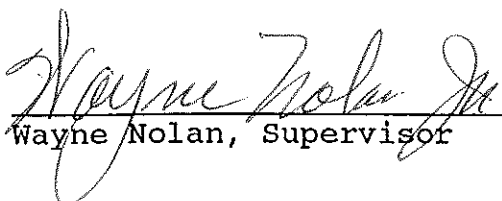



NOTICE OF ADOPTION & SUMMARY
OUTDOOR ASSEMBLY ORDINANCE
TOWNSHIP OF METAMORA
ORDINANCE NUMBER 25

An ordinance to permit and regulate large outdoor assemblies of persons to protect the public health, safety and welfare and to ensure the provision of adequate health, sanitation, fire, police, transportation, utility and other public services; to provide penalties for violations thereof; and to repeal the former ordinance.

- Section 1. Definitions
- Section 2. Permit Required
- Section 3. Application Requirements
- Section 4. Plan Requirements
- Section 5. Procedures For Review
- Section 6. Standards For Denial
- Section 7. Permit Shall Specify Characteristics of the Assembly
- Section 8. Minimum Requirements For Security, Public Health, Pedestrian & Traffic Safety, and the like.
- Section 9. Revocation
- Section 10. Violations
- Section 11. Repeal of Prior Ordinance. The prior ordinance regulating outdoor assemblies, being Metamora Township Ordinance Number 25 and adopted on June 13, 1988, is hereby repealed.

The undersigned Supervisor and Clerk of the Township of Metamora hereby certify that this ordinance was duly adopted by the Metamora Township Board at a meeting held on April 13, 1992 and that this Notice of Adoption and Summary was ordered published in the Lapeer County Press on the 22 day of April, 1992. A complete copy of this Ordinance may be purchased or inspected at the Metamora Township Hall, 730 West Dryden Road, Metamora, MI 48455 during regular Township business hours Mondays through Fridays, except holidays.


Wayne Nolan, Supervisor


Marilyn Taylor, Clerk

**OUTDOOR ASSEMBLY
APPLICATION/PERMIT FORM
Metamora Township**

Date Received _____
Fee Paid \$ _____

1. Applicant's Name _____
Address _____
City _____ State _____ Zip _____
Telephone Number () _____
2. Statement describing the nature and purpose of the assembly. [Attach a separate sheet or make part of the site plan drawing].
3. Address of Site _____
Legal Description [May be placed on site plan] _____

4. Attach proof of ownership of site or copy of current lease.
5. Dates of Assembly _____
Hours of Operation _____
Maximum number of attendees _____
6. Attach site plan drawing(s) and all supporting documents illustrating compliance with Section 4 and 8 of the Metamora Township Outdoor Assembly Ordinance.

Applicant's Signature _____
Date

Legal Owner's Signature _____
Date

TOWNSHIP BOARD APPROVAL

The above Temporary Permit for an Outdoor Assembly was approved by the Metamora Township Board at a meeting held on _____, _____. The Outdoor Assembly described above and on the attached supplementary documents shall be limited to the dates and times indicated and the following conditions:

Wayne Nolan, Supervisor
Township of Metamora

Marilyn Taylor, Clerk
Township of Metamora

**OUTDOOR ASSEMBLY
APPLICATION/PERMIT FORM
Metamora Township**

Date Received _____
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1. Applicant's Name _____
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City _____ State _____ Zip _____
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Applicant's Signature Date

Legal Owner's Signature Date

TOWNSHIP BOARD APPROVAL

The above Temporary Permit for an Outdoor Assembly was approved by the Metamora Township Board at a meeting held on _____, _____. The Outdoor Assembly described above and on the attached supplementary documents shall be limited to the dates and times indicated and the following conditions:

Supervisor
Township of Metamora

Clerk
Township of Metamora

TOWNSHIP OF METAMORA
OUTDOOR ASSEMBLY ORDINANCE

ORDINANCE NUMBER 25

An ordinance to permit and regulate large outdoor assemblies of persons to protect the public health, safety and welfare and to ensure the provision of adequate health, sanitation, fire, police, transportation, utility and other public services; to provide penalties for violations thereof; and to repeal the former ordinance.

THE TOWNSHIP OF METAMORA ORDAINS:

Section 1. Definitions.

- a. "Agriculture-Related Activities" means any event which is related to agricultural activities conducted on or near the premises, such as livestock shows or demonstrations, horse shows, 4-H events, farm auctions, farm machinery demonstrations, or similar events.
- b. "Attendee" means any person who obtains admission to an outdoor assembly.
- c. "Family Gathering" means any gathering related primarily to family events, such as family reunions, wedding receptions, graduation open houses, or celebrations of marriage anniversaries. It shall not include any event at which an admission charge or money donation is requested.
- d. "Permittee" means any person to whom a temporary permit is issued pursuant to this ordinance.
- e. "Outdoor Assembly" means any event attended by more than 100 attendees, any part of which is held outside the confines of a permanent structure.
- f. "Person" means any natural person, partnership, corporation, association or organization.
- g. "Sponsor" means any person who organizes, promotes, conducts, or causes to be conducted an outdoor assembly.

Section 2. No person shall sponsor, operate, maintain, or conduct an outdoor assembly within the Township unless he shall first have obtained a temporary permit for such assembly. This shall not apply to family gatherings, nor shall it apply to agriculture-related activities conducted on premises zoned for agricultural use.

Section 3. Application for a temporary permit to conduct an outdoor assembly must be made in writing on such forms and in such manner as prescribed by the clerk of the Township and shall be made at least twenty-one (21) days prior to a regularly scheduled meeting of the Township Board and at least forty-five (45) days prior to the date of the proposed assembly. Each application shall be accompanied by a nonrefundable fee set from time-to-time by resolution of the Township Board and shall include the following:

- a. The name, telephone number, and mailing address of the person making the application. (Where the person making the application is a partnership, corporation, or association, this information shall be provided for all partners, officers and directors). If the applicant is not the legal owner of the site on which the assembly will be held, the owner's name, address, telephone number, and signature shall also be provided.
- b. A statement describing the nature and purpose of the assembly.
- c. The address, legal description and proof of ownership or lease of the site at which the proposed assembly is to be conducted.
- d. The dates and hours during which the proposed assembly is to be conducted.
- e. An estimate of the maximum number of attendees expected at the assembly. Facilities required in Section 8 shall be provided for the estimated maximum number of attendees. No person may be admitted to the outdoor assembly once the capacity of the facilities, as designated in Section 8, has been reached.

Section 4. Each application shall be accompanied by a plan of the overall site, drawn to scale, and a detailed explanation, including drawings and diagrams where applicable, of the prospective licensee's plans to provide for the following:

- a. Police and fire protection.
- b. Food and water supply facilities.
- c. Sanitation facilities.
- d. Medical facilities and services.
- e. Vehicle access and parking.
- f. Camping facilities.
- g. Illumination.
- h. Communication facilities.
- i. Noise control.

- j. Dust control.
- k. Facilities for clean up and waste disposal.
- l. Insurance and bonding arrangements.
- m. Proposed days and hours of operation.

Section 5. Procedures For Review.

- a. On receipt by the Township Clerk, copies of the application shall be forwarded to the Police Chief, Fire Chief, Building Inspector, Township Planner and Township Board members for review.
- b. The Police Chief, Fire Chief, Building Inspector, and Township Planner shall submit a written report to the Township Board.
- c. When the reports from all Township departments and staff have been received by the Township Clerk, the matter will be placed on the agenda of the next regularly scheduled meeting of the Township Board.
- d. The Township Board shall use the following criteria in reviewing the application for a temporary permit:
 - (1) All required information has been provided in sufficient detail and clarity to allow an accurate understanding of the nature of the proposed outdoor gathering.
 - (2) The configuration of the use areas, parking, sanitary facilities, and the like minimizes any adverse impacts on neighboring properties and uses.
 - (3) The arrangement of the use, parking facilities, points of ingress and egress, and proposed traffic control measures provide for appropriate pedestrian and vehicular safety.
 - (4) The proposed days and hours of operation will not adversely affect the use of adjoining properties.
- e. If the Township Board finds that all requirements of this Ordinance have been met, they may approve the temporary permit for the proposed outdoor gathering. The permit shall set forth the days, dates, and hours that the gathering may take place and any conditions imposed by the Board to insure compatibility with neighboring uses.
- f. If the Township Board finds that all requirements of this Ordinance have not been met, the temporary permit shall be disapproved.

Section 6. A permit may be denied if the applicant fails to comply with any requirements of this ordinance, with any conditions imposed pursuant hereto, or with any other applicable provision of state or local law.

Section 7. A temporary permit shall specify the name and address of the permittee, the kind and location of the assembly, the maximum number of attendees permissible, the duration of the license and any other conditions imposed pursuant to this ordinance.

Section 8. The following minimum requirements shall be met:

- a. Security Personnel. The permittee shall employ at his own expense such security personnel as are necessary to provide for adequate protection of the maximum number of attendees at the assembly and for the preservation of order and protection of property in and around the site of the assembly.
- b. Restroom Facilities. The permittee shall provide lavatory, toilet, and drinking water facilities constructed, installed, and maintained in accordance with applicable codes. All lavatories shall be provided with hot and cold water, soap, and paper towels. Separate toilet and lavatory facilities shall be provided for males and females. There shall be provided at least one toilet and lavatory for each 200 attendees and at least one drinking fountain for each 500 attendees. No less than one of each of the above facilities shall be provided at an outdoor assembly.
- c. Food Service. If food service is made available on the premises, it shall be delivered only through concessions licensed and operated in accordance with the provisions of applicable state or local law.
- d. Liquid Waste Disposal. The permittee shall provide for liquid waste disposal in accordance with regulations established by the Lapeer County Health Department.
- e. Solid Waste Disposal. The permittee shall provide for solid waste storage on, and removal from, the premises. Storage shall be in approved, covered, fly tight and rodent proof containers, provided in sufficient quantity to accommodate the number of attendees.
- f. Access and Traffic Control. The permittee shall provide for ingress to and egress from the premises so as to insure the orderly flow of traffic onto and off of the premises. Access to the premises shall be from a highway or road which is a part of the county system of highways or which is a highway maintained by the State of Michigan. Traffic lanes and other

space shall be provided, designated and kept open for access by ambulance, fire equipment, and other emergency vehicles.

- g. Parking. The permittee shall provide a parking area sufficient to accommodate all motor vehicles, but in no case shall he provide less than one automobile space for every two (2) attendees.
- h. Camping and Trailer Parking. A permittee who permits attendees to remain on the premises after 12:00 midnight shall provide for camping and trailer parking and facilities in accordance with applicable provision of state law.
- i. Illumination. The permittee shall provide electrical illumination of all areas to be utilized after daylight hours sufficient to insure the safety and comfort of all attendees. The licensee's lighting plan shall be approved by the Township Electrical Inspector.
- j. Insurance. Before the issuance of a temporary permit, the permit shall obtain public liability insurance of not less than \$1,000,000.00 and property damage insurance of not less than \$300,000.00.
- k. Bonding. Before the issuance of a permit the permittee shall obtain a surety bond in the amount of \$50,000.00 conditioned upon the permittee's faithful compliance with all of the provisions of this ordinance, any conditions imposed thereunder, and all applicable provisions of state or local law. Said bond shall indemnify the Township, its agents, officers, and employees against any loss or damage arising out of the assembly and shall indemnify the owners of property near the assembly site for any costs of property damage or trash removal resulting from the assembly.
- l. Fire Protection. The permittee shall, at his own expense, take adequate steps, as determined by the fire chief, to insure fire protection.
- m. Sound producing equipment, including but not limited to, public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of the assembly so as to be unreasonably loud or raucous, or so as to be a nuisance or disturbance to the peace and tranquility of the citizens of the Township.
- n. Any program at an outdoor assembly shall terminate no later than 12:00 midnight and shall not convene prior to 9:00 a.m.
- o. Miscellaneous. Prior to the issuance of a temporary permit, the Township Board may impose any other conditions reasonably calculated to protect the health, safety, welfare and property of attendees or of citizens of the Township.

Section 9. Revocation. The Township Board may revoke a temporary permit whenever the permittee, his employee or agent fails, neglects or refuses to fully comply with any requirements set forth herein.

Section 10. Violations. Any person or anyone acting in behalf of any person violating any provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$500, by imprisonment in the county jail for not more than 90 days, or by both such fine and imprisonment in the discretion of the court. Any violations of this ordinance shall be a nuisance per se.

Section 11. Repeal of Prior Ordinance. The prior ordinance regulating outdoor assemblies, being Metamora Township Ordinance Number 25 and adopted on June 13, 1988, is hereby repealed.

The undersigned Supervisor and Clerk of the Township of Metamora hereby certify that this ordinance was duly adopted by the Metamora Township Board at a meeting held on April 13, 1992 and a Notice of Adoption and Summary was published in the Lapeer County Press on the 22 day of April, 1992.



Wayne Nolan, Supervisor



Marilyn Taylor, Clerk

AFFIDAVIT OF PUBLICATION

METAMORA TOWNSHIP

NOTICE OF ADOPTION AND SUMMARY OUTDOOR ASSEMBLY ORDINANCE ORDINANCE NUMBER 25

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Wayne Nolan, Jr., Supervisor
Marilyn Taylor, Clerk

17-1

STATE OF MICHIGAN
COUNTY OF LAPEER

} SS

Mark Haney, being first duly sworn, says that (s) he is
the Editor of THE COUNTY PRESS, a
newspaper published in the English language for the dissemination of
local or transmitted news and intelligence of a general character and
legal news, which is a duly qualified paper, and that annexed hereto is a
copy of a certain order taken from said newspaper, in which the order
was published

April 22, 1992

Mark Haney

Subscribed and sworn to before me this 24th
day of April, 1992

Joyce Withers
Notary Public, Lapeer County, Michigan

SEP. 12 1994

My commission expires _____