

# HOUSE . . . . . No. 2092

By Mr. Finegold of Andover, petition of Barry R. Finegold and Joseph R. Driscoll for legislation to clarify the site assignment process for the issuance of permits for parades, public gatherings or sporting events. Public Health.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO CLARIFY THE SITE ASSIGNMENT PROCESS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 111 of the General Laws, as appearing in the 2004  
2 Official Edition is hereby amended by inserting, after section 143,  
3 the following new section:—

4 Section 143A. No assignment shall be required pursuant to the  
5 first paragraph of this section for parades, public gatherings, or  
6 sporting events, where such parade, public gathering, or sporting  
7 event would not require an assignment but for the sound resulting  
8 from the conduct of the parade, public gathering, or sporting  
9 event, as long as all otherwise necessary local permits have been  
10 issued for such parade, public gathering, or sporting event.

11 Notwithstanding any other provision of the General Laws,  
12 sound emitted from parades, public gatherings, or sporting events  
13 shall not be considered a nuisance or a condition of air pollution.

14 For the purposes of this section, a sporting event shall mean an  
15 event of all bona fide sports conducted under the auspices of (i) a  
16 public or private educational institution; (ii) a municipality or  
17 other governmental unit; (iii) recognized private youth and adult  
18 athletic leagues; (iv) dedicated sports schools, camps, or academe-  
19 mies; or (v) international, national, or regional sanctioning  
20 bodies, including but not limited to the United States Olympic  
21 Committee; professional sports leagues, such as Major League  
22 Baseball and the National Football League; the National Colle-  
23 giate Athletic Association; the American Athletic Union; orga-

24 nized little leagues; sanctioning bodies for competitive motorized  
25 racing events or racing events involving dogs or horses; the  
26 United States Fencing Association; USA Boxing; and the Boston  
27 Athletic Association. Sporting events include, but are not limited  
28 to, events conducted at dedicated facilities such as stadiums; base-  
29 ball, soccer or football fields; race tracks; hockey arenas, tennis  
30 courts, and ski slopes. A bona fide sport shall mean an amateur or  
31 professional athletic activity, governed by a widely accepted set of  
32 rules or customs, requiring some combination of instruction, prac-  
33 tice, strength, endurance, agility, coordination, concentration,  
34 accuracy, tactics, and strategy.