

## Ordinance No. 36

### OUTDOOR ENTERTAINMENT ORDINANCE

AN ORDINANCE TO REGULATE AND LICENSE PROMOTERS OF OUTDOOR ENTERTAINMENT OF ANY KIND IN ROLLIN TOWNSHIP, LENAWEЕ COUNTY, MICHIGAN, EXCEPT AS HEREINAFTER EXEMPTED; TO PRESCRIBE RULES, REGULATIONS, AND CONDITIONS FOR THE OPERATION OF THE SAME; AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THE SAME.

#### THE TOWNSHIP OF ROLLIN, LENAWEЕ COUNTY, MICHIGAN, ORDAINS:

##### Section 1. Definitions

- A. Event shall mean any form of outdoor entertainment open to the public including, but not limited to, concerts, dramas, movies, circuses, carnivals, fairs, festivals and such gatherings, whether held in the open or under a tent.
- B. Promoter shall mean any person, firm, association, or corporation which shall promote, book, produce, or otherwise arrange for any form of outdoor entertainment.

##### Section 2. Application

- A. Any promoter of an Event in the Township shall first complete an application, obtained from the Clerk, and secure permission of the Township Board at least sixty (60) days before the Event.
- B. The completed application shall be submitted to the Clerk at least ninety (90) days prior to the Event and the completed application shall be accompanied with:
  - (i) An application fee of two hundred dollars (\$200) to cover the Township's cost of processing the application;
  - (ii) For any Event at which two hundred (200) or more attendees are expected, five (5) copies of a written event plan;
  - (iii) If alcoholic beverages are to be available on site, a copy of the liquor license and a description of the steps that will be taken to prevent opened alcoholic beverages from leaving the serving area and from minors being served.
  - (ii) Proof of public liability and property damage insurance, naming the Township as an additional insured, in the amount of not less than one million dollars (\$1,000,000); and
  - (iii) A surety bond or letter of credit in the amount of ten thousand dollars (\$10,000) to assure that the requirements for health, safety and welfare as expressed in the Event Plan are met.

### **Section 3. Event Plan**

- A. Whenever an Event plan is required by this ordinance, the Event plan shall identify:
- (i) The date(s) and time(s) of the Event;
  - (ii) The Event location;
  - (iii) The names, addresses and contact numbers for the property owner on whose land the Event will take place, the promoter and any agents;
  - (iv) The means and capacities or number and placement of refuse containers, sanitary facilities, drinking water facilities;
  - (v) Security measures, medical facilities, safety, noise and light control provisions and provisions for persons with disabilities;
  - (vi) Parking and traffic control plans; and
  - (vii) A clean-up plan and schedule.
- B. The Event plan shall also have attached to it a detailed site plan showing the location of the Event and the placement of those items specified in Section 3.A.(iv), (v) and Vi).

### **Section 4. Event Permit**

- A. Except as otherwise provided for herein, no Event shall be held without an Event Permit issued by the Township Board.
- B. Prior to issuing an Event permit, the application, and any required Event plan and site plan shall be reviewed by the Township Board.
- C. The Board may authorize the Event as planned, or may, after review, require modification(s) to the Event plan before approval. After approval, the Clerk shall issue a permit which must be posted in the on-site event office for the duration of the event.

### **Section 4. Event Grounds**

- A. The Event grounds shall be kept neat and orderly at all times. Sufficient sanitary, drinking safety and medical facilities for the expected crowd shall be available within two hundred fifty (250) feet of the event activities. Off road parking shall remain no closer than twenty-five (25) feet to a public road or right of way and not closer than ten feet from any property line
- B. The promoter shall be responsible for seeing that no parking violations or traffic jams occur. He shall provide sufficient traffic control personnel to assure a smooth flow of traffic into and from the Event grounds.
- C. The Promoter shall be responsible for restoring the event grounds to its condition before the event was held.

## **Section 5. Exemptions**

- A. Family reunions and Events attended primarily by members of the organization sponsoring the Event, such as churches, private clubs and the like, are exempt from the provisions of this ordinance.
- B. All organizations and groups holding Events on their own property or on or in a lake are exempt from the requirements of Section 2B.(i), (ii) and (iii), however, they are not exempt from the requirement of Section 2A, requiring the submission of application to the Township Clerk at least 60 days before the date of the Event, or Section 4, requiring an Event Permit. For such Events, the sole purpose of requiring an application and Event permit is so the Board can be made aware of the event.

## **Section 6. Nuisance Per Se**

Any violation of this ordinance is deemed to be a nuisance per se.

## **Section 7. Enforcement and Penalties**

- A. Any person violating any provision of this Ordinance shall be deemed responsible for a civil infraction. Penalties may be imposed as set forth in Ordinance 34 as amended, the Rollin Township Municipal Civil Infractions Ordinance.
- B. In addition to pursuing a municipal civil infraction proceeding pursuant to subsection B hereof, the Township may also initiate an appropriate action in a court of competent jurisdiction seeking injunctive, declaratory, or other equitable relief to enforce or interpret this Ordinance or any provision of the Ordinance.
- C. All remedies available to the Township under this Ordinance and Michigan law shall be deemed to be cumulative and not exclusive.
- D. Any person, firm or entity that assists with or enables the violation of this Ordinance shall be responsible for aiding and abetting, and shall be considered to have violated the provision of this Ordinance involved for which such aiding and abetting occurred. Furthermore, any attempt to violate this Ordinance shall be deemed a violation of the provision of this Ordinance involved as if the violation had been successful or completed.

## **Section 8. Severability**

If any court of law or equity within the State of Michigan determines that any part of this Ordinance is unconstitutional, void, voidable, or unenforceable, the remaining provisions of this Ordinance shall be deemed separate, distinct and valid in all respects from said provision.

## **Section 9. Effective Date**

This ordinance shall take effect thirty (30) days after the publication of this ordinance. All ordinances or parts of ordinances in conflict with any of the provisions of this ordinance are hereby repealed.

We certify that the foregoing ordinance was duly enacted by the Township Board of Rollin Township, Lenawee County, Michigan on the \_\_\_11th\_\_\_ day of February, 2015.

\_\_\_\_\_  
John Jenkins, Supervisor

\_\_\_\_\_  
Denice Combs, Clerk

**CERTIFICATE OF ADOPTION AND PUBLICATION**

I, Denice Combs, the duly elected Clerk of the Township of Rollin certify that the foregoing ordinance is a true and correct copy of the ordinance enacted by the Township Board of the Township of Rollin on February \_\_11\_\_, 2015 and published in the Brooklyn Exponent, a newspaper circulated in the Township of Rollin on March \_17\_, 2015.

\_\_\_\_\_  
Denice Combs, Clerk of Rollin Township