

MAINE STATE LEGISLATURE

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CHAPTER 25
THEATERS AND SHOWS

Sec.

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§ 651. License required

No cinematograph or similar apparatus shall be kept, used or exhibited in any building, place of public assemblage or place or building used for entertainment, whether such place or building has been licensed for public entertainment or not, unless a license or permit shall have been first obtained from the Insurance Commissioner. Said cinematograph or similar apparatus shall be placed in an enclosure or booth constructed of a steel frame covered with sheet asbestos or other fireproof material approved by the Insurance Commissioner or constructed and located in accordance with the specifications provided, and the entrances, exits and fire escapes connected with such public building, place of public assemblage or place or building shall be erected in accordance with law, provided the manufacturer of such cinematograph or similar apparatus shall apply for and receive the approval of the Insurance Commissioner and no such cinematograph or similar apparatus shall be used where an admission fee is charged, except in social, fraternal, charitable, religious and educational organizations where the machine so used is owned by said organization and used in the city or town where said organization is located, and the proceeds of such admission fees are to be devoted to the uses of said organization.

R.S.1954, c. 100, § 72.

§ 652. Application for license; inspections

Whoever desires to keep, exhibit or use any cinematograph or similar apparatus in any place or building described in section 651 shall make application to the Insurance Commissioner for a

license to keep, exhibit or use such cinematograph or similar apparatus. Upon receipt of said application the Insurance Commissioner shall inspect or cause to be inspected the enclosure or housing provided for such cinematograph or similar apparatus and shall inspect or cause to be inspected the entrances, exits and fire escapes. If, as a result of such inspection, he is convinced that the specifications provided are fully complied with and such cinematograph or similar apparatus is found to be in a safe and suitable condition to be stored, exhibited or used and that the entrances, exits, fire escapes and structural condition of such public buildings, place of public assemblage or place or building are in accordance with law, he may issue a license to the person desiring to keep, use or exhibit such cinematograph or similar apparatus, which license shall state the name of the makers, trade name and number and the serial number of such cinematograph and the place in which it is to be kept, used or exhibited. The fee for the initial inspection of a theater shall be \$15 and the fee for a license of a theater shall be \$10. Such fees shall be credited to the Division of State Fire Prevention to defray the expenses of the division. Any balance of said fees shall not lapse but shall be carried forward as a continuing account to be expended for the same purposes in the following fiscal years. No license shall be granted under this section for any cinematograph or similar apparatus operated by oxyhydrogen gas so called or by lime light.

R.S.1954, c. 100, § 73; 1959, c. 182, § 4.

§ 653. License required; age and skill of operators

No person shall operate any cinematograph or similar apparatus in any city or town until he has received a license or permit to do so from the Insurance Commissioner. No such license to operate a cinematograph or similar apparatus shall be granted to any person under 18 years of age nor until the applicant shall have satisfied the Insurance Commissioner that he is thoroughly skilled in the mechanical and electrical apparatus or devices used in the operation of a cinematograph or similar apparatus. The fee for such examination shall be \$10 and the fee for such license shall be \$10. All licenses issued as aforesaid shall expire one year from date of issue and they may be renewed thereafter for periods of one year without further examination on payment of a fee of \$5. Such fees shall be credited to the Division of State Fire Prevention to defray the expenses of the division. Any balance of said fees shall not lapse but shall be carried forward as a continuing account to be expended for the same purposes in

the following fiscal years. Any person desiring to learn to be an operator may, with the consent of the theatre owner and under supervision of a licensed operator, be in a booth for the purpose of receiving instruction, upon payment to the commissioner of a fee of \$2 for an apprentice's license, and such license shall be valid for one year.

R.S.1954, c. 100, § 74; 1959, c. 182, § 5; 1963, c. 133.

§ 654. Specifications; exits

The construction of the booth or enclosure for any such cinematograph or similar instrument must conform substantially to the following specifications: All booths or enclosures must be at least 7 feet high and the floor space to vary according to the number of machines used in said booth or enclosure. At least 48 square feet of floor space shall be provided for one machine and 24 square feet for each additional machine. The material used in the construction of such booths or enclosures shall be steel or asbestos-wood sheets supported by a skeleton frame of structural steel; the asbestos-wood sides and tops shall not be less than $\frac{1}{4}$ inch thick, and the floor space not less than $\frac{3}{8}$ of an inch thick. Said structural steel frame shall be made of angles of tee shape not less than $1\frac{1}{2}$ inches by $1\frac{1}{2}$ inches by $\frac{3}{16}$ of an inch. The door of said booth or enclosure shall be made of asbestos-wood and iron and shall be so contrived that it shall be kept closed at all times. The booth shall be provided with a ventilator pipe not less than 12 inches in diameter leading to the outer air or to a chimney, with an electric fan installed so as to create at all times when the machine or machines are in operation a forced draft through said ventilator for the purpose of carrying off all gases and smoke which may arise from accidental ignition of the film. Shutters made of $\frac{1}{4}$ inch asbestos-wood shall be provided for closing the windows in the booth or enclosure which must be so contrived as to close automatically in case of accidental ignition of the film. The enclosure or housing provided for such cinematograph, moving-picture machine or other similar apparatus shall be located above the main floor of the hall, room or building where such cinematograph, moving-picture machine or similar apparatus is located. There shall be a sufficient number of exits and fire escapes leading into a street, lane or passageway, with no obstruction to free exit. Nothing herein shall preclude the use of any other fire resisting material approved by the Insurance Commissioner.

R.S.1954, c. 100, § 75.

§ 655. Applicability of ordinances

Sections 651 to 654 shall not apply in cities having a population of over 18,000 having ordinances or bylaws, duly enacted under enabling statutes, which are at least equal from the standpoint of safety to the requirements of said sections, unless the Insurance Commissioner shall have evidence of the fact that such ordinance or bylaw is not equal from the standpoint of safety to the requirements of said sections or unless the Insurance Commissioner shall have evidence that such ordinance or bylaw is not being adequately enforced. In case of either of these exceptions, the Insurance Commissioner shall advise the municipal officers of such city or town of such evidence of inadequacy, and shall apply the requirements of said sections 651 to 654 to such city or town until such time as an adequate ordinance or bylaw and adequate enforcement thereof shall be provided.

R.S.1954, c. 100, § 76.

§ 656. Asbestos booths

For exhibition of moving pictures in the open air or in a tent, a portable asbestos booth may be used, provided such booth meets the specifications set forth and while in use shall be located not less than 300 feet from any building or woods.

1. Size of booth. The portable asbestos booth shall be at least 6 feet 6 inches in height by 5 feet square, and is designed for use for one picture machine only. The frame shall be of standard pipe, angle ventilator trap and fittings, and shall conform to the specifications herein set forth. The 4 corner posts shall be of $\frac{3}{4}$ inch standard pipe, the 8 horizontal members of $\frac{1}{2}$ inch standard pipe and the 8 corner fittings of malleable iron or bronze casting with braced corners. The ventilator trap shall be made of one inch by one inch by $\frac{1}{8}$ inch angles on all sides, shall extend the full width of the top and 2 inches beyond the front of the top pipe, shall be securely hinged one foot 10 inches from the front and the corners shall be braced with $\frac{1}{8}$ inch gusset plate bolted to each angle with $\frac{3}{16}$ inch bolts.

2. Specifications. The sides shall be of plain commercially pure asbestos cloth weighing not less than 2 pounds to the square yard, which shall be in one piece, long enough to lap over not less than 2 feet where it comes together around the booth and shall be not less than 7 feet 6 inches in width so as to lap on the floor; it shall be held in place by substantial metal hooks over the top pipe and with snap catches or asbestos cord on the bottom pipe,

such hooks, bottom catches or cord to be not more than 8 inches on centers. The top shall be covered with asbestos cloth of the same quality as the sides, which shall be of sufficient size to hang down on all sides at least 8 inches; it shall be provided with metal hooks or asbestos cord which shall hook or lace onto the pipe to hold it in place. The floor shall be covered with an asbestos mat of the same material not less than one foot larger than the booth on all sides and held in place when in use with heavy thumb tacks.

3. Entrance and exit. The overlapping sides shall form the entrance and exit of the booth. All raw edges of asbestos cloth shall be bound or hemmed at least one inch deep.

4. Ventilation. The angle ventilator described in this section shall be so arranged that it may be raised at least one foot above the top pipe of the booth, and held by a toggle joint, or other approved device whereby, in case of accident, it can be instantly dropped.

5. Apertures. The apertures, 2 in number, one for the machine not more than 6 inches in height by 12 inches in width, and one for the operator not more than 12 inches in height by 6 inches in width, shall be provided with shutters sewed to curtain at the top of opening, and the lower edges of the same shall be weighted with $\frac{3}{8}$ inch gas pipe, which shall be long enough to go the whole horizontal length of the shutter, and provided with cord and fusible link, as specified for the standard booth, running through a screw eye, or a ring attached to the pipe frame over the openings. All shutters shall be of size to lap over curtain at least $1\frac{1}{2}$ inches on all sides.

R.S.1954, c. 100, § 77.

§ 657. Violations

Whoever keeps, uses or operates any cinematograph or similar apparatus contrary to sections 651 to 656 shall be punished by a fine of not less than \$25 nor more than \$500, to be recovered on complaint or indictment to the use of the city or town in which any such violation occurs.

R.S.1954, c. 100, § 78.

§ 658. Unincorporated places

County commissioners within their counties and counties with their limits shall respectively exercise over unincorporated

places all the powers of municipal officers and towns under chapters 1, 3, 7 and 15 to 25.

R.S.1954, c. 100, § 79.

§ 659. Traffic officer at drive-ins

Anyone operating a drive-in theater, being an owner, lessee or tenant, shall employ a uniformed police officer or constable to direct traffic to any main highway from the theater. Said police officer or constable shall be stationed at the point where the theater exit or driveway connects with the main highway at the time the theater program shall be concluded and shall remain at that point for such time as motor vehicles are leaving the theater. Any person violating this section shall be punished by a fine of not more than \$100, or by imprisonment for not more than 90 days, or by both.

1955, c. 388.