

It is ordained by the Town Council of the Town of Scituate to amend Chapter 6, Article IX:  
Scituate Art Festival, as follows:

WHEREAS, the Town Council as the governing body of the Town of Scituate has become aware of the public safety concerns regarding the presence of certain animals, including dogs, and other pets at the Scituate Art Festival;

WHEREAS, the Town Council has exclusive authority to enact such ordinances and regulations necessary to promote the health, welfare, and safety of the public and that restrictions on the presence of certain animals, including dogs, and other pets at the Scituate Art Festival shall preserve and promote public safety and prevent public health hazards that may be associated with the presence of such animals at the Scituate Art Festival;

WHEREAS, the Town Council is mindful that certain animals are personal service animals training to be of assistance to persons with disabilities and such animals should be excluded from any such prohibition;

WHEREAS, the Town Council endeavors to preserve the aesthetic, cultural, and community event known as the Scituate Art Festival and to promote the exhibitors and community organizations that participate in the Scituate Art Festival.

#### ARTICLE IX. SCITUATE ART FESTIVAL

##### Sec. 6-206. Purpose.

This article is enacted to promote the safe and orderly flow of vehicular and pedestrian traffic; to protect the quiet enjoyment of their homes by residents of North Scituate village; to permit access to the North Scituate village area by police, fire, rescue and ambulance vehicles; to confine the area used for art festival events to an area which is manageable in terms of the size of the police department; to control litter and to protect public health with regard to the sale of food and beverages during the Scituate Art Festival.

(Ord. of 6-9-83, § 1)

##### Sec. 6-207. Application.

This article shall apply during the three-day period in October of each year when the Scituate Art Festival is held.

(Ord. of 6-9-83, § 2)

##### Sec. 6-208. License required.

During the Scituate Art Festival no person, organization or corporation, except as exempted by this article, shall sell or offer for sale from any cart, vehicle, stand, building or otherwise, any food or beverages within North Scituate Village, which is hereby for purposes of this article designated as Assessor's Plats 16, 19 and 39 of the records of the town tax assessor, without first

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obtaining either an art festival arts and crafts license or an art festival victualing license from the town council.

(Ord. of 6-9-83, § 3; Ord. of 9-9-99(1))

**Sec. 6-209. Exemption.**

Persons holding regular victualing licenses shall be excepted from the requirement of an art festival victualing license, but only for the premises for which they hold a regular victualing license. Such exception shall not be construed to permit sale of food or beverages outside the building where their victualing license permits them to operate.

(Ord. of 6-9-83, § 4)

**Sec. 6-210. Issuance restricted.**

(a) The town council shall grant, upon application, art festival arts and crafts licenses and art festival victualing licenses to the following organizations provided that such licenses shall only be for the premises owned by such organizations and shall only be to permit the sale of arts and crafts and food and beverages by members of the following organizations and their affiliated clubs, societies and fraternal organizations:

- (1) North Scituate Public Library Association;
- (2) North Scituate Baptist Church;
- (3) St. Joseph's Church;
- (4) Hamilton Lodge F. & A.M.;
- (5) Chopmist Hill Fire Department;
- (6) Trinity Episcopal Church.

(b) The town council shall grant, upon application, art festival arts and crafts licenses and art festival victualing licenses, to those persons or organizations which have been given space to sell arts, crafts, food and beverages by the Scituate Art Festival Committee on the town property occupied by the Scituate Art Festival.

(c) The town council may, in its discretion, grant art festival arts and crafts licenses and art festival victualing licenses to persons owning property zoned business or having a preexisting non-conforming business use or persons leasing space on property zoned business or having a preexisting non-conforming business use, as it deems will not interfere with the purposes of this article. License applications pursuant to this section must be made no later than the first day of October.

(d) The town council may, in its discretion, grant art festival arts and crafts licenses and art festival victualing licenses to those residential property owners whose property is located in the art festival district as defined in section 6-208 of this Code. Licenses granted under this paragraph (d) shall be subject to the limitation that one (1) license shall be required for each space of ten (10) feet by twelve (12) feet to be used by the licensee. The maximum number of licensed spaces on any lot within the art festival district to be granted under the provisions of this paragraph (d) shall be one (1) license per ten (10) feet of road frontage of said lot, but in no event more than twenty (20) licenses per lot.

(e) All licenses issued under the provisions of this article shall be subject to the following restrictions:

(1) There shall be only one (1) vendor per license and only one (1) vendor shall be permitted per booth or stand.

- (2) The minimum space per license shall be ten (10) feet by ten (10) feet.
- (3) The maximum space per license shall be ten (10) feet by twelve (12) feet except for antique dealers who are licensed for a location on town property pursuant to paragraph (b) of this section.
- (4) The minimum aisle width between spaces facing each other shall be ten (10) feet.
- (5) There shall be no dead end aisles.
- (6) No booths or stands shall be permitted on sidewalks.
- (7) No food vendors shall be permitted for spaces licensed under the provisions of paragraph (d) of this section, except for food vendors licensed in 1999. A food vendor's failure to apply for a victualing license in any year shall be deemed a waiver to any right to such license, and shall forever preclude such vendor from applying for such license in the future.
- (f) The maximum number of licenses to be issued pursuant to paragraphs (a) and (c) of this section shall be limited to the maximum number of licenses authorized per lot during the year 1999, based on a maximum space per license of ten (10) by twelve (12) feet.  
(Ord. of 6-9-83, §§ 5--7; Ord. of 9-9-99(1); Ord. of 8-14-00(2), §§ 1--3)

**Sec. 6-211. License fee.**

There shall be no fee for art festival, arts and crafts licenses and art festival victualing licenses issued pursuant to paragraphs (a) and (b) of section 6-210. There shall be a fee for each ~~license issued~~ license issued pursuant to section 6-210(c) and (d) which fee shall be set from time to time and a schedule of such fees is on file in the town clerk's office.  
(Ord. of 6-9-83, § 8; Ord. of 9-9-99(1))

**Sec. 6-212. Penalty for violation.**

Any person violating this article shall be fined in accordance with section 1-4.  
(Ord. of 6-9-83, § 9)

**Sec. 6-213. Dogs restricted; Wild animals prohibited.**

(a) It shall be unlawful for any person or owner to permit or cause any dog, rather licensed and/or leashed, to be on or along the grounds of the Scituate Art Festival, including, the North Scituate Village, which is hereby for purpose of this article designated as Assessor's Plats 16, 19 and 39 of the records of the town tax assessor, between the hours of 10:00 AM and 5:00 PM. However, this section shall not apply to Seeing Eye Dogs assisting blind or handicapped persons, or such other personal service dogs or animals that are controlled by such persons and/or their companions.

(b) In addition to those animals prohibited by Rhode Island General Laws, it shall be unlawful for any person or owner to keep, possess, permit or cause certain specific creatures at or along the grounds of the Scituate Art Festival, including the North Scituate Village, which is hereby for purposes of this article designated as Assessor's Plats 16, 19 and 39 of the records of the town tax assessor, is designated as a public nuisance. For purposes of this section, these creatures include: fowl, poultry, rabbits, pigeons, reptiles (i.e. poisonous snakes, iguana, etc.).

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pigs, minks and any similar species which carry or may carry and spread disease or other may be considered unsanitary or present a nuisance or hazard to the general public shall be prohibited. However, this section shall not prohibit the keeping of any such animals regulated by special permit or for personal enjoyment and/or use.  
Secs. 6-2134--6-230. Reserved.

**EFFECTIVE DATE:**      **This Ordinance shall become effective upon passage.**

I hereby certify that the foregoing Ordinance was adopted by the Honorable Town Council of the Town of Scituate at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

Attest:

\_\_\_\_\_  
Margaret M. Long  
Town Clerk

\_\_\_\_\_  
Robert Budway  
President, Town Council

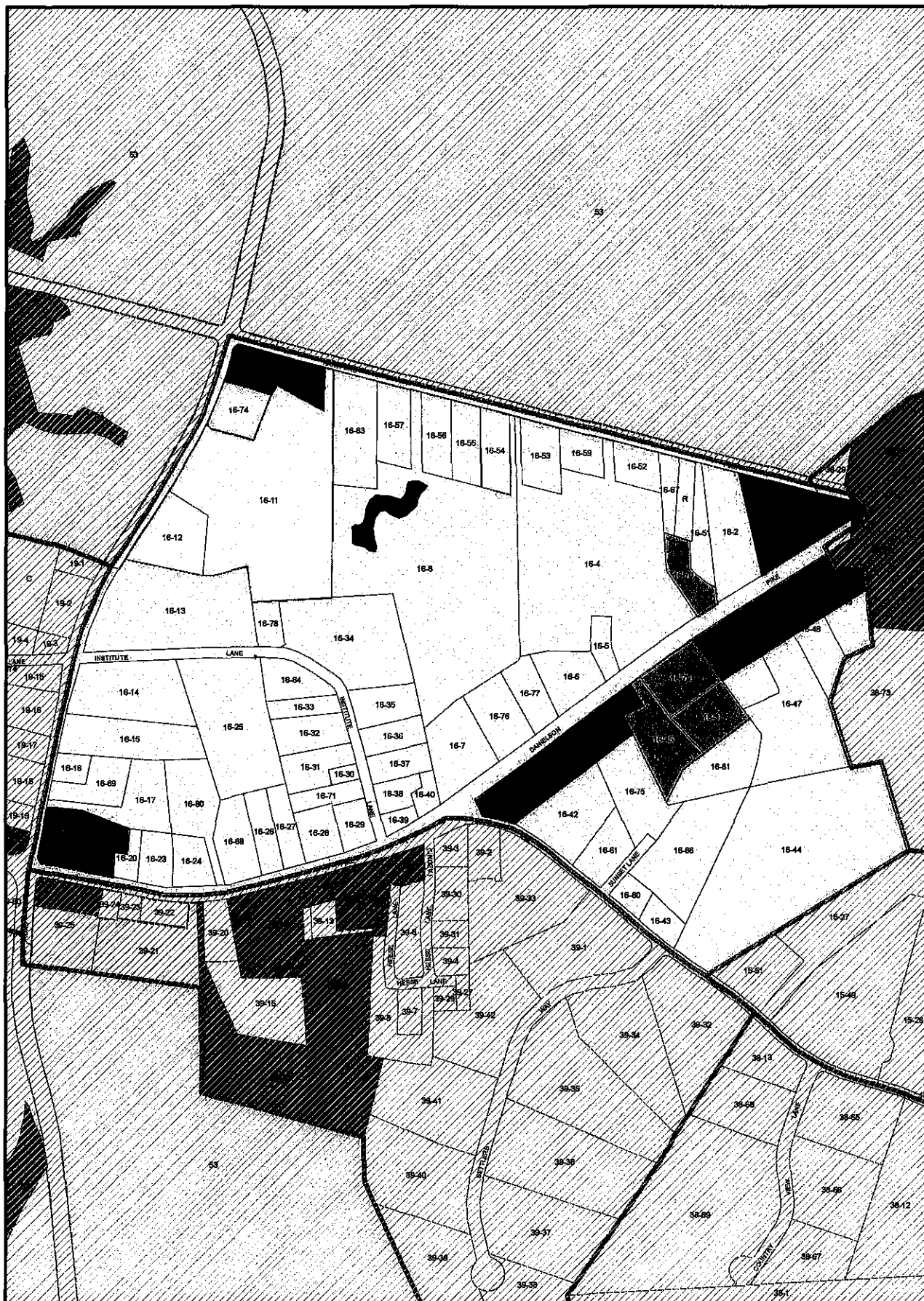
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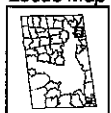
This map is intended to support the inventory of real property in the Town of Scituate. Map data should not be interpreted as the actual field survey data. The data should not be used for legal description or conveyance purposes.

# Town of Scituate, Rhode Island **Plat 16**

0 290 580 1,160 Feet

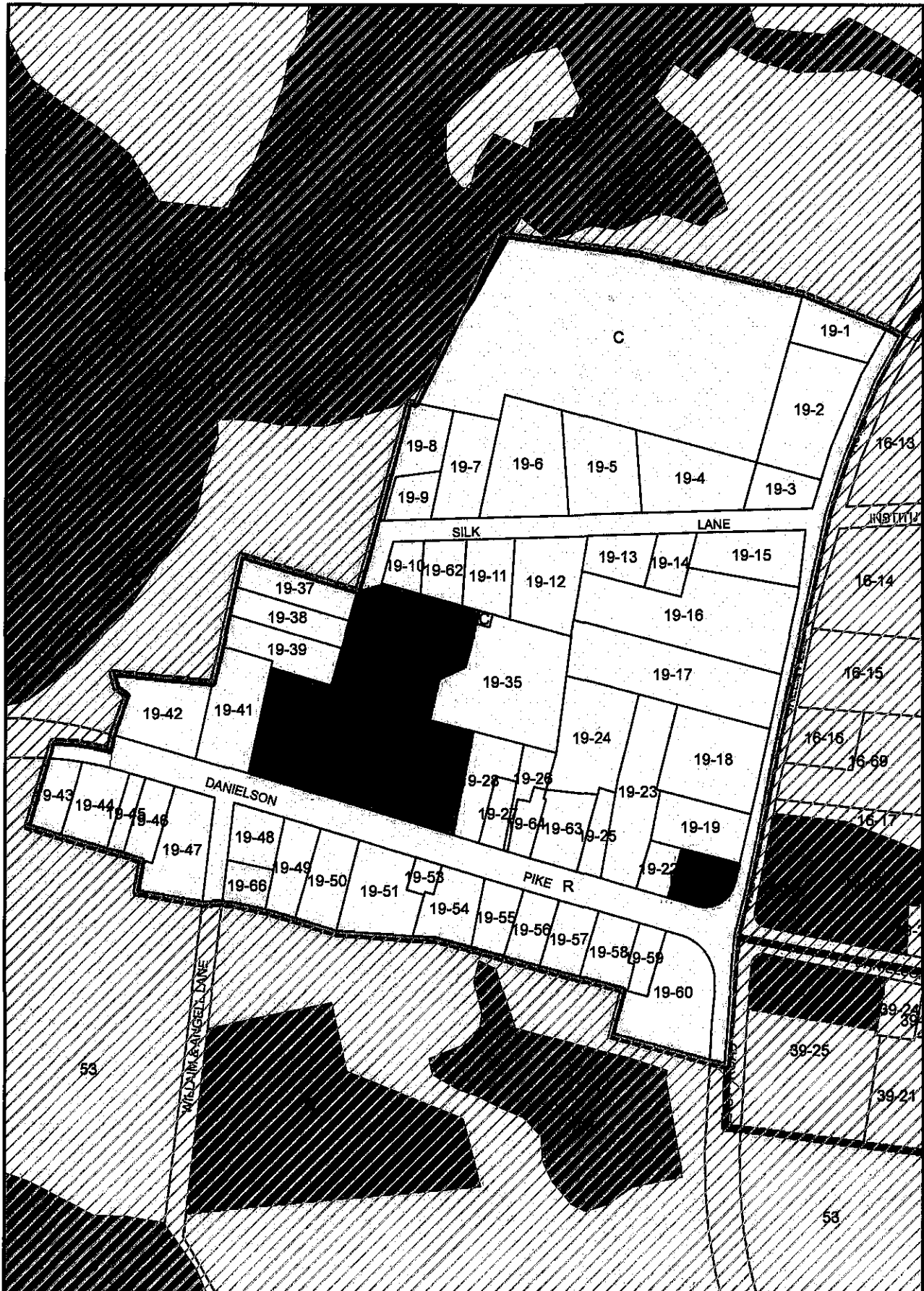


Locus Map



Each map is labeled with Parcel ID number





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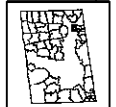
This map is intended to support the inventory of real property to the Town of Scituate. Map data should not be interpreted as the actual field survey data. This data should not be used for legal description or conveyance purposes.

## Town of Scituate, Rhode Island **Plat 19**

0 145 290 580 Feet



Locus Map



Each map is labeled with Parcel ID number

