

ORDINANCE NO. 2002- 11

An Ordinance Regulating Assemblies of Large Numbers Of Persons In Richland County.

The County Board of Supervisors of the County of Richland does hereby ordain as follows:

I. Intent

- a. The purpose of this Ordinance is to regulate the assemblage of large numbers of people, in excess of those normally needing the health, sanitary, fire, police, transportation and utility services regularly provided in Richland county, in order that the health, safety and welfare of all persons in Richland County, residents and visitors alike, is protected.
- b. All sections of this Ordinance shall have an independent existence and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, any section so declared shall be severable from, and shall not affect the validity of, the remainder of this Ordinance.
- c. This Ordinance shall be effective only in the unincorporated areas of Richland County.

II. Licensing Ordinance

No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an actual or reasonably anticipated assembly of 2,000 or more people if the assembly can reasonably be expected to continue for 12 or more consecutive hours, whether on public or private property, unless a license to hold the assembly has been issued by the County in accordance with this Ordinance.

III. Definitions:

The following definitions are applicable in this Ordinance:

- a. "Person" means an individual, partnership, corporation, association, society or group.
- b. "Assembly" means a company of persons purposefully gathered together at any location at any single time for any purpose.
- c. "Consecutive hours" means from the time gates open for the event to when the last patron is reasonably anticipated to leave the event grounds.

IV. Provisions of the License.

- a. A separate license shall be required for each 24 hour period and for each location in which 2,000 or more people assemble or can reasonably be anticipated to assemble. The fee for each license shall be \$500.00. The Law Enforcement Committee and the Emergency Management Committee are authorized to waive this fee and the fencing requirements set forth herein, in appropriate circumstances.
- b. This Ordinance shall not apply to any regularly-established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.
- c. This Ordinance shall not apply to any government-sponsored fair held on a regularly-established fairground.
- d. Applications for a license under this Ordinance must be received by the

County Sheriff's Department not later than 60 days before the start of the planned event and not sooner than 6 months before the start of the proposed assembly.

V. Applying for a License.

a. Applications for a license under this Ordinance shall be made on a form approved by the Law Enforcement Committee and the Emergency Management Committee. Application forms may be obtained from:

County Clerk
Courthouse
181 West Seminary Street
Richland Center, WI 53581

And returned to:

Richland County Sheriff
Courthouse
181 West Seminary Street
Richland Center, WI 53581

b. Applications shall be reviewed by the Law Enforcement Committee and the Emergency Management Committee and authority is hereby granted to the Law Enforcement Committee and the Emergency Management Committee to issue licenses under this Ordinance when the Committees are satisfied as to the applicant's plan regarding the following aspects of the planned event. The application shall contain the following information regarding the planned event:

1. The name, age and mailing address of the applicant. In the case of a corporation, a copy of the articles of incorporation together with the name, and address of each person holding 10% or more of the stock of said corporation. In the case of a non-stock corporation, the name and address of the principals of the corporation. In the case of a partnership, the name and address of all general and limited partners. In the case of an association, the name and address of the principals and of the chief executive officer of the association.
2. The address and legal description of all property upon which the assembly is to be held together with the name and address of the record owner(s) of said property.
3. If the applicant for a license under this Ordinance is not the owner of all of the real estate upon which the planned event is to be held, written proof must be furnished that the applicant has the necessary permission from the owner or owners of the real estate on which the assembly is to be held to conduct the planned assembly on said real estate.
4. A certificate of insurance issued by an insurance company licensed to do business in the State of Wisconsin with policy limits of not less than \$3,000,000.00 providing comprehensive liability insurance for the event. Richland County shall be named as an additional insured on this policy. Proof of workers compensation insurance must also be provided if employees of the applicant will be working on the event.
5. The total number of days and/or hours during which the assembly is to last.
6. The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly. The maximum number of persons to be allowed to sleep within the boundaries of the location of the assembly, if the assembly is to continue overnight.
7. The maximum number of tickets to be sold, if any.

8. The plans of the applicant to limit the maximum number of people permitted to assemble.
9. If not readily apparent, boundaries of the event grounds must be identified either by markers or by fencing. If fencing is used, the fence shall completely enclose the proposed location, and shall be of sufficient height and strength to prevent people in excess of the maximum permissible number of attendees from gaining access to the assembly grounds, if appropriate. A sufficient number of posts will be used to maintain the stability and integrity of the fence and the posts should have some type of protective covering to reduce the possibility of injuries. The fenced location shall have at least four gates, at least one at or near four points of the compass. If alcohol is to be served, a double fence system shall be used to prevent alcohol transfer.
10. Potable water, meeting all Federal and State requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least 1 gallon per person per day and water for bathing at a rate of at least 10 gallons per person per day. The source of the water must be identified and, depending on the source of the water, it may have to be tested to ensure purity.
11. Enclosed toilets and/or portable toilets meeting all State specifications, conveniently located throughout the location, sufficient to provide facilities for the maximum number of people to be assembled.
12. It is recommended that at least 1 emergency ambulance, staffed with a sufficient number of emergency medical technicians (E.M.T.'s) licensed to practice in the State of Wisconsin, per 2,000 people in attendance must be available for use at all times during the planned event. The EMT's shall have an enclosed facility where treatment may be rendered separate from the ambulance. A list of the EMT's, level of training and the license numbers must be supplied to the EMS Director as part of the application.
13. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least 5 foot candles is required but any lighting shall not shine unreasonably beyond the boundaries of the enclosed location of the assembly.
14. A parking area sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least 1 parking space for every 4 persons must be provided. Parking spaces reserved for handicapped parking shall be at least 12 feet wide and at least 2% of all spaces for parking shall be for handicapped parking.
15. Sufficient communication to provide services for the maximum number of people to be assembled.
16. If the assembly is to continue overnight, camping facilities in compliance with State requirements sufficient to provide camping accommodations for the maximum number of people who may be camping on the premises on which the assembly is to be held must be provided. A permit may be required for a special campground permit pursuant to Wisconsin Statute 254.47.
17. Either regularly-employed, duly sworn, off-duty Wisconsin peace officers or private guards licensed in Wisconsin, sufficient to provide adequate security for the maximum number of people to be assembled is required.
18. If food is being sold/served during the assembly, a copy of the license is required.
19. Fire Protection, including alarms, extinguishing devices and fire lanes and escapes sufficient to meet State standards for the location of the assembly, must be provided. Sufficient emergency personnel to efficiently operate the required equipment, is required.

20. At least 2 passable access roads must be identified and usable for emergency vehicles to gain access to and from the event.
21. Plans for cleaning up the site of the assembly so that it is restored to the condition that it was in before the assembly took place.
22. The applicant may be required to file a financial guaranty bond with the County Clerk, either in cash or underwritten by a surety company licensed to do business in Wisconsin, in the amount of \$10,000 to cover any costs that may be incurred in cleaning up any public property and public right-of-way after the assembly.
23. A map of the assembly site showing the location of each item described in this section.
24. The applicant must give consent to having representatives of the Sheriff's Department and the Emergency Management Department to be present at the assembly site throughout the entire assembly.

VI. Issuance

The application for license shall be processed within 30 days of receipt and shall be issued if all conditions stated in this ordinance are complied with.

VII. Revocation

The license may be revoked by the Law Enforcement Committee and the Emergency Management Committee at any time if any of the conditions contained in the application upon which the license was issued are not complied with, or if any condition previously met ceases to be complied with.

VIII. Enforcement

a. The provisions of this Ordinance may be enforced by the Corporation Counsel, acting at the direction of the Law Enforcement Committee and the Emergency Management Committee by injunction issued by the Circuit Court of Richland County.

b. The holding of any assembly in violation of any provision or condition contained in this Ordinance shall be deemed a public nuisance and may be abated as such.

c. Any person who violates this Ordinance shall be subject to a forfeiture of not less than \$1,000.00 nor more than \$5,000.00, plus Court costs. In the event the forfeiture is not paid, the defendant may be committed to the Richland County Jail until such forfeiture and costs are paid, but not to exceed 6 months. Each day of violation shall be considered a separate offense.

d. Representatives of the Sheriff's Department and of the Emergency Management Department shall accompany the applicant or a representative of the applicant on a walk-through of the assembly site before the assembly begins. Safety concerns will be identified and corrected prior to the start of the assembly. Adjustments will be made to the emergency plan accordingly.

IX. Conclusion

a. Richland County Licensing Ordinance #1 is hereby repealed.

b. The Ordinance shall be effective immediately upon its passage and publication.

ORDINANCE OFFERED BY THE
LAW ENFORCEMENT COMMITTEE AND THE
EMERGENCY MANAGEMENT COMMITTEE:

FOR AGAINST

Dated: April 23, 2002

Passed: April 23, 2002

Published: _____

Ann M. Greenheck
Ann M. Greenheck, Chairman
Richland County Board of Supervisors

ATTEST:

Victor V. Vlasak
Victor V. Vlasak
Richland County Clerk

_____ ✓
Mary C. Galy ✓
Don Carroll ✓
Lawrence Spahr ✓
Carl Nelson ✓

Raymond R. Deets ✓