

***RACING TRACK/EVENT ORDINANCE OF THE TOWN OF WATERBORO***  
**MAY 1973 (AMENDED JUNE 21, 1973)**

**ARTICLE 1:** Enactment Clause: There be and is hereby established the following ordinance governing race tracks and/or racing events in the Town of Waterboro.

**ARTICLE 2:** Short Title: This ordinance shall be known and may be cited as the "Racing Track/Event Ordinance of the Town of Waterboro, May 1973."

**ARTICLE 3:** Interpretation, Purpose and Construction: In its interpretation and application the provisions of this ordinance and the provisions incorporated herein shall be held to be the minimum requirements adopted for the protection of the public health, safety and welfare; to protect the public; among other purposes such provisions are intended to provide for permanently wholesome community environment, adequate municipal and private services. Whenever a printed provision of this ordinance conflicts with an incorporated provision, the printed provision shall control.

**ARTICLE 4:** Scope and Application: This ordinance shall not impose or interfere with private restrictions placed upon the property by deed, covenant or other private agreement or with restrictive covenants running with the land to which the town is a party. Where this ordinance imposes a greater restriction upon land use than is imposed or required by existing provisions of law, ordinance contract or deed, the provisions of this ordinance shall control.

**ARTICLE 5:** Definitions:

1. Eating places; Shall mean any place where food or drink of any kind is prepared for public consumption or served to the public.
2. Pit; Area where racing participants are in waiting to enter track.
3. Motor vehicle; "Motor vehicle" shall mean any self-propelled vehicle not operated exclusively on tracks, including motorcycles.
4. Muffler: "Muffler" shall mean a device consisting of a series of chambers or baffle plates or other mechanical design for the purpose of receiving exhaust gas from an internal combustion engine and effective in reducing noise.

5. Initial license: An initial license for the purpose of this ordinance shall be the first license secured by an applicant under the terms of this ordinance.

6. Renewal license; A renewal license for the purpose of this ordinance shall be any license secured under the terms of this ordinance subsequent to the initial license.

7. Motor vehicle race; A motor vehicle race shall mean the competitive racing of three or more vehicles within the boundaries of the Town of Waterboro.

**ARTICLE 6:** License Required: Any person, association, corporation, trust or partnership desiring to hold or conduct a motor vehicle race or races, whether for profit or otherwise, shall first apply for and secure a license from the municipal officers. All such applications must be signed and sworn to by the applicant and in the event the applicant is a corporation or association, such application must be signed and sworn to by an officer of the same and such applications shall include the following information:

1. Name and address-Full name and address of person, association, corporation, trust or partnership.
2. If an association, etc.-if an association, trust or partnership, the names and residences of the members of the organization.
- 3.If a corporation-If a corporation, the name of the State under which it is incorporated, its principle place of business and the names and addresses of its directors and stockholders.
4. The application is to be accompanied by a plan showing:
  - a. The boundaries of the land area intended to be used to scale of not less than 100 feet to the inch.
  - b. The names of abutting owners
  - c. Land area
  - d. Location of race track or course
  - e. Description of race track or course.
  - f. Parking facilities.
  - g. Pit area.
  - h. Location of toilet area.
  - i. Location of grandstand areas or areas where public spectators will gather.
  - j. Location of eating places.
  - k. Location of exits and entrances to and from public ways.
  - l. Location of safety barriers and/or fences.
  - m. Location of and type of lighting facilities.
  - n. Location and type of fire prevention equipment.
  - o. Location and type of water supply.
  - p. Sewerage disposal facilities.

5. Whether or not the land intended to be used is owned or leased and if leased, the name and residence of fee owner, or if a corporation, of the directors and stockholders thereof.
6. Assets and liabilities-a statement of assets and liabilities of the person, association, corporation, trust or partnership making such application.
7. The date on which the motor vehicle race is scheduled and the time of commencement and termination of the motor vehicle race.
8. Other information-Such other information as the municipal officers of the Town of Waterboro, Maine may reasonably require.

**ARTICLE 7:** Inspection Fee; Initial license applications shall be accompanied by a fee of \$50.00 which sum shall be for the use of the General Fund of the Town, which said sum may be used to defray costs of processing applications and inspection of proposed racing sites.

**ARTICLE 8:** Initial and Renewal Licenses:

A. A license fee for the issuance of an initial license shall be in the sum of \$100.00, which said fees shall be place in the General Fund of the Town. A renewal license fee shall be in the sum of \$25.00 which said sum shall be place in the General Fund of the Town. Applicants for renewal licenses must make application in accordance with Article 6 except that said applications need not include items already provided to the municipal officers as part of the initial application.

**ARTICLE 9:** Applications:

A. Application for an initial license or a renewal license under the terms of this ordinance shall be made in accordance with Article 6, at least seven days prior to the conducting of any racing event for which the applicant seeks a license.

B. Any license issued under the terms of this ordinance shall be valid for a period of 12 hours. Such 12 hour period shall be written upon the face of the license when issued by the municipal officers.

**ARTICLE 10:** Standards The municipal officers shall approve such license applications which conform to the following requirements:

- a. That all applications have been made in conformity to this ordinance.
- b. That the applicant has paid the inspection fee as required by the terms of this ordinance.
- c. That the application meets all requirements of the Statutes of the State of Main and all rules and regulations promulgated pursuant thereto.
- d. That all spectator areas including grandstands, bleachers, and the like are adequately protected by safety barriers such as fences or structures of similar design which shall be constructed at a height of not less than 4 feet

and be of sufficient structural strength and integrity as to provide optimum protection to spectators, while at the same time, providing this same protection to participants

in the race. That the applicant employ the use of such additional safety devices and measures as may reasonable be required depending upon the nature of the event, the number of contestants, the type of motor vehicles uses, the number of spectators expected to attend and the availability of existing services and the like.

e. To have sufficient parking facilities to accommodate spectators and to assure that no parking will occur on any public roads in the Town of Waterboro. Such parking lot area shall not be used for overnight parking or camping unless sufficient sanitary facilities are provided and approved by the Maine Department of Health & Welfare.

f. The applicant shall make provisions for adequate sanitary facilities which shall include the following:

water closets:	MALE	FEMALE
	2- 1 - 200	2- 1 -100
	3- 201 - 400	3- 101- 200
	4- 401 600	4- 201 400

Over 400, add 1 fixture for each additional 500 males and 1 for each 300 females.

1 lavatory, 1-200 spectators

2 lavatory, 201-400 spectators

3 lavatory 401-750 spectators

Over 750, 1 for each additional 500 persons. 2 drinking fountains will be installed on premises.

g. The applicant shall provide and pay for one law enforcement officer for every 500 spectators, who shall be on duty for a period of time one hour prior to the commencement and one hour after the termination of any racing event. In addition to the above requirement, the applicant shall make certain that sufficient law enforcement personnel are on duty in the immediate area and can be summonsed to the race track or Town of Waterboro, if needed; any additional cost for said law enforcement personnel shall be borne by the licensee

h. All sanitary facilities and sewerage disposal systems are to be built and maintained in accordance with the State of Maine Plumbing Code and any other municipal ordinance or applicable State Statute.

i. All electrical installations shall be built, constructed and maintained in accordance with applicable municipal ordinances and State Statutes.

j. Provisions shall be made for the storage, collection and disposal of refuse of which may accumulate on the applicant's premises so as to avoid health hazards, rodent harborage, insect breeding areas, fire hazards or air

pollution. The applicant shall supply sufficient containers in size and number and make such provisions for refuse collections to facilitate the efficient control, storage and disposal of refuse.

k. Eating places shall be constructed, maintained and operated in conformity with all regulations promulgated by the Maine Department of Health and Welfare.

l. That the applicant shall require that all motor vehicles used by contestants shall be equipped with an adequate muffler in constant operation and properly maintained to prevent any excessive or unusual or objectionable noise, which said muffler and the exhaust system connected thereto shall not be equipped with a cut-out, by-pass or similar device. No such motor vehicle shall be operated with a muffler which has been modified so as to amplify or increase the noise emitted by such motor vehicle, above that emitted by the muffler originally installed by the manufacturer of such motor vehicle.

m. That the applicant's application and plan comply with all terms of the within ordinance and is generally reasonable.

n. That the municipal officers are of the opinion that the proposed use, as described in said application, will not be detrimental to the public health, safety, convenience and welfare of the inhabitants of the Town; will not cause an unreasonable burden upon municipal services; will not have an undue, adverse effect on the scenic or natural beauty of the area or esthetics; that the applicant has adequate financial and technical capacity to meet all terms of the within ordinance and to properly conduct such use.

o. That the applicant has secured a policy or policies of insurance against any loss of personal property or for bodily injury which may arise as a result of the use, which is the subject of the application, said policy or policies of insurance to provide for not less than \$300,000. per injury and not less than \$500,000. per incident.

p. There shall be required at every racing event, a minimum of one ambulance and qualified personnel at said racing event, and said ambulance with subject personnel shall be in attendance at all times during the race.

**ARTICLE 11:** License Posted: The license certificate as issued by the municipal officers shall be conspicuously posted on the applicant's premises.

**ARTICLE 12:** Violations: Any person, firm, corporation, association, partnership or the like who shall violate any provision of the within ordinance or any person who participates in a motor vehicle race shall be punished by a fine of \$100. plus costs, which said fine shall be recovered on complaint to the use of the municipality.

**ARTICLE 13:** Inspections: The municipal officers may enter upon the applicant's premises during the conducting of any motor vehicle race for the purpose of inspecting the same to ascertain that said motor vehicle race is being in conformity with all terms of this ordinance and in the event the municipal officers are of the opinion that said motor vehicle race is not being conducted in conformity to any term of this ordinance, they may immediately revoke the license issued and require the applicant to immediately discontinue said motor vehicle race.

**ARTICLE 14:** Separability: The invalidity of any section or provision of this ordinance shall not be held in invalidate any other section or provision of this ordinance.