

REGULATION AND LICENSING OF LARGE ASSEMBLIES

PURPOSE

Pursuant to sec. 59.54(6), Wis. Stats., the purpose of this section is to regulate the assemblage of large numbers of people in excess of those needing the typical health, sanitary, fire, police, transportation and utility services regularly provided in the Village and to preserve and promote the peace, health, safety and welfare of all persons in the Village, residents and visitors alike.

DEFINITIONS

"Assembly" means a number of persons gathered together at any location at any single time for any purpose.

"Assembly Grounds" means the entire area used for the assembly.

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

LICENSES REQUIRED

No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, sell or give tickets to an actual or reasonably anticipated assembly of 300 or more people which continues or can reasonably be expected to continue for 6 or more consecutive hours, whether on public or private property, unless a license therefore has first been obtained from the Village Clerk. 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.

SEPARATE LICENSES

A separate license shall be required for each day and each location in which 300 or more people assemble or can reasonably be anticipated to assemble.

FEE

The fee for each license shall be \$100. The fee will be set as a fee schedule subject to change or amendment by the Village of Plover Police and Fire Commission or Public Works Committee and approved by the Village of Plover Board.

LICENSE RESTRICTIONS

1. 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.
2. The license shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly.
3. The gathering/assembly shall be open at all times to the Village of Plover Police Department and other law enforcement personnel as designated by the Chief of Police to ensure public safety.

EXCEPTIONS

1. This section shall not apply to gatherings/assemblies of more than 300 persons at any regularly established, permanent place of worship, funeral home, stadium, athletic field, arena, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed the maximum seating capacity of the structure where the assembly is held.
2. This section shall not apply to government-sponsored fairs held on regularly established fairgrounds nor to assemblies required to be licensed by other Village ordinances or regulations.
3. This section shall not apply to assemblies of 300 or more persons as defined by this ordinance sponsored by organizations which have a state or federal charter. However, any organization sponsoring an assembly entitled to the exemption shall file notice of any assembly of 300 or more persons as defined by this ordinance with the Chief of Police and the Village Clerk on a form specifying the date, time, location, and duration of the assembly, along with verification of insurance and sanitary provisions. Such notice must be filed no later than 30 days prior to the event. Failure to comply with the notice provision constitutes a violation of this ordinance.

APPLICATION FOR LICENSE

- (a) Application for a license to hold an actual or anticipated assembly of 300 or more total attendees throughout the event shall be made in writing to the Village Clerk at least 60 days in advance of such assembly.
- (b) Such 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 case of an individual, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers if an unincorporated association, society or group, or if there be no officers, by all members of such association, society or group.
- (c) The application shall contain:
 1. The name, age, residence and mailing address of all persons required to sign the application by par. (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 10% or more of the stock of such 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 record owner 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 of record of all such property approving the use of the property for an assembly of 300 or more persons.
4. A statement as to the nature or purpose of the assembly.
5. The total number of days or hours during which the assembly is to last.
6. A statement as to 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, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the Village of Plover if the assembly is to continue overnight.
7. A statement of the maximum number of tickets to be sold.
8. A statement of the applicant's plans to limit the maximum number of people permitted to assemble.
9. A statement of the plans for fencing the location of the assembly and the gates contained in such fence.
10. A statement of the plans for supplying potable water, including the source, amount available and location of outlets.
11. A statement of the plans for providing toilet and lavatory facilities, including the source, number, location and type and the means of disposing of waste deposited.
12. A statement of plans for holding collections and disposing of solid waste material.
13. A statement of plans to provide for medical facilities, including the location and construction of a medical structure, the names, addresses and hours of availability of physicians, nurses, emergency medical technicians, and provision 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 of vehicles, including the size and location of lots, the points of highway access and the interior roads and routes between highway access and parking lots, and if applicable, a dust control plan.
16. The plans for telephone service, including the source, number and location of telephones.
17. A statement specifying whether any camping or housing facilities are to be available; and if so, a plan showing the intended number and location of same.
18. A statement of plans for security, including the number of guards, and/or crowd control personnel, their deployment and their full names, birth dates, addresses, phone numbers, credentials and hours of availability. See requirements: CONDITIONS OF LICENSE under subsection "j".
19. A statement of 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 any such equipment.
20. The plans for food concessions and concessionaires who will be allowed to operate on the grounds, including the names and addresses of all concessionaires and their license or permit numbers.
21. A statement of whether alcohol will be made available on the grounds of the assembly and if so, by whom and at what location, along with proof of a liquor license.

22. A contact person who shall be easily identified and who shall remain at the assembly at all times and be able to be contacted immediately by (any or all, but not limited to) radio, cellular telephone, or land line telephone. The contact person must be able to account for security personnel at all times for the duration of the event.

CONDITIONS FOR LICENSE

(a) PLANS

Before an applicant may be issued a license hereunder, he/she shall first:

1. Determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided:

a. 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.

b. 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 ordinance of the Village of Plover.

c. The applicant shall have a method of determining the attendance of the event at any time throughout the event.

2. Provide proof that he/she will furnish his/her own expense before the assembly commences:

a. A fence completely enclosing the proposed location and of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds and having at least 4 gates, at least one at or near 4 opposite points of the compass. Alternate provisions which provide for enclosure may be approved by the Village of Plover Chief of Police.

b. Potable water meeting all federal and state requirements for purity and 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 for bathing at the rate of at least 10 gallons per person per day.

c. 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 200 females and at least one toilet for every 300 males, together with an efficient, sanitary means of disposing of waste matter deposited which is in compliance with all 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.

d. 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 2.5 pounds of solid waste per person per day, together with a plan for holding and 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.

e. Physicians and nurses licensed to practice in the state sufficient to provide the average medical care enjoyed by state residents for the maximum number of people to be assembled at the rate of at least one physician for every 1,000 people and at least one nurse for every 1,500 people, together with an enclosed, covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least one emergency ambulance available for use at all times.

f. 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 foot-candles, but not to shine unreasonable beyond the boundaries of the enclosed location of the assembly.

g. A free parking area inside the assembly grounds sufficient to provide parking spaces for the maximum number of people to be assembled at the rate of one parking space for every 4 persons.

h. 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 separate line and receiver for each 1,000 persons.

i. If the assembly is to continue overnight, provide camping facilities in compliance with all state and local requirements as prescribed by the Wisconsin Administration Code and village ordinances, sufficient to provide camping accommodations for the maximum number of people to be assembled.

j. The plan shall provide for security guards who must be regularly employed and sworn law enforcement officers of the Village of Plover Police Department, private guards licensed by the State of Wisconsin Department of Regulation and Licensing, off-duty state peace officers, or any combination thereof. Security shall be attired in a recognizable uniform to differentiate in appearance from the normal crowd of the assembly. There shall be an adequate number of security personnel for the maximum number of people to be assembled at a rate of two security guards for the first 500 people and one (1) security guard for every 300 people thereafter. Unlicensed crowd control personnel may not be used in lieu of licensed security guards or sworn law enforcement personnel. It shall be the duty of the security personnel to report any violations of the law to the Village of Plover Chief of Police, Village of Plover Police Officers, or other law enforcement representatives and to take whatever action can be reasonably expected of them to enforce the law. See Section (e) SITE SECURITY FEES.

k. Fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all state and local standards for the location of the assembly as prescribed in the Wisconsin Administrative Code and village ordinances, and sufficient emergency personnel to efficiently operate any required equipment.

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

m. It is also to be understood by the applicant that no person conducting a large gathering/assembly, nor any person having charge or control thereof at any time when the large gathering/assembly is being conducted shall permit any person to bring into the large gathering/assembly, or upon the premises thereof, any illegal drugs, nor permit illegal drugs or contraband to be used or sold on the premises.

(b) BOND

No license shall be issued unless the applicant deposits with the Village Clerk a bond, either in cash or underwritten by a surety company licensed to do business in the state, at the rate of \$2.00 per person for the maximum number of people permitted to assemble, which shall identify and hold harmless the Village or any of its agents, officers, servants or employees from any liability or causes of action which might arise by reason of the granting of such license and from any cost incurred in cleaning up any waste material produced or left by the assembly.

(c) INSURANCE

Prior to issuance of the permit by the Clerk, each permittee shall furnish evidence of a liability insurance policy in an amount of not less than \$500,000 per occurrence and \$1,000,000 annual aggregate, and shall be in force and effect at the time such usage is to take place. Said evidence of insurance shall include a certificate of insurance naming the Village of Plover as additional named insured in connection with said usage.

(d) LICENSE FEES

The application shall be accompanied by the required license fees as identified in the Fee Section.

(e) SITE SECURITY FEES

The applicant shall contact the Village of Plover Police Department at the time of filing with the Village clerk to determine that necessary security measures are in place. If the applicant utilizes Village of Plover Police officers for site security, the applicant is responsible for any associated fees for utilizing officers and/or squads.

ISSUANCE OF LICENSE

The application for a license shall be processed within 20 days of receipt, and a license shall be issued if all conditions are complied with.

REVOCAION OF LICENSE

The license may be revoked by the Chief of Police or his/her designee, whenever any condition of issuance of the license or any condition contained in the license is not complied with or whenever any condition previously met is no longer being met.

ENFORCEMENT

(a) BY INJUNCTION

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

(b) AS A PUBLIC NUISANCE

The holding of an assembly in violation of any provision or condition contained in this section shall be deemed a public nuisance and may be abated as such.

(c) FORFEITURE

Any person or entity, who violates any condition upon which he is granted a license, or any other provision of the ordinance, shall be subject to a forfeiture of not less than \$1,000 nor more than \$10,000, per occurrence.