

ALMONT TOWNSHIP

OUTDOOR GATHERING ORDINANCE

ORDINANCE NO. 23

AN ORDINANCE TO LICENSE AND REGULATE LARGE OUTDOOR ASSEMBLIES OF PERSONS TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE AND TO ENSURE THE PROVISION OF ADEQUATE HEALTH, SANITATION, FIRE, POLICE, TRANSPORTATION, UTILITY AND OTHER PUBLIC SERVICES; TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF; AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT THEREWITH.

THE TOWNSHIP OF ALMONT ORDAINS:

SECTION 1. DEFINITIONS

- A. "Agriculture-Related Activities" means any event which is related to agricultural activities conducted on or near the premises, such as livestock shows or demonstrations, 4-H events, farm auctions, or farm machinery demonstrations.
- B. "Attendee" means any person who obtains admission to an outdoor assembly.
- C. "Family Gathering" means any gathering related primarily to family events, such as family reunions, wedding receptions, graduation openhouses, or celebrations of marriage anniversaries. It shall not include any event at which an admission charge or money donation is requested.
- D. "Licensee" means any person to whom a license is issued pursuant to this ordinance.
- E. "Outdoor Assembly" means any event attended by more than 250 attendees, any part of which includes a show or other entertainment held outside the confines of a permanently enclosed and covered structure.
- F. "Person" means any natural person, partnership, corporation, association or organization.
- G. "Sponsor" means any person who organizes, promotes, conducts, or causes to be conducted an outdoor assembly.

SECTION 2. No person shall sponsor, operate, maintain, or conduct an outdoor assembly on property zoned for residential use unless he shall first have obtained a license for such assembly. This shall not apply to family gatherings, nor shall it apply to agriculture-related activities conducted on premises zoned for agricultural use.

SECTION 3. Application for a license to conduct an outdoor assembly must be made in writing on such forms and in such manner as prescribed by the clerk of the Township and shall be made at least 15 days prior to date of the proposed assembly. Each application shall be accompanied by a non-refundable fee of \$100.00 and shall include the following:

- A. The name, telephone number, and mailing address of the person making the application. (Where the person making the application is a partnership, corporation or association, this information shall be provided for all partners, officers and directors.)
- B. A statement describing the nature and purpose of the assembly.
- C. The address, legal description and proof of ownership or lease of the site at which the proposed assembly is to be conducted.
- D. The dates and hours during which the proposed assembly is to be conducted.
- E. An estimate of the maximum number of attendees expected at the assembly. Facilities required in Section 8 shall be provided for the estimated maximum number of attendees. No person may be admitted to the outdoor assembly once the capacity of the facilities, as designated in Section 8, has been filled.

SECTION 4. Each application shall be accompanied by a map of the overall site and a detailed explanation, including drawings and diagrams where applicable, of the prospective licensee's plans to provide for the following:

- A. Police and fire protection
- B. Food and water supply facilities
- C. Sanitation facilities
- D. Medical facilities and services
- E. Vehicle access and parking
- F. Camping facilities
- G. Illumination
- H. Communications facilities
- I. Noise control
- J. Facilities for clean up and waste disposal
- K. Insurance and bonding arrangements

SECTION 5. On receipt by the clerk, copies of the application shall be forwarded to the chief law enforcement, fire, building inspection and health officers for the Township.

SECTION 6. A license may be denied if the applicant fails to comply with any requirements of this ordinance, with any conditions imposed pursuant hereto, or with any other applicable provision of state or local law.

SECTION 7. A license shall specify the name and address of the licensee, the kind and location of the assembly, the maximum number of attendees permissible, the duration of the license and any other conditions imposed pursuant to this ordinance.

SECTION 8. The following minimum requirements shall be met:

A. Security Personnel. The licensee shall employ at his own expense such security personnel as are necessary to provide for adequate protection of the maximum number of attendees at the assembly and for the preservation of order and protection of property in and around the site of the assembly.

B. Restroom Facilities. The licensee shall provide lavatory, toilet, and drinking water facilities constructed, installed, and maintained in accordance with applicable codes. All lavatories shall be provided with hot and cold water, soap, and paper towels. Separate toilet and lavatory facilities shall be provided for males and females. There shall be provided at least one toilet and lavatory for each 200 attendees and at least one drinking fountain for each 500 attendees. No less than one of each of the above facilities shall be provided at an outdoor assembly.

C. Food Service. If food service is made available on the premises, it shall be delivered only through concessions licensed and operated in accordance with the provisions of applicable state or local law.

D. Liquid Waste Disposal. The licensee shall provide for liquid waste disposal in accordance with regulations established by the Thumb District Health Department.

E. Solid Waste Disposal. The licensee shall provide for solid waste storage on, and removal from, the premises. Storage shall be in approved, covered, fly tight and rodent proof containers, provided in sufficient quantity to accommodate the number of attendees.

F. Access and Traffic Control. The licensee shall provide for ingress to and egress from the premises so as to insure the orderly flow of traffic onto and off of the premises. Access to the premises shall be from a highway or road which is a part of the county system of highways or which is a highway maintained by the State of Michigan. Traffic lanes and other space shall be provided, designated and kept open for access by ambulance, fire equipment, and other emergency vehicles.

G. Parking. The licensee shall provide a parking area sufficient to accommodate all motor vehicles, but in no case shall he provide less than one automobile space for every two (2) attendees.

H. Camping and Trailer Parking. A licensee who permits attendees to remain on the premises after 2 a.m. shall provide for camping and trailer parking and facilities in accordance with applicable provision of state law.

I. Illumination. The licensee shall provide electrical illumination of all occupied areas sufficient to insure the safety and comfort of all attendees. The licensee's lighting plan shall be approved by the Township Building Inspector.

J. Insurance. Before the issuance of a license, the licensee shall obtain public liability insurance of not less than \$250,000.00 and property damage insurance of not less than \$25,000.00.

K. Bonding. Before the issuance of a license the licensee shall obtain a surety bond in the amount of \$50,000.00 conditioned upon the licensee's faithful compliance with all of the provisions of this ordinance, any conditions imposed thereunder, and all applicable provisions of state or local law. Said bond shall indemnify the Township, its agents, officers, and employees against any loss or damage arising out of the assembly and shall indemnify the owners of property near the assembly site for any costs for property damage or trash removal resulting from the assembly.

L. Fire Protection. The licensee shall, at his own expense, take adequate steps as determined by the fire chief, to insure fire protection.

M. Sound producing equipment, including but not limited to, public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of the assembly so as to be unreasonably loud or raucous, or so as to be a nuisance or disturbance to the peace and tranquility of the citizens of the Township.

N. Any program at an outdoor assembly shall terminate no later than 1:00 a.m.

O. Miscellaneous. Prior to the issuance of a license, the Township Board may impose any other conditions reasonably calculated to protect the health, safety, welfare and property of attendees or of citizens of the Township.

SECTION 9. REVOCATION.

The Township Board may revoke a license whenever the licensee, his employee or agent fails, neglects or refuses to fully comply with any requirements set forth herein.

SECTION 10. VIOLATIONS.

Any person or anyone acting in behalf of any person violating any provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$500, by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment in the discretion of the court. Any violations of this ordinance shall be a nuisance per se.

SECTION 11. SEVERABILITY.

If any portion of this ordinance shall be found to be invalid by a court, such invalidity shall not affect the remaining portions of this ordinance which can be given effect without the invalid portion .

SECTION 12. REPEAL OF PRIOR ORDINANCE.

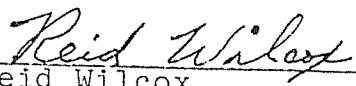
The prior ordinance regulating outdoor assemblies, being Almont Township Ordinance No. 7 and adopted on September 24, 1970, is hereby repealed.

SECTION 13. Effective Date.

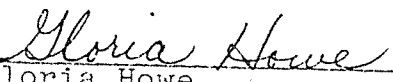
This ordinance shall become effective 30 days after the date of publication.

Reid Wilcox
Almont Township Supervisor

Gloria Howe
Almont Township Clerk



Reid Wilcox
Almont Township Supervisor



Gloria Howe
Almont Township Clerk

Adopted: 8-8-77

Published: 8-11-77

Effective: 9-11-77