

TO: Residents of Rye, NH  
FROM: Katy Sherman, Rye resident and property owner  
DATE: January 16, 2014  
RE: Commercial Activity on Rye Beaches

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The following is a compilation of information obtained over the past nine (9) months addressing commercial use of public beaches.

Section I, beginning on page 2, provides an overview of how other cities and towns throughout the country are presently addressing commercial activity on public beaches. It first identifies local New England towns throughout Maine, New Hampshire, Massachusetts, and Rhode Island. It then identifies how cities and towns in NY, NJ, DE, MD, VA, FL, HI, and CA are addressing this issue.

Section II, beginning on page 10, is a synopsis of issues the public has identified with commercial activity on Rye town beaches. It includes a synopsis of complaints and a synopsis of benefits from commercial activity.

Section III, beginning on page 13, identifies some of the known businesses engaging in commercial activity on Rye beaches. When possible or known, it identifies generally the type of activity, frequency of activity, sizes of groups, and locations of use.

Section IV, beginning on page 15, is a compilation of recent news reports from across the country addressing regulation of commercial activity on public land. It includes hyperlinks to internet news articles.

Section V, beginning on page 18, are personal observations of issues the Town should address regarding commercial use of Rye Town beaches.

## **I. Commercial Activity on Public Beaches**

Research and direct communication with State, City, and Town representatives yielded the following information:

### **A. MAINE**

#### **1. York**

Research regarding York included online searching, review of Town websites and direct communication by phone with representatives from Parks and Recreation and a Town employee.

York substantially regulates commercial activity on York beaches. All commercial activity must register with the Town. The Town has a specific location for commercial activity in front of its bath house.

York Park and Recreation sponsors all surfing programs. The Town, and its department heads, specifically approve all related activity including parking, lifeguards, space, and beach resources. This activity must end by 9am and begin after 5pm when the lifeguards are not on duty. They do not occur during the busy times of day. The groups are ten (10) person maximum per class.

The local surf shop has an initial session teaching surf etiquette and town surf regulations. York hires and promotes the local surf shop lessons and camps. The surf shop pays the town of York a fee in return.

The Parks and Recreation Director advised that York denies permits because it simply does not have the space to accept everything requested. This is particularly true in July and August because of the summer congestion.

Short Sands Beach is swimming only. Long Sands Beach is a mile long and the location of commercial activity. York identifies mixed use portions of the beach on the most southern side and most northern side. It marks this area in two (2) ways: with (1) buoys in the water and (2) flags on shore. The "swimming only" area has the majority of the beach. It is in the middle and estimated to be approximately 900 yards.

#### **2. Ogunquit**

Research regarding Ogunquit included online research and communication by phone with its Visitors Service Coordinator.

Ogunquit substantially regulates use of its beaches. The Town requires all large groups (both for-profit and not-for-profit) to pay a fee. There is also a Beach Impact fee that each entity using the beach must pay. This includes, but is not limited to, hotels/motels and the local surf shop.

Ogunquit restricts surfers, stand-up paddle boarders (SUP), and kayakers to the river mouth and the south end of the beach. The Town has one portion of the beach for sitting, sun bathing and swimming only. There is another section for those who want to do recreational sports (frisbee, kite flying, surfing, SUP, kayak).

### 3. Kennebunk

Research regarding Kennebunk included online searching, review of Town website and communication directly with the Town's Director of Parks and Recreation.

It is reported that over the last few years, Kennebunk has seen an increase in fee-based activities using Town beaches. It is reported that these businesses have generally regulated themselves. The Parks and Recreation Director advised, however, that this self regulation was a result from a physical confrontation between two businesses, both of whom use the same rocky portion of the beach that the general public does not use.

Kennebunk requires that fee-based activities communicate with the Police Department and the Town's Park and Recreation Department for approval. The Town restricts group activities to twenty (20) people maximum and two (2) classes maximum at a time. Commercial activity cannot distress or disrupt the ongoing beach activities. If the groups are larger or want to use speakers, they have to apply for a "Special Event Application" because larger groups are considered a mass gathering.

### 4. Wells

Research regarding Wells included online searching, review of Town websites and communication by phone with a representative at the Town hall.

Wells has virtually no issues with commercial activity on the beach. The Town has a permit required for mass gatherings.

### 5. Kittery

Research regarding Kittery included online research and communicated with both the Kittery Recreation Center and the code office at Town Hall.

Kittery does not allow commercial activity at Seapoint or Crescent beaches. The only commercial activity they've experienced has been a road race originating at one of the beaches or a beach clean up group in which town council approval is required. At Fort Foster, a permit and fee are required. Kittery is currently working towards stricter legislation due to the size, frequency and magnitude of the commercial activity reported in Rye.

## B. NEW HAMPSHIRE

### 1. State Seacoast Beaches

Research included review of State beaches online, including Jenness, Wallis Sands, Hampton Beach, and North Hampton and communicated directly with three representatives of the NH Department of Resources and Economic Development (DRED).

The State requires a "Special Use Permit" for anyone or any entity seeking to use State property for commercial activity. There is a \$100 application fee and a \$200-plus fee for the permit based on a percentage of the revenue. It is reported that the State does not approve every request. The State denies most commercial events from Memorial to Labor Day due to summer congestion. With the crowds, the beaches cannot handle more activity than what is already there.

### 2. Hampton Beach

Research included online research and phone communication directly with the Director of Parks and Recreation for Hampton Beach.

Hampton Beach requires Special Use applications. It requires that businesses pay \$25 hourly or 20% of revenue depending on whether the event is Town sponsored. It is reported that the Town sponsors most, but not all, of the commercial activity.

It is reported that the Town limits surf camps to fourteen (14) kids maximum.

### 3. State Inland Beaches/Property

Research included online research of White Mountain National Park and phone and email communication with two representatives from White Mountain National Park

For commercial activity, this Park requires a permit. It requires a fee based on a percentage of revenue, plus the number of people. The minimum fee required is \$100. It is reported that there is a sixty (60) day processing period. Group size is limited to 10 people maximum. Businesses have to complete a "trip form" which identifies map, number of kids, counselor name and credentials, fee and dates.

The Park does deny permit requests. Examples of why this occurs include, but are not limited to: a group not completing the application process in a timely way; a group breaking rules; a group having too many people; a group lacking First Aid equipment.

#### 4. Seabrook

Research of Seabrook included online research, review of Town website and communication directly with the Director of Recreation who also called the town hall to address some of the additional questions.

Seabrook beach is not lifeguard protected. The police patrol and public works clean the beach. The town has not had commercial activity problems. A surf shop had group surf lessons at one time, she believed it was restricted itself to twelve (12) kids maximum, one time a week. There are no permits required on the beach. There are strict beach rules posted.

### C. MASSACHUSETTS

#### 1. State Seacoast Beaches

Research of Massachusetts State Beaches included online research, review of State website and communication directly with a representative of the Massachusetts Department of Conservation and Recreation.

Massachusetts State Beaches rarely allow commercial activity Memorial Day through Labor Day. There is a long permitting process that allows State and Town officials time to prepare accordingly for all commercial or not-for-profit events in advance. Numerous Massachusetts State Beaches require permits including but not limited to: Lynn, Hunt, Revere, Salisbury, and East Boston.

#### 2. Cape Cod — National Park Service (Federal Government)

Research of Cape Cod National Seashore included online researching, review of website, phone and email communication directly with a representative of the National Park Service for Cape Cod.

The National Park Service has forty miles of shoreline on the Cape. It charges a \$200 commercial activity application fee and has a thorough permitting process with strict regulations and limits for commercial activity on its beaches.

It limits surf camps to twelve (12) people maximum per group. It requires that these activities occur in a specific non lifeguarded beach area only. It ensures that these groups not block public access.

It is reported that if several entities apply for permitting, the Park Service utilizes a concession contract. Each business wanting to use the beach for a commercial activity is allowed to present a bid. Only the most acceptable bidder receives a permit.

It also is reported that the National Park Service frequently denies permits, is very strict, and several times has revoked permits.

### 3. Massachusetts Town Beaches

#### a. Sandwich

Communication with the Sandwich police department.

Sandwich regulates the public beach through a permit process. Groups of more than 10 persons who plan to congregate on any public beach or parking lot between the hours of 7AM and 10 PM are required to obtain a permit for the Department of Natural Resources.

#### b. Welfleet

Research of website and communication with police enforcement.

Welfleet regulates use of town property with a permit process. The application is viewed by each town department for their comments. Completed forms go before the Board of Selectmen with liability insurance and possibly a fee for approval. All surfing lessons and surfing competitions shall be limited to a certain area adjacent to parking lots. Surfing is not allowed during the summer season on the lifeguarded portions of Newcomb Hollow, Cahoon Hollow or Maguire Landing, surfing is allowed at the lifeguarded portion at White Crest.

#### c. Harwich

Communication with Harwich police department.

Harwich regulates use of town property with a permit and a daily fee issued through the town hall. The Board of Selectmen are the issuing authority for these contracts. Water devices such as kayaks and surfboards are prohibited except for designated areas of Red River Beach and fresh water ponds.

#### d. Eastham

Communication with Eastham police department.

Eastham regulates solicitation for profit or non-profit ventures, that cause disruption or call for extra police for traffic control and parking, with a permit process.

#### e. Nantucket

Research regarding Nantucket included email communication, online researching and review of Town websites.

Nantucket has a lengthy permit process for commercial activity on Nantucket beaches. The Town substantially regulates beach activity. It has an application process that

requires the payment of a fee. It identifies specific locations where activity can, if approved, occur. It restricts the dates and times when the activity can occur. It limits group sizes.

#### D. RHODE ISLAND

##### 1. Narragansett

Research regarding Narragansett included online searching, review of Town website and phone communication directly with a surf school owner and a Town representative.

Narragansett has a permit application process for which it charges a fee. The Town limits commercial activity during the most active summer months. It limits group sizes dependent upon when the activity is scheduled to occur. It requires that the Town's Director of Parks and Recreation approve all applications.

#### E. OTHER STATES, AND TOWNS

General research regarding how other governmental entities have addressed business use of public land.

##### 1. Norwalk, CT (via surf instructor)

(a) Permit and fee required.

##### 2. South Hampton, NY (online research)

(a) \$50 permit application fee and beach parking fee (\$20 daily-\$300annually) and

(b) activity fee (\$50 for an hour - \$250 for 8 hours / \$500 for some locations)

##### 3. Fire Island National Seashore (phone conversation with a representative)

(a) Permits for "special use",

(b) All commercial use is monitored,

(c) No surfing in lifeguard areas.

##### 4. Most of NJ (via surf instructor)

(a) Permit required, limited to specific locations and fees.

##### 5. Wildwood Crest, NJ (online research)

- (a) Permit required and \$350 (under 4 hours) to \$750 (more than 4 hours) a day.

6. Hampton, VA (online research)

- (a) Special Event Permit required,
- (b) Application must be in 90 days prior to event.
- (c) Licensure and certification as needed. \$2 Million liability.
- (d) \$50 fee for application and event fees = \$250-\$500 daily depending on usage and staff fee \$160 - \$350 and \$500 deposit and trash can fees (\$7.50 per).

7. Ocean City, MD (via surf instructor)

- (a) Permit required. A small area is allowed for classes with time restraints: before 10am and after 5pm.

8. Miami Beach, FL (online research)

- (a) All beachfront concession requires written authorization, licensing, design application, authorization and permit required.
- (b) Water sports and/or cooking no longer permitted.

9. Coco Beach, FL (via surf instructor)

- (a) Permit and only certain water sports allowed.

10. Hawaii (online research)

- (a) Lands are available to public through leases, licenses, grants, rights of entry (commerce), month to month tenancies OR open space.
- (b) Commerce occurs on unencumbered state owned property only.
- (c) Certain areas and certain activities are allowed.
- (d) Must comply with terms and conditions for commercial activities.

11. Hermosa Beach, CA (online research)

- (a) Proliferation of unauthorized commercial activity taking place on public parks and beach.
- (b) Concerns have increased.
- (c) Permit, insurance and payment of 30% revenue to Hermosa Beach is now required.

12. Redondo Beach, CA (online research)

- (a) Permit required.
- (b) 4 hours maximum a day and 10 people maximum per group.
- (c) Use charge is an hourly rate or 30% revenue.

13. Manhattan Beach, CA (online research)

- (a) Permit required.
- (b) 4 hours maximum a day,
- (c) 10 people maximum per group.
- (d) Use charge is \$200 application fee and/or 30% revenue.

14. Encinitas, CA (online research)

- (a) Permits required, \$250 fee.
- (b) Permit allows town staff to review plan and impact (on parking, other scheduled activities, size of group, time of day, day of week, number of days and location is evaluated) to general public's use and enjoyment.
- (c) \$1 Million liability insurance policy required.
- (d) Permits can be and are denied.

## **II. Synopsis of public opinion regarding commercial public beach usage**

Receipt of communications from Town residents and others using the Town's beaches in which the individuals expressed concern and/or support for commercial activity occurring. These communications have occurred in person, by phone, email, and written letter. The commercial activities at the Town beaches have been personally observed. Photographs and postings on social media (Facebook, etc.) and via email have been received and reviewed.

### **A. Concerns and/or Complaints**

The communications have specifically identified commercial activity including, but not limited to, the following:

- surf camps
- large group surf lessons
- Zumba dance classes
- kettle bell classes
- strength training classes

The complaints have tended to focus upon the following issues:

- number of participants
- location of activity
- frequency of activity
- safety of activity in relation to public's use of the beach
- manner in which activity affected the public's use of the beach
- noise

Members of the public have reported that commercial activities lessen the enjoyment at the beach because they restrict public access to public areas of the beach. Members of the public have reported they can no longer surf or put their blankets down where they once regularly did due to the size, frequency and volume of business use both in the water and on the shoreland. Members of the public have reported they've had to move to another location on the beach due to the size, frequency and volume of business use. Sawyer's Beach, in particular, is being used frequently for business activities. Historically local residents primarily used this beach because of the proximity of ample resident parking. In the last few years, however, commercial surf camps and large group surf lessons are frequently occurring on the northern most portion of Sawyers.

Residents have identified that business customers often utilize the dry and wet sand areas for business related activity on Sawyers, Jenness, Cable and Pirates Cove. Activities either personally observed or received reports regarding here have included:

- group stretching and/or exercise
- running games such as tag or capture the flag

- sport activity such as football and soccer
- group instruction

While the Town generally allows these types of activities by members of the public when they occur in a safe and reasonable manner, complaints have been received that these activities by large groups of business customers have adversely impacted how the public may use the public beach.

Members of the public also have reported concerns that the beach and water are less safe because of commercial activity. The public has expressed concern about Town lifeguards being distracted from protecting members of the public because of the large number of business customers on the beach. The public has expressed concern about being unable to swim or surf safely where these large lessons or surf camps are operating. One business activity has included the use of gasoline powered portable generator connected via extension cord to amplified speakers in wet conditions and on wet sand. Residents have expressed concern about the volume of dance music from the Zumba classes. The public expressed concern about licensure and/or certification for the specific activity, First Aid and/or CPR certification for the instructors.

Complaints have been received that the general congestion both on the beach and in the water has hindered the public's use of the beach. Specifically, members of the public have identified the following concerns:

- observations of business customers, who are non-residents and who do not have Town parking stickers, using Town parking spaces at Sawyer's Beach
- a business vehicle taking up public parking spaces
- the public not being able to use the sand or water where these large group lessons and/or commercial surfing occurs
- instructors surfing without leashes
- storage of surfboards and wetsuits, on the rocks and dry sand, before and between classes

The public has expressed concern that the Town might have potential legal exposure if it continues to allow business activity in the size and manner at present given the identified concerns to date.

The public has identified concerns about the potential growth, proliferation, and expansion of business activity on Town beaches. Town residents have expressed concern that permitting business activity through a permit process opens up the beaches to additional business activity. Residents have expressed concern about how the process will work and have expressed that there should not be preferential treatment.

Members of the public also have expressed concerns about whether it is fair for the Town, which pays for lifeguards, to be responsible for providing lifeguard and/or life

safety services for business customers.

Residents have identified a potential concern with violation of the Town's zoning ordinances. Residents have identified Zoning ordinances are already being compromised because the beaches are all zoned Single Residential except for Foss Beach, which is recreational.

Residents have expressed concern that Town tax dollars are being used to maintain the public beaches and to provide services to the public beach and that businesses should not be allowed to utilize these resources either at all or for free.

## **B. Support and/or Benefits**

Residents also have expressed support for continued business activity on Town beaches. Benefits residents have identified include:

- businesses are attracting new people to the area
- customers share exercise and other health-related activities
- families, and children, are learning to surf and exercise at the beach in a controlled setting
- fun activity
- children, who may not otherwise be able to come to the beach because parents work, are dropped off for a few hours of supervised beach and surf time
- the programs are so popular, many people come from the neighboring states of MA and VT
- business entities provide summer local employment
- business customers frequent other local businesses
- public access is for all, which includes these commercial exercise programs and camps

### **III. Summer 2013, Frequency and magnitude of known current commercial public beach usage**

#### **A. Summer Sessions**

1. surf camps, Monday - Friday, 35 children ages 6 - 16, 9-11AM,12-2PM daily, add on 3-5PM as wanted
2. corporate sponsored events (weekly and accompanied with food in some instances) as requested
3. co-sponsored events with other businesses (exp. Zumba) as requested
4. adult nights weekly, ladies nights weekly, group and
5. 1:1 surf, skimboard and SUP lessons as requested daily
6. parties and family outings as requested daily

#### **B. The Surf Shack**

1. Surf and Stand Up Paddle board lessons and rentals
2. Co-sponsored yoga
3. Group lessons up to 5 people
4. Private 1:1 SUP and surf lessons daily as requested

#### **C. Cinnamon Rainbows**

1. Surf group and 1:1 lessons daily as requested
2. Summer camp, M-W-F 5:30 - 7PM, 25 kids maximum (11 years old plus), South of Jenness Beach
3. Adult and ladies surf camps weekly in the evenings

#### **D. Vive La Dance (Zumba)**

1. Amplified speaker plugged into generator playing dance music for 50 - 100 people (all ages)
2. Surf lessons sponsored by Summer Sessions (ages 5 and up) before or after dance, South of Jenness Beach
3. 6 times in the summer 2013 on weekend evenings

#### **E. Yoga (all ages)**

1. multiple regular weekly sessions seen at Wallis Sands, Cable Beach and Jenness Beach
2. approximately 10-20 participants, sometimes more

#### **F. Seacoast Kettlebell:**

1. Jenness Beach

G. Group Strength Training: Crossfit training

1. Jenness Beach
2. Approximately 45-60 people (photo(s))

H. Engagement Planners:

1. Jenness Beach

I. Stand Up Paddle Board Yoga:

1. Rye Harbor
2. Approximately 5-10 participants

#### IV. Current events regarding commercial beach activity

##### A. South Hampton, New York

1. Complaints about a surfing camp, which was being run for 12 years despite it's violating a village code prohibition on commercial enterprises being operated on the beach. There were complaints filed that the camps have too many students, novice surfers were in the water with more seasoned surfers and the camps disrupt others enjoyment of public beaches. The town has implemented a one summer permit process and the business needs to comply with the villages limits on size (20 people maximum), dates and times.
2. <http://southampton.patch.com/groups/politics-and-elections/p/village-cracks-down-on-surf-school>
3. <http://www.newsday.com/long-island/towns/southampton-village-oks-first-surfing-school-1.5792019>

##### B. Southern California

1. Influx of "pirate surf schools."
2. There is a competitive bidding process and fee to run beach business. Surf instructors are required to pay \$200 for an operating permit, meet safety standards and give the county 15% of their gross profits because they are making money on public property. The pirate surf schools have begun getting ticketed \$300. The crackdown seems to be the best way to keep people safe.
3. <http://www.nbclosangeles.com/news/local/Surfing-Schools-Pirate-Permit-SoCal-Beaches-Learn-to-Surf-215000841.html>

##### C. Kailua Beach, Hawaii

1. Bans commercial activity, majority of the residents testify for the bill and a year later they've noticed a difference and like the change.
2. <http://www.staradvertiser.com/news/breaking/16634256.html?id+166345256>
3. <http://www.khon2.com/news/local-news/1-year-later-residents-happy-with-commercial-activity-ban-at-winward-oahu-beaches>

##### D. Hermosa Beach, California

1. Complaints due to the proliferation of unauthorized commercial classes taking place at city parks and at the beach. A business must apply for a permit and

pay. Hermosa Beach charges \$600 for 6 months. The Los Angeles County Department of Beaches and Harbors oversees the beaches in Redondo Beach and Manhattan Beach and charge a \$200 application fee plus 15 % of gross receipt for organized classes. Redondo Beach charges an hour rate or takes 30% of the proceeds if those classes are on municipal territory. Manhattan Beach negotiates contracts and charge a permit fee or charge a 30 % cut. Permits require insurance and an agreement that the city isn't liable. Each user is allowed four hours of permitted time a weekday with a max of 10 people per class.

2. <http://www.dailybreeze.com/general-news/20130712/hermosa-beach-nonpermitted-beach-classes-to-pay-up>

#### E. Orange Beach, Alabama

1. Moratorium placed on issuing business licenses for commercial activities and around the properties. There have been more vendors requesting licenses. They feel they need to protect the islands and that everyone needs to work together.
2. [http://blog.al.com/live/2013/05/orange\\_beach\\_looks\\_to\\_protect.html](http://blog.al.com/live/2013/05/orange_beach_looks_to_protect.html)

#### F. Laguna Beach, California

1. Concern about safety for the participants in commercial classes and for the other beach goers. The classes take up a lot of space on the beach. There are concerns about how the commercial use has impacted local neighborhoods
2. [http://articles.coastlinepilot.com/2013-03-21/news/tn-cpt-0322-city-council-sup-regulation-20130321\\_1\\_local-businesses-coastal-cities-life-jackets](http://articles.coastlinepilot.com/2013-03-21/news/tn-cpt-0322-city-council-sup-regulation-20130321_1_local-businesses-coastal-cities-life-jackets)

#### G. Santa Monica, Palisades Park, California

1. Concern with commercial proliferation. Some of the exercise enthusiasts bring equipment and gear. The city is presently writing a slate of new regulations. The proposed regulations include a permit fee of \$100, a use charge of 15% revenue, several application forms, including insurance. There are parts of the beach and in parks where no classes would be allowed or the numbers would be limited (1:1 or 2:1 in Palisades Park). Surf teaching permits have been required since 2008.
2. <http://santamonica.patch.com/groups/politics-and-elections/p/santa-monica-to-consider-crackdown-on-outdoor-fitness>

3. <http://www.npr.org/2013/01/15/169414500/fitness-boot-camps-may-get-the-boot-in-santa-monica>

H. Santa Barbara Park and Recreation, California

1. Concern with commercial activities in city parks and beaches. Any person conducting business must have a park permit, and they are trying to better regulate the impact that these commercial multisession classes and activities have on scheduled park activities
2. [http://www.noozhawk.com/article/092308\\_commission\\_to\\_consider\\_regulating\\_commercial\\_use\\_of\\_parks\\_beaches](http://www.noozhawk.com/article/092308_commission_to_consider_regulating_commercial_use_of_parks_beaches)

## V. Personal Observations of Issues Town Should Address

### A. Comply With Zoning

1. The Town shall ensure that *all* permitted activity is consistent with and allowed by the Rye or Rye Beach Zoning Ordinances, as applicable and in compliance with the Master Plan.

### B. Permit Application

1. A permit application process including a charge for submission of the application for all fee-based activities on town beaches.
2. A deadline, before the summer, for submission. This will allow the town to prepare for the activities. This will allow the town to evaluate these groups and assess whether and how they affect public access, open space, and town resources.
3. The application shall identify a date of use, times of use, number of people, number of employees, credentials of the employees and specific location of use.
4. Application to be required for each day or week of activity.

### C. User Fee

1. At present, businesses are using Town property and relying on Town resources to earn money without paying the Town for this use. Any business applying for a permit shall pay a permit processing fee. Any business granted a permit shall report earned revenue to the Town and pay a percentage of this revenue per use to the Town as a user fee.

### D. Earmarked Funds

1. Funds raised from both the application process and the user fee shall be earmarked for town administration for the processing of the permit requests and public safety personnel specifically and solely charged with ensuring compliance with Town beach restrictions.

### E. Insurance

1. Application to require certification of insurance — with the Town identified as an “additional insured.”

### F. Specific Locations, Times and Group Size

1. Commercial and/or permitted activity to be restricted to the specific times, locations and size identified on the application to ensure that the public right to access and use of the public beach is not adversely impacted.

G. Noise:

1. Noise disturbances not tolerated.

H. Violations = Denial:

1. Violation of Town ordinances or the permit, including those pertaining to parking, are means for a denial or termination of a permit.

I. Concession Contract

1. The Town should define dates when businesses may apply for a permit to ensure that the process is fair for all concerned. For example, the Town could set a permit application date period of April 1st-April 15th for permit applications for the months of June/July/August. This will ensure that each business desirous of a permit has an opportunity to submit an application. If more than one application is submitted for the same day and time, a concession contract will be used in which each business will summarize its activity and submit a bid. The town will identify the most attractive bidder.