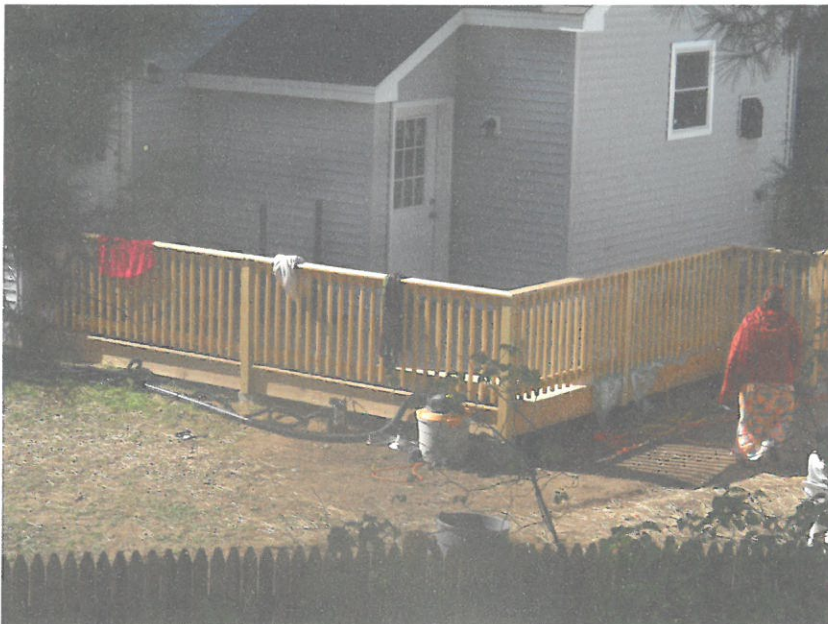
Look what now has become of the trash... it looks like they buried it- because you can see the soil is different colors and has bumps and lumps.







**VIOLATION:** Emptying fluid into a city storm drain- The neighbors were witnessed running a pumping station and this long black hose after heavy rains into the corner city drain.





**NOISE - DISTURBING THE PEACE:** lasting from 7:00 a.m. to some evenings after 10:00 p.m.- PA System generated chatting and ceremony for 9 continuous days and nights. 9/28/2015-10/6/2015. PA and all tent lights left on some evenings all night. Neighbor's bedroom window is approximately 30 feet from tent and constant noise. When police would come we witnessed members of party running out of house and turning it down and once police left, blaring it once again.

**CITY PERMIT PARKING VIOLATIONS**

Parked right by stop sign- people unloaded and dropped off, parked on curb on Branch Turnpike at times- this is a busy and dangerous intersection. Removed one street sign so people could park and left on ground.





**VIOLATION:** Cars during the 9 days parked and blocked fire hydrant, blocked sidewalks, parked on both sides of street and several times on curve. Fire hydrant- 15 ft ordinance.



**OPEN COMMODE IN YARD BY DINING TABLE**

**VIOLATION: FIRE** with over 75 people in back corner within 3 feet from wooden stockade fence.



**VIOLATION: PROPER DISPOSAL OF GARBAGE:** Trash left by side of house, strewn in neighbor's yard, garbage bags buried, garbage seen tossed across the street by neighbor

