

April 19, 1977

ORDINANCE

The Board of Supervisors of the County of Ashland does ordain as follows:

I. Intent

A. It is the purpose of the Ashland County Board of Supervisors 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 Ashland County, in order that the health, safety, and welfare of all persons in Ashland County--residents and visitors alike--may be protected.

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

II. License Required

A. 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 two hundred fifty (250) or more people on public or on private property, unless a license to hold the assembly has first been issued by the Board, application for which must be made at least thirty (30) days in advance of the regularly scheduled meetings of the Board (on the third Tuesday in April, on the call of the Board Chairman in September, and on the Tuesday next following the second Monday in November). A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.

B. As used in this legislation

1. Person means any individual natural human being, partnership, corporation, firm, company, association, society, or group;

2. Assembly means a company of persons gathered together at any location at any single time for any purpose.

C. A separate license shall be required for each day and each location in which two hundred fifty (250) or more people assemble or can reasonably be anticipated to assemble. 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 to assemble at the licensed location more than the maximum permissible number of people.

E. The license shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly.

F. 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 two hundred fifty (250) people the maximum seating capacity of the structure where the assembly is held.

G. This Ordinance shall not apply to government-sponsored fairs held on regularly established fairgrounds.

H. This Ordinance repeals that passed by this Board on July 21, 1970, regulating by licensing the assemblage of large numbers of people.

III. Conditions for Issuing License

Before he may be issued a license the applicant shall first

A. Determine the maximum number of people which 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, 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 applicable zoning or health ordinances;

B. Provide proof that he will furnish at his own expense before the assembly commences

1. A fence completely enclosing the proposed location of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which fence shall have at least four (4) gates with at least one (1) at or near the four opposite points of the compass;

2. 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 one (1) gallon per person per day in addition to water for bathing at the rate of at least ten (10) gallons per person per day;

3. Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds and sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every two hundred (200) females and at least one toilet for every three hundred (300) males together with an efficient, sanitary means of disposing of deposited waste matter, which is in compliance with all applicable state and local laws and regulations; a lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet;

4. A sanitary method of disposing of solid waste, in compliance with all applicable 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 (2.5) pounds of solid waste per person per day, together with a plan for collecting and holding all such waste at least once each day of the assembly and sufficient trash receptacles with tight fitting lids and personnel to perform the above described task;

5. Nurses and physicians licensed to practice in Wisconsin sufficient to provide the average medical care enjoyed by residents of Wisconsin

for the maximum number of people to be assembled at the rate of at least one (1) nurse for every one thousand five hundred (1,500) people, and at least one (1) physician for every one thousand (1,000) people, together with an enclosed, covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least one (1) emergency ambulance available for use at all times;

6. 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 five (5) foot candles, which do not shine unreasonably beyond the boundaries of the enclosed location of the assembly;

7. A free parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one (1) parking space for every four (4) persons;

8. Telephones connected to outside lines sufficient to provide service for the maximum number of people to be assembled at the rate of at least one (1) separate line and receiver for each one thousand (1,000) persons;

9. If the assembly is to continue overnight, camping facilities in compliance with all applicable state and local requirements as set forth in the Wisconsin Administrative Code and ordinances of this County, sufficient to provide camping accommodations for the maximum number of people to be assembled;

10. Security guards, either regularly employed and 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 at the rate of at least one (1) security guard for every one hundred (100) people;

11. Fire protection, including alarms, extinguishing devices, and fire lanes and escapes, sufficient to meet all applicable state and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and ordinances of this County, together with sufficient emergency personnel to efficiently operate the required equipment;

12. All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly;

13. A cash bond to be filed with the Ashland County Clerk, at the rate of Five Dollars (\$5.00) per person for the maximum number of people permitted to assemble, which bond shall indemnify and hold harmless this County or any of its agents, officers, servants, and employees from any liability or causes of action which might arise by reason of the granting of this license, and from any costs incurred in cleaning up any waste material produced or left by the assembly.

IV. Application

A. Application for a license to hold an actual or an anticipated assembly of two hundred fifty (250) or more persons shall be made in writing to the Ashland County Clerk at least thirty (30) days in advance of the meetings set forth in II. A.

B. The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual natural human being, by all officers in the case of a corporation, by all partners in the case of a partnership, or by all officers of an unincorporated association, society, or group or, if there are no officers, by all members of such association, society, or group.

C. The application shall contain and disclose

1. The name, age, residence, and mailing address of all persons required to sign the application by IV.B. and in the case of a corporation a certified copy of the articles of incorporation, together with the name, age, residence, and mailing address of each person holding ten per cent (10%) or more of the stock of said corporation;

2. The address and legal description of all property upon which the assembly is to be held together with the name, residence, and mailing address of the owner(s) of record of all such property;

3. Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the owner(s) of record of all such property that the applicant has permission to use such property for an assembly of two hundred fifty (250) or more persons;

4. The nature or purpose of the assembly;

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--and the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by all applicable zoning ordinances if the assembly is to continue overnight;

7. The maximum number, if any, of tickets to be sold;

8. The plans of the applicant to limit the number of people permitted to assemble;

9. The plans for fencing the location of the assembly and the gates contained in such fence;

10. The plans for supplying potable water including the source, amount available, and location of outlets;

11. The plans for providing toilet and lavatory facilities including the source, type, and number and location, and the means of disposing of waste deposits;

12. The plans for holding, collecting, and disposing of solid waste materials;

13. The plans to provide for medical facilities including the location and construction of a medical structure, the names and addresses

and hours of availability of physicians and nurses, and the provisions for emergency ambulance service;

14. The plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lamps;

15. The plans for parking vehicles including size and location of lots, points of highway access and interior roads including routes between highway access and parking lots;

16. The plans for telephone service including the source, number, and location of telephones;

17. The plans for camping facilities, if any, including facilities available and their locations;

18. The plans for security including the number of guards, their deployment, and their names, addresses, credentials, and hours of availability;

19. The plans for fire protection including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment;

20. The plans for sound control and sound amplification, if any, including the number, location, and power of amplifiers and speakers;

21. The plans for food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concessioners and their license or permit numbers.

D. The application shall include the bond required and the license fee required.

V. Issuance

The application for a license shall be processed within thirty (30) days of receipt and shall be issued if all of the foregoing conditions are complied with.

VI. Revocation

The license may be revoked by the 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.

VII. Enforcement

A. The provisions of this Ordinance may be enforced by injunction in any Court of competent jurisdiction.

B. The holding of an 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 II.A. or who violates any condition upon which he is granted a license may be fined not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00). Each day of a violation shall be considered a separate offense.

Dated this 19th day of April, 1977.

Thomas M. Lerner
Richard C. Clark