

§1054. Permit for music, dancing or entertainment**1. Activities and entertainment prohibited.**

[PL 2017, c. 13, §2 (RP).]

2. Authority to require permit. A municipality or, in the case of an unincorporated place, the county commissioners may require an on-premises retail licensee to obtain a permit for music, dancing or entertainment from the municipality or, in the case of an unincorporated place, the county commissioners of the county in which the licensed premises are located. The permit must specify which activities are prohibited on the licensed premises and may include a list of which activities are authorized, in accordance with local ordinances or regulations adopted by the municipality or unincorporated place.

[PL 2021, c. 658, §169 (AMD).]

3. Term of permit. A permit is valid only for the license year of the existing license.

[PL 1987, c. 45, Pt. A, §4 (NEW).]

4. Public hearing on permit application.

[PL 2017, c. 13, §2 (RP).]

5. Permit requirements.

[PL 2017, c. 13, §2 (RP).]

6. Issuance or denial of permit. Within 15 days of receiving the permit application, the municipal officers shall give the applicant written notice of their decision.

A. If the municipal officers deny a licensee a permit, they shall provide the licensee with the reasons for the denial in writing. [PL 1987, c. 45, Pt. A, §4 (NEW).]

B. The licensee may not reapply for a permit within 30 days after denial of an application for a permit. [PL 1987, c. 45, Pt. A, §4 (NEW).]

[PL 1987, c. 45, Pt. A, §4 (NEW).]

7. Municipal suspension or revocation of a permit. After a public hearing preceded by notice to interested parties, the municipal officers may suspend or revoke any permits which they have issued under this section on the grounds that the music, dancing or entertainment permitted constitutes a detriment to the public health, safety or welfare, or violates municipal ordinances or regulations.

[PL 1987, c. 45, Pt. A, §4 (NEW).]

8. Appeal procedure. If the municipality has a board of appeals, as described in Title 30-A, section 2691, a licensee that has applied for a permit and has been denied, or has had its permit revoked or suspended, may appeal the decision to the board of appeals within 30 days of the denial, suspension or revocation. The board of appeals may grant or reinstate the permit if it finds that:

A. The permitted activities would not constitute a detriment to the public health, safety or welfare, or violate municipal ordinances or regulations; or [PL 1987, c. 45, Pt. A, §4 (NEW).]

B. The denial, revocation or suspension was arbitrary and capricious. [PL 1987, c. 45, Pt. A, §4 (NEW).]

[PL 2021, c. 658, §170 (AMD).]

9. Admission.

[PL 2017, c. 13, §2 (RP).]

10. Definition of entertainment.

[PL 2017, c. 13, §2 (RP).]

11. Municipal ordinances or regulations. If a municipality requires permits under subsection 2, the municipality shall adopt ordinances or authorize the municipal officers to establish written regulations governing the following aspects of the permits.

A. These ordinances or regulations must govern:

- (1) The issuance, suspension and revocation of these permits;
- (2) The classes of permits and fees for the issuance of these permits;
- (3) The music, dancing or entertainment permitted under each class; and
- (4) Other limitations on these activities required to protect the public health, safety and welfare. [PL 2017, c. 13, §2 (AMD).]

B. These ordinances or regulations may specifically determine:

- (1) The location and size of premises to which the permits may apply;
- (2) The facilities that may be required for the permitted activities on those premises;
- (3) The hours during which the permitted activities may take place; and
- (4) The lighting level required, which may be lowered when the entertainment is provided. [PL 1987, c. 342, §81 (AMD).]

[PL 2021, c. 658, §171 (AMD).]

12. Unincorporated place. If licensed premises are located in an unincorporated place in which the county commissioners require permits under subsection 2, the county commissioners shall grant, suspend or revoke permits in the same manner and with the same authority as municipal officers and shall adopt regulations in the same manner as municipal officers.

[PL 2021, c. 658, §172 (AMD).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1987, c. 342, §§80,81 (AMD). PL 1991, c. 377, §16 (AMD). PL 2017, c. 13, §2 (AMD). PL 2021, c. 658, §§169-172 (AMD).

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