

PUBLIC GATHERING ORDINANCE
State of Wisconsin
Town of Niagara, Marinette County
Adopted July 19, 1995 Revised 9/2012 and 4/2013

AN ORDINANCE REGULATING ASSEMBLIES AND EVENTS, DEMONSTRATIONS AND PARADES IN THE TOWN OF NIAGARA, MARINETTE COUNTY, WISCONSIN

Purpose and Intent: The intent of this ordinance is to promote the safety, health and well being of the public.

License required: No person (individual natural human being), partnership, corporation, firm, company, association, group, or society, shall permit, maintain, conduct, act as entrepreneur, undertake, organize, sell or give tickets to a anticipated assembly in the Town of Niagara, unless a permit for the assembly or event, where required, has been issued by the Zoning Administrator.

Assembly: A group of people gathered together for a common purpose for one (1) day.

Event: An event is multiple consecutive days of assembly. A maximum of four (4) four, (4) day events per year are permitted, except on parcels issued a permanent permit.

Small Assembly or Event: Any gathering where up to 300 people are reasonably expected to attend, at any given time, for a period of 12 hours or less. This includes but is not limited to graduations, weddings, birthdays, holiday celebrations, garage sales. Where no fee is charged for admission. Shall end at 10PM. Must comply with all other town ordinances. No permit is required.

Medium Assembly or Event: Any gathering where 301-500 people are reasonably expected to attend, at any given time, for a maximum period of Twelve (12) hours. Shall end at 10 PM. Must comply with all other town ordinances. Must comply also with items specified in application for Medium Gatherings. No permit is required unless it is a Fee based event or assembly. If fee based, the requirements of the Large assembly shall apply.

Large assembly or event: Any assembly or event where more than 500 people are reasonably expected to attend for more than 8 hours. Shall end at Ten (10) PM. Must comply with all other town ordinances. Must comply with items specified in General Conditions and application for Large Assembly or event. A conditional use permit is required for each assembly or event or a one (1) year permit may be granted.

Business Assembly or event: The use shall be in a parcel zoned B1 Business, that has sufficient size, facilities, parking and structures that have been designed and constructed for assemblies and events. Must have a minimum of twenty (20) acres. Can apply for a permanent conditional use permit which list the types of assemblies or events. Shall end at 10 PM. Must comply with all items specified in General Conditions and application for Business use. There are no limits to the number of assemblies or events.

Parades and demonstrations: All parades and demonstrations on public property require a permit and shall comply with all town ordinances including those specified on the application for parades and demonstrations.

General Conditions

1. **Fee Based:** Any assembly or event where an admission is charged, or where a free will offering (or donation) is accepted.
2. **Exemptions for requiring a permit:** Any regularly scheduled place of worship, stadium, athletic field or permanently established place of assembly and Town properties do not require a permit.
3. **Permits:** Permits are needed for medium (if fee based), large, and Business assemblies, parades and demonstrations and events.
4. **License:** Copies of Liquor license and bartender license shall be provided if applicable.

5. **Public Notices:** Business district, large assemblies and Gatherings require a conditional use permit as defined in the Zoning Ordinance.
6. **Applications:** Application for a permit shall be made to the town clerk Forty Five (45) days prior to the event or assembly. Applications may be approved or denied by the town board for just cause.
7. **Town Roads:** There shall be no parking on Town, County or State roads. Town roads may not be blocked without a permit from the Town Board by majority vote duly recorded in the minutes.
8. **Fireworks:** A permit for a fireworks display must be had. The fee for such is set in the Fee Ordinance. The permit may be granted or rejected by the Zoning Administrator.
9. **Fees:** Fees shall be established in the Town Fee ordinance. Fees are not refundable.
10. **Disclaimer:** A disclaimer holding the Town of Niagara harmless, for any claims or damages that may arise by reason of injury or property from this assembly or event shall be submitted in writing to the town Zoning Administrator.
11. **Overnight camping:** Overnight camping is permitted only in approved campgrounds as defined in the Camping, Campgrounds, Mobile Home and Mobile Home Park Ordinance.
12. **Site Plans:** Prior to granting a permit for medium, large, business, or fee based gatherings, the applicant shall submit site plans showing compliance with all items and conditions for issuing the permit as specified herein and the application form.
13. **Sanitary Facilities:** Sanitary facilities in the ratio of one facility for each 200 people. Waste must be legally disposed of.
14. **Drinking Water:** Drinking water in sufficient quantity shall be available.
15. **Solid Waste:** A plan for the sanitary collecting and holding of solid waste and recyclables. Collection must be at least daily. Waste and litter must be picked up and disposed of along designated traffic routes within one mile of the event at the completion of the event or applicant will be billed for the town expense.
16. **Traffic Control:** A traffic control plan with provisions for, but not limited to, event signage, parking of vehicles. The Town Board and, when applicable, the Marinette County Sheriff department shall approve such traffic plan.
17. **Security:** A security and crowd control plan shall be submitted sufficient for the size of the assembly or event.
18. **Animals:** Adequate facilities if animals are allowed/involved. Shade, water, humane conditions shall be provided.
19. **Fencing:** A fence enclosing the proposed location, of sufficient height and strength to prevent people in excess of the maximum number permitted from gaining access to the event grounds. Sufficient gates to allow emergency evacuation of the grounds in case of need. A fence is needed for events or assemblies of 1500 or more people.
20. **Emergency Plan:** The applicant shall provide an emergency plan that includes contacts for Fire protection, Ambulance and Sheriff and an evacuation plan.
21. **Revocation:** A permit may be revoked by a Town official at any time if any of the conditions necessary for the issuing of or contained in the permit are not complied with, or if any conditions previously met ceases to be complied with. Permit may also be revoked if a majority of neighbors within one half (1/2) mile object in writing to said permit.
22. **Application forms:** Forms shall be provided for Parades and Demonstrations, Medium, Large and Business assemblies and events. All other requirements not herein stated shall be stated on each type of permit application form. Application forms shall be part of this ordinance and any changes to them shall follow the procedure for amending this ordinance.
23. **Additional information:** Additional information not listed herein or on the application may be requested by the Zoning Administrator or the Town Board.

- 24. Enforcement:** The provisions of this ordinance, all Town ordinances applicable, and the application forms may be enforced by injunction in any court of competent jurisdiction. A Citation or Revocation of the permit shall be issued for any violation or complaint. Any person who violates any condition upon which he/she is granted a permit shall be fined not less than \$1,000 nor more than \$10,000 per day, and pay all town cost related to said violation. Each day of a violation shall be considered a separate offense. The permit may also be revoked if a majority of neighbors within 1/2 mile submit a complaint in writing. The Zoning administrator shall enforce this ordinance.
- 25. Parking:** A parking area inside the event grounds sufficient to provide parking for the maximum number of people to be assembled. Offsite parking on land not of the same ownership is permitted if the parcel is zoned for a parking lot and transportation is provided so personal are not walking along the road.
- 26. Adequate facilities:** Facilities for animals shall be provided including shade, water, and humane conditions.
- 27. Evacuation Plan:** A evacuation plan shall be provided covering emergencies.
- 28. Music:** Music must not be at a level to disturb the neighbors.
- 29. Beer and Liquor license:** Copies of such shall be provided if applicable.
- 30. Bartender license:** Copies of such shall be provided if applicable.
- 31. Telephone access:** Access shall be provided for emergency calls by the public and so marked the location of said service.
- 32. Fire protection:** Adequate fire protection equipment must be available and so marked for the public.
- 33. Additional Information:** Information or requirements as may be requested by the Zoning Administrator, Planning Commission or Town Board shall be provided.
- 34. Costs:** Any and all cost the town accrues due to enforcement or cleanup after or during the event shall be assessed the applicant and if not paid in full within thirty (30) days of notice, item #25 shall be enacted.
- 35. Tickets:** Vendor must show proof of the number of tickets sold for fee based events.
- 36. Trespass:** Events and assemblies shall not trespass on property (parcel) not specified in said permit.
- 37. License:** The license may be revoked at any time by the town board for just cause.

Amended this 17th day of April 2013

Alfred Sauld (Chariman)

Mark DeClark (Supervisor)

Richard Payette (Supervisor)

Attest: _____
 Dawn Johnson (Clerk)