

**Administrative  
Policy and  
Procedure**

**USE OF THE TOWN COMMON  
Rules and Regulations  
Blythe C. Robinson, Town Manager  
Approved February 14, 2012**

POLICY

It is the policy of the Town of Upton that the Town Common be considered to be a traditional public forum is available to all persons to gather for private commercial and non-commercial uses, including but not limited to civic, political and religious purposes.

PURPOSE

The purpose of this policy is to establish guidelines to be followed when members of the public would like to reserve this location for an event.

FORMS

Applicants shall complete and submit the Application for the Use of the Town Common to reserve the Town Common for an event at least five (5) days prior to the proposed event. The Board of Selectmen may allow a form to be submitted after the deadline where the Applicant demonstrates good cause for late submission.

PROCEDURE

The following procedure is required to reserve the Town Common for use:

1. An Applicant seeking to reserve the Town Common for an event shall obtain a copy of the Town Common Use Policy and Town Common Use Form from the Office of the Board of Selectmen.
2. The Applicant shall complete the Town Common Use form and file it with the Board of Selectmen's Office. An application shall not be deemed filed if it is incomplete. The completed form shall be sent to the Police Chief or the Chief's designee for review.
3. The Police Chief shall review the form and determine whether the proposed number of people attending the event as estimated by the Applicant requires additional safety precautions. If the Police Chief determines no additional safety precautions are necessary, the Chief shall notify the Board of Selectmen no later than seven (7) days of receipt of the application.

If the Police Chief determines additional safety precautions are necessary to protect the health, safety and welfare of the persons attending the event and the general public, the Police Chief shall, within seven (7) days of receipt of the application, provide the Applicant and the Board of Selectmen with a response plan, including a list of additional safety precautions that must be put in place to accommodate the size of the event. In the

## USE OF THE TOWN COMMON

event additional safety precautions are required to accommodate the size of the event, the Applicant may be required to fund the precautions.

4. The Board of Selectmen shall review the application and response of the Police Chief no later than the next regularly scheduled meeting following the response of the Police Chief for which notice may be provided consistent with the Open Meeting Law, or at a special meeting, at the Board's discretion. The Board shall approve such an application, with or without conditions as to the time, place, and manner of such proposed use, to the extent that the requested use of the Town Common would not create a conflict with an already scheduled use by the Town or pursuant to a request filed under this policy, or would not constitute a threat to the public health or safety. If multiple requests are filed simultaneously, the Board shall consider and act upon such requests in the order in which they are received. The Board, or its designee, shall notify the Applicant of its decision in a timely manner.
5. The Board of Selectmen may delegate its responsibility under this policy generally, or on a case by case basis, as it may determine from time to time. If such delegation is made to an individual, then action on the application and Police Chief's response shall be required to be made within two business days of the Police Chief's response. If delegation is made to another board or committee, then such board must make its decision on the timeline set forth in Section 4 of this policy.
6. The Applicant shall be responsible for securing any other permits and/or licenses necessary for the proposed event.
7. The Applicant shall be responsible for removing any litter or debris left in the Town Common after the conclusion of the event.