

Consent Agreement

This agreement is entered into between The Red Barn, with its principal place of business in Augusta, Maine, and the City of Augusta, Maine (“the City”).

For consideration, The Red Barn and the City agree as follows:

1. On July 6, 2016, and on June 11, 2017, The Red Barn held an outdoor concert without a Mass Gathering permit issued by the Augusta Police Department.
2. Without a permit from the city, The Red Barn was subject to Section 300-514 of the Land Use Ordinance relative to noise standards, limiting noise from events to no more than 60dB at the property line.
3. On July 6, 2016, the Augusta Police Department received a complaint regarding noise and used a dosimeter to measure sound levels at the property line at 4:30pm and found sound levels to be between 75-78dB.
4. The Police Department requested that the sound be turned down and it was.
5. On July 6, 2016, the Augusta Police Department received a second complaint regarding noise and used a dosimeter to measure sound levels at the property line at 6:55pm and found sound levels to be between 77-80dB.
6. Again, the Police Department requested that the sound be turned down and it was.
7. On June 11, 2017, The Red Barn held a concert without obtaining a Mass Gathering permit. A permit application had been submitted to the Police Department on Friday, June 9, 2017, at approximately 2:40pm and neither the Chief nor Deputy Chief was available to review and sign it before Monday, June 12.
8. The city received a complaint on June 11, 2017, about noise, but the Police Department did not have access to the dosimeter at that time to take readings, and the police officer was under the impression from representations by the staff at The Red Barn that they had received a Mass Gathering permit exempting them from the noise ordinance. The Red Barn had applied for a permit, but had not received one due to the timing of the request.
9. The Red Barn agrees to pay \$200 for the violation of the noise ordinance on July 6, 2016.
10. The Red Barn agrees not to hold a concert without first obtaining a Mass Gathering permit from the Augusta Police Department.

The Red Barn

City of Augusta

By: _____

Laura Benedict
Owner

Date: _____

By: _____

William R. Bridgeo
City Manager

Date: _____