

ORDINANCE NO. 8.32

An Ordinance to repeal and recreate Sec. 8.32 and repeal 9.28 of the Code of Ordinances for the Town of Dover, Racine County, Wisconsin Relating to Special Events

The Town Board of the Town of Dover, Racine County, Wisconsin, does hereby ordain as follows:

SECTION 1. Purpose. The purpose of this ordinance is to repeal and recreate outdated provisions of the Code of Ordinances relating to the regulation of Special Events.

SECTION 2. Repeal and Recreation. Section 8.32 and repeal 9.28 of the Code of Ordinances for the Town of Dover, Racine County, Wisconsin is hereby repealed and recreated as set forth in Exhibit A.

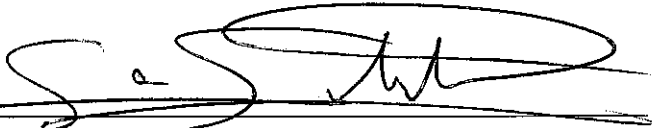
SECTION 3. Severability. Each section, subsection, paragraph, sentence, clause, phrase, and provision of the foregoing Ordinance is and the same is hereby declared to be severable and if any portion or provision thereof is duly determined to be invalid for any reason, such determination shall not invalidate any other portion or provision thereof.

SECTION 4. Effective Date. This Ordinance shall take effect and be enforced from and after its passage and posting as required by law.

Adopted by the Town Board of the Town of Dover, Racine County, Wisconsin this 13th day of May, 2019.

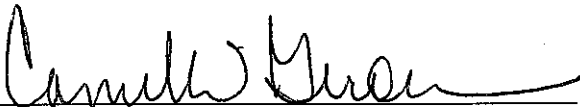
TOWN OF DOVER
RACINE COUNTY, WISCONSIN

By:



Sam Stratton, Town Chair

Attest:



Camille Gerou, Town Clerk

SPECIAL EVENTS

Sections:

8.32.010 Intent.

8.32.020 License required.

8.32.030 Conditions for issuing a license.

8.32.040 Revocation.

8.32.050 Enforcement.

8.32.010 Intent.

A. A Special Event Permit is required for any outdoor venue event, including without limitation, fairs, festivals, fireworks, concerts, parties and any other event held by a person or entity in the course of the operation of their business. It is the intent of the Town Board 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 the town, in order that the health, safety and welfare of all persons in the town, residents and visitors alike, may be protected.

B. It is the intent of the Town Board that all sections and provisions of this chapter have independent existence and should any subsection or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the Town Board that any subsection or provision so declared shall be severable from and shall not affect the validity of the remainder of the section.

8.32.020 License required.

A. No person shall permit, maintain, promote, undertake, organize, manage or sell or give tickets or allow attendance to any assembly involving actual or reasonably anticipated attendance of more than fifty (50) people without first obtaining a license from the Town

Clerk. Application for such assembly license shall be made to the Town Clerk at least (14) fourteen days prior to a scheduled Dover Town Board monthly meeting, in advance of the commencement of the assembly. A license to hold an assembly shall permit the licensee to engage in any lawful activity in connection with the holding of such licensed assembly.

Upon receiving the request for permit, the Town Board at the next scheduled town board meeting is to review the permit request and determine if a permit is required.

A waiver of a need for permit is allowed if it is determined none of the conditions of Section 8.32.030 Conditions for issuing a license are applicable to the assembly in question.

If a permit request is not waived, the permit request will be in compliance with all other requirements of Section 8.32.030 Conditions for issuing a license.

The Town Board has the authority to direct which of the sections cited in Section 8.32.030 must be met as a condition for granting a permit if full compliance to Section 8.32.030 is not deemed necessary.

B. Definitions.

1. "Assembly" means a company of persons gathered together at any location at any single time for any purpose. "Assembly" includes an activity for which a Special Event Permit is required under the provisions of section 9.28.010 of this code. "Assembly" also includes any planned extraordinary occurrence on the public right-of-way or public premises, including but not limited to parades, processions, bicycle or foot races, and festivals; or any planned extraordinary occurrence on private property which requires the provision of extraordinary police, fire or other public services, including, but not limited to any public gatherings, rallies,

assemblies or festivals at which attendance is anticipated to be greater than 50 people.

2. "Person" means any person, partnership, corporation, firm, company, association, society or group.

C. A separate license shall be required for each location in which fifty (50) or more people shall assemble or can reasonably be anticipated to assemble and shall state the specific day or dates of the assembly. The fee for each license shall be one hundred dollars (\$100.00).

D. A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit the assembly of more than the maximum permissible number of people stated in such license.

E. The licensee shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly and shall take such measures as are necessary to prevent any sound from the assembly entering upon adjoining lands between the hours of ten p.m. and eight a.m. (Please note Dover Ordinance 9.04.040 Public Disturbance Noises)

F. This chapter shall not apply to any regularly established permanent place of worship, stadium, athletic field, auditorium or other similar permanently established place of assembly nor to assemblies required to be licensed by other laws, ordinances and regulations of Racine County or the state, provided none of the conditions cited in Section 8.32.030 are needed to be met.

8.32.030 Conditions for issuing a license.

A. Before a license may be issued, the applicant shall first determine:

1. The maximum number of people who will be assembled or admitted to the location of the assembly; provided, that the

maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly, the size of the location of the assembly and the safety of those in attendance at the assembly; and provided that, where the assembly is to continue overnight, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of the county or any other ordinance enforceable at the location of the assembly;

2. The total number of days and the hours during which the assembly is to last and the dates of the assembly,

3. The number of persons which the applicant shall permit to assemble at any time and the number of persons permitted to remain between the hours of midnight and eight a.m.,

B. Associated Costs: Any additional costs such as: Sheriff's Department, Fire Department and Highway Department or any related extraordinary cost for such services related to the Assembly shall be paid for by the applicant.

C. Camping Facilities: Designated camping facilities must be provided within the boundaries of the location of the assembly if the assembly is to continue overnight with the camping facilities to be in compliance with all state and local requirements sufficient to provide camping accommodations for the maximum number of people to be assembled or anticipated to sleep overnight, but in no event shall such number exceed the maximum permitted to sleep within the boundaries of the location of the assembly by the zoning or health ordinances of the county or any other ordinance enforceable at the location of the assembly.

D. Provide 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 one gallon per person per day, and in the event of overnight camping, water for bathing at the rate of at least ten gallons per person per day along with one bathing facility for every two hundred (200) persons with the bathing facilities to be evenly divided between male and female. For overnight assemblies between one hundred (100) and two hundred (200) persons, continuing between the hours of midnight and eight a.m., there shall be at least one male and one female bathing facility,

E. Provide Facilities: Separate enclosed toilets meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every one hundred (100) persons together with an efficient, sanitary means of disposing of waste matter deposited, which is in compliance with all state and local laws and regulations; one lavatory for every one hundred (100) persons with running water under pressure and a continuous supply of soap and paper towels to be provided with each lavatory or, in the alternative, a sufficient number of chemically treated sanitary towels with the affidavit indicating in addition the source, number, type and means of disposing of waste deposited. Except, that in the event of overnight assemblies of less than four hundred (400) people, continuing between the hours of midnight and eight a.m., there shall be at least four toilet facilities, and further that in the event of such overnight assemblies of more than five hundred (500) persons, there shall be at least an additional two lavatories,

F. Provide Solid Waste Disposal: Provide A sanitary method of disposing of solid waste in compliance with state and local laws and regulations sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least two and one-half pounds of solid waste per

person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight-fitting lids and personnel to perform the task with the affidavit to indicate the method of disposing of such waste,

G. Provide Lighting: Provide illumination sufficient to light the entire area of the assembly, if the assembly is to continue during hours of darkness with the illumination to be provided at the rate of at least five foot candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly, with the affidavit to indicate the source and amount of power,

H. Provide Notification of camping event to Central Racine County Health Department once application approved by the Dover Town Board. All specifications determined by the Health Department must be met.

I. Parking: An off-street parking area, sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons, with the parking area to have controlled points of entry and exit.

J. Provide Dedicated Security Guards: Dedicated security guards with attire that identifies them as such shall provide adequate security for the maximum number of people to be assembled at the rate of at least one security guard for every one hundred (100) people; except that in the case of assemblies of less than one hundred (100) people, continuing between the hours of midnight and eight a.m., there shall be at least two security guards,

K. Provide Fire Protection: Fire protection including extinguishing devices and fire lanes and escapes sufficient to meet all state and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and the ordinances of the county and sufficient emergency personnel to efficiently

operate the required equipment; in addition thereto, the affidavit shall indicate that notice shall be given in writing to that fire department having jurisdiction over the assembly area with the notice to provide the fire department with the location of the assembly, the dates of assembly and the hours of operation as well as points of entrance, fire lanes, location of extinguishers and possible water supply, and any structures which may be on the assembly grounds, with the affidavit to indicate the number and type of all such fire protection devices and the number, names, addresses, and credentials of emergency fire personnel,

L. Concessions: Any licensed food and beverage concessionaires names must be disclosed at the time of the permit application. Applicant will notify Central Racine County Health Department of the planned concessions.

M. Submit, in conjunction with the Special Event Application, a drawing of the location where the assembly is to be held with such drawing or map to show in addition to the surrounding area:

1. The location of the fence or other barrier and points of entry and exits, and
2. The location of water outlets , and
3. The location of toilets as required, and
4. The location of trash cans and receptacles, and
5. The location of the power supply and location of lamps, and
6. The location of parking lots, lanes, points of highway access and interior roads, including routes between highway access points and parking lots as required, and
7. The location of camping facilities with the facilities to be located within reasonable proximity to water, toilets, bathing facilities, trash receptacles, medical

treatment, lighting, parking, telephones, and fire protection devices, and

8. The location of all fire protection devices required, and
9. The location of amplifiers and speakers and their power, and
10. The location of food and beverage concessions.

N. For any assembly occurring on public property, the Town or any of its agents, officers, servants and employees shall be indemnified and held harmless from any liability or causes of action which might arise by reason of granting the license and from any cost incurred in cleaning up any waste material produced or left by the assembly. Any costs associated with the Town having to fix or return the property to its original state shall be invoiced to the applicant. If the applicant fails to pay that invoice its outstanding balance will be applied to the business applicant's taxes.

O. The approved party, its management, employees, and/or wait staff are responsible to maintain an orderly environment, consistent with the Town of Dover ordinance.

8.32.040 Revocation. Any license granted pursuant to this chapter may be revoked by the Town Board at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with or if any condition previously met ceases to be complied with. The revocation shall contain the reasons for such revocation and shall become effective upon posting notice of the revocation at the assembly site.

8.32.050 Enforcement.

A. The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.

B. The holding of an assembly in violation of any provisions or conditions contained in this

chapter shall be deemed a public nuisance and may be abated as such.

C. The Racine County Sheriff's Office contract supervisor shall be notified of all Special Event Permits issued in the Town of Dover. A representative from the Town of Dover shall contact the aforementioned supervisor so the Department is aware and can be prepared to monitor such event.

D. In the event of non-compliance, the requesting parties and/or responsible parties may be issued a citation. Upon conviction, any party violating the provisions of this ordinance shall be subject to the following penalties: for the first offense, a \$250.00 forfeiture; for the second offense, \$500.00, for the third or subsequent offense, \$1,000.00.

E. If the forgoing conditions are not met at an approved special event, future requests for Special Events Conditional Use Permits may be denied.

TOWN OF DOVER APPLICATION FOR A SPECIAL EVENT PERMIT

Name of Person Applying : _____

Business Name: _____

Business Address: _____

Contact Phone Number: _____

Contact Email Address: _____

Date(s) of Special Event: _____

Time of Special Event: _____
Please Specify

Location on Premises: _____

Live Band/DJ/Other: _____
Please Specify

Special Parking Arrangements: _____

Explanation of Event: _____

APPLICANTS PLEASE:

- *Submit A Sketch Of Any Outside Setup With This Application.
- *The Special Event Date Must Be At Least (14) Fourteen Days Prior To A Scheduled Dover Town Board Monthly Meeting. No Event Advertisement Is Permitted Until Town Board Approval Is Obtained.
- *Applicant Must Be Present At The Town Board Meeting To Answer Event Questions.
- *Be Aware Of Dover's Ordinance 8.32 Special Events.
- *A \$100 Non-Refundable Fee Is Due At The Time Of The Permit Application.
- *All Town Board Meetings Begin At 7pm.

DATE OF TOWN BOARD MEETING: _____

Town of Dover



Issued To: _____

For This Date: _____

For This Time: _____

Chairman Approval: _____

Special Event Permit

Permit No: 19-_____

(Applicant Please Display In Front Window/ Door)