

Chapter 14 BUSINESSES*

***Cross references:** Alcohol beverages, ch. 6; emergency services, ch. 26; waste treatment and disposal and sanitation, ch. 62; local commercial district, § 70-73; highway commercial district, § 70-74; industrial district, § 70-75.

On March 13, 2012, the County Board adopted ordinance revisions to codify Resolution No. 39-11, which restructured the County Board committees, boards, and commissions in anticipation of the downsizing of the County Board from 29 to 15 supervisors. Not all ordinance subsections were revised, but those subsections that had material changes will be specifically designated at the end of those subsections.

Article I. In General

Secs. 14-1--14-30. Reserved.

Article II. Reserved

Secs. 14-31--14-60. Reserved.

Article III. Large Assemblies

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ARTICLE I. IN GENERAL

Secs. 14-1--14-30. Reserved.

ARTICLE II. RESERVED*

***Editor's note:** Ord. No. 4-03, § 1, adopted Sept. 9, 2003, repealed art. II, §§ 14-31--14-33, which pertained to licensing of dance halls and public dances and derived from Code 1980, §§ 12.01(2), 12.01(2) and 12.01(3).

Secs. 14-31--14-60. Reserved.

ARTICLE III. LARGE ASSEMBLIES*

***Editor's note:** Ord. No. 3-04, adopted Apr. 20, 2004, repealed the former art. III, §§ 14-61--14-71, and enacted a new art. III as set out herein. The former art. III pertained to similar subject matter and derived from Code 1980, §§ 12.02(1)--12.02(11); and Ord. No. 11-02, § 1, 9-10-2002.

Sec. 14-61. Authority.

This article is adopted under the authority granted by Wis. Stats. §§ 59.02, 59.56(12) and 175.20.

(Ord. No. 3-04, 4-20-2004)

Sec. 14-62. Purpose.

The purpose of this article is to regulate the assemblage of people in excess of those normally needing the health, sanitary, fire, police, transportation and utility services regularly provided in the county, in order that the health, safety and welfare of all persons in the county, residents and visitors alike, may be protected.

(Ord. No. 3-04, 4-20-2004)

Sec. 14-63. Jurisdiction.

The jurisdiction of this article shall apply to all areas in the county except those cities and villages, which by ordinance regulate and control such events, assemblies or places.

(Ord. No. 3-04, 4-20-2004)

Sec. 14-64. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (a) *Assembly* means a company of persons gathered together at any location at any single time for any purpose.
- (b) *Clerk* means the County Clerk for Chippewa County.
- (c) *County* means Chippewa County.
- (d) *Person* means any natural person, firm, partnership, association, corporation, or organization of any kind.

(Ord. No. 3-04, 4-20-2004)

Cross references: Definitions generally, § 1-3.

Sec. 14-65. License required.

No person shall permit, maintain, conduct, undertake, organize, manage or sell or give tickets to an actual or reasonably anticipated assembly of 1,000 or more people which continues or can reasonably be expected to continue for four or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by the clerk, application for which must be made at least 60 days in advance of the assembly. A license to hold an assembly issued to one person shall permit that person to engage in any lawful activity in connection with the holding of the licensed assembly.

(Ord. No. 3-04, 4-20-2004, Ord. No. 1-13, 2-12-2013)

Sec. 14-66. Regulations.

- (a) A separate license shall be required for each day and each location in which 1,000 or more people assemble or can reasonably be anticipated to assemble. The fee for each such license shall be as set by resolution from time to time.
- (b) A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell or give away tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people as stated in the license.
- (c) This section shall not apply to any regularly established, permanent place of worship, stadium, athletic field, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.
- (d) This article shall not apply to government-sponsored fairs or expositions held on regularly established fairgrounds or on private property, nor to assemblies required to be licensed by other county ordinances and regulations or municipally licensed assemblies excepted in subsection (d) of this section.

(Ord. No. 3-04, 4-20-2004)

Sec. 14-67. Conditions for issuing license.

No license under this article shall be issued unless and until the applicant complies with the following conditions:

- (a) The applicant shall indicate the maximum number of people who will be assembled or admitted to the location of the assembly, provided that the maximum shown on the applicant's application 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 the zoning or other ordinances of the county.
- (b) The applicant shall provide proof that he will furnish the following at his own expense prior to the commencement of the proposed assembly:
 - 1. Drinking water, tested to meet all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of persons assembled. Water fountains or single service drinking cups shall be available and dispensed in a sanitary manner at all sites used for dispensing drinking water. Reuse of single service drinking cups is prohibited.
 - 2. Separate enclosed toilets for males and females shall meet federal, state and local specifications, conveniently located throughout the grounds sufficient to provide facilities for the maximum number of people to be assembled. Each designated area shall have hand-washing sinks with a continuous supply of soap and towels as required by federal, state or local requirements.

3. A sanitary method of recovering recyclable materials and disposing of solid waste, in compliance with state and local laws and regulations. The method shall be sufficient to process recyclable materials and to dispose of the solid waste for the maximum number of people to be assembled computed at the rate of at least 2.5 pounds of recyclable materials and solid waste per person per day. The method shall include a plan for holding and a plan for collecting all such materials at least once each day of the assembly. The plan shall meet content and specifications as established by Chippewa County through its county recycling program.
4. A registered nurse or emergency medical technician intermediate (EMTI) shall be on site at all times during the assembly. There shall be provided an enclosed covered structure for medical treatment and there shall be present at all times ambulance service staffed by qualified emergency medical technicians (EMTs). A private telephone line shall be provided within the medical facility. When the number of person attending exceeds 10,000, the applicant on-site shall provide a minimum of two ambulances and four EMTs. When the number of persons attending exceeds 30,000, a third staffed ambulance is required.
5. 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 unreasonably beyond the boundaries of the enclosed location of the assembly.
6. There shall be provided a controlled 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 parking space for every four persons.
7. If the assembly is to continue overnight, camping facilities shall be provided and shall be in compliance with all state and local requirements as set forth in the Wisconsin Administrative Code and this Code, sufficient to provide camping accommodations for the maximum number of people to be assembled.
8. The applicant, for gatherings of 1000 person, shall provide a minimum of two (2) peace officers. Thereafter, the applicant, shall provide both peach officers and security guards, each at a ratio of one to 800 persons assembled for events where alcoholic beverages are served or allowed and one to 1600 persons for events where no alcoholic beverages are served or allowed. Peace officers shall be duly sworn law enforcement officers in the state. Security personnel shall be either state peace officers or private guards licensed in the state or security that is approved by the Chippewa County Sheriff's Department at least 90 days prior to the event.
9. Fire protection, including alarms, extinguishing devices, fire lanes and escapes shall be provided and be sufficient to meet all state and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and this Code and sufficient emergency personnel to efficiently operate the required equipment. The applicant shall provide on-site fire response equipment with an engine of not less than 750 gallons per minute capacity and brush buggy support vehicle with 250 gallons per minute capacity.
10. All reasonably necessary precautions shall be provided to ensure that the sound no greater than 85 decibels, as determined by decibel meter, will not carry beyond the outer perimeter of the assembly boundaries.

11. A financial guarantee shall be required in the form of a letter of credit, which shall guarantee payment for any costs incurred by the county. Said letter shall be forfeited on the sole direction of Chippewa County, in the event of any default or violation hereunder by the applicant. The letter of credit rate for an assembly where alcohol will not be served shall be set at \$1.50 per person for the maximum number of people permitted to assemble. The letter of credit rate for an assembly where alcohol will be served shall be set at \$3.00 per person for a maximum number of people permitted to assemble. The applicant shall list Chippewa County as a certificate holder on the applicants liability insurance, which shall indemnify or hold harmless this county or any of its agents, officers or employees from any liability or causes of action which might arise by reason of granting this license and for the legal fees incurred in defense of such actions and from any cost, expenses or claims incurred by or against the county for any reason whatsoever arising from the event licensed under this article. In addition, the applicant, for itself, shall agree to indemnify, defend and hold the county and its employees and agents harmless against all claims, liability, loss, damage or expense incurred by the county on account of any injury to or death of any person or any damage to property caused by or resulting from the activities for which the permit is granted.
12. The applicant shall provide a method of simultaneously informing all of the attending public of weather watches or warnings immediately upon receipt of said warnings. The warning system must be heard throughout the grounds, parking areas and campground.
13. A fence may be assembled at the expense of the license holder. However, if a fence is constructed to limit access to the assembly grounds; it shall have at least four exits, which shall be located at four opposite points of the compass.
14. At the expense of the license holder, a traffic control plan shall be developed for the ingress and egress of motor vehicles to minimize the effect of the event on roads or highways impacted by the event. Such traffic control must be submitted to the Highway Commissioner for review and approval 90 days in advance of the event. All costs of plan implementation will be assessed to the license holder.

(Ord. No. 3-04, 4-20-2004, Ord. No. 1-13, 2-12-2013)

Sec. 14-68. Application for license; contents.

- (a) 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 the application in the case of an individual, by all officers in the case of a corporation or limited liability company, by all partners in the case of a partnership or limited liability 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. The application shall contain and disclose:
 - (1) The name, age, residence, telephone number and mailing address of all persons required to sign the application under subsection (a) above and, in the case of a corporation or limited liability company a certified copy of their articles (and a current Certificate of Good Standing from the State of Wisconsin) together with the name, age, residence, telephone number and mailing address of each person holding five percent or more of the stock of such entity; also the name, age, residence, telephone number and mailing address of the registered agent. The application shall also include a phone

- number at which at least one of the applicants (or authorized agent) can be contacted on a 24-hour per day basis during the time of the large assembly for which a license is granted.
- (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 recorded owner of all such property.
 - (3) Proof of ownership of all property upon which the assembly is to be held or a written statement made upon oath or affirmation by the recorded owner of all such property that the applicant has permission to use such property for an assembly. This subsection shall not apply to publicly owned lands.
 - (4) The nature and proposed purpose, in detail, of the assembly.
 - (5) The dates and total number of days 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, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by ordinance, if the assembly is to continue overnight.
 - (7) The maximum number of tickets to be sold, if any.
 - (8) The plans of the applicant to limit the maximum number of people permitted to assemble.
 - (9) The plans for fencing if any, the location of the assembly and the exits 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 toilets and lavatory facilities including the source, number and location, type and the means of disposing of waste deposited.
 - (12) The plans for holding, collecting and disposing of solid waste material, and the plans for collecting, removing and recycling recyclable materials.
 - (13) The plans to provide for medical facilities, including the location of those facilities, the names, addresses and hours of availability of physicians and nurses, and 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, as well as the method(s), which will assure that, said illumination will not shine unreasonably beyond the boundaries of the assembly.
 - (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 location.
 - (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, 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 number, location and power of amplifiers and speakers, as well as the method(s), which will assure that, said sound will not carry beyond the boundaries of the assembly.
 - (21) 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.
 - (22) The plan to simultaneously inform all of the attending public of weather watches or warnings immediately upon receipt of said warnings such that those warnings will be heard throughout the grounds, parking areas and campground.
 - (23) The plan to postpone or cancel events because of severe weather, including the criteria which will be used, the person or persons who will be responsible for such decisions, how law enforcement will be consulted, and how attendees will be informed.
 - (24) The plans for traffic control for ingress and egress of motor vehicles to minimize the effect of the event on roads or highways impacted by the events.
 - (25) An approved and signed contract with the county that addresses the security services and all other services provided by the county during the event.
- (b) The application shall include the financial guarantee required in subsection 14-67(2)(1) and the license fee.
- (c) The application and all supporting documentations shall be submitted to the clerk at least 60 days prior to the commencement of the event to ensure compliance with this ordinance.

(Ord. No. 3-04, 4-20-2004, Ord. No. 1-13, 2-12-2013)

Sec. 14-69. Local approval prior to granting the license.

The applicant shall provide the clerk with a certified copy of the town board resolution from the town wherein the event is to be held, confirming that the applicant has met all town requirements and that the town has approved and authorized the event or, in the alternative, an affidavit of the applicant that it has met all town requirements.

(Ord. No. 3-04, 4-20-2004)

Sec. 14-70. Issuance of license.

The license shall be issued within 20 days of receipt of the application, provided all conditions of this article have been met and the plan is presented setting forth all the requirements of this article.

(Ord. No. 3-04, 4-20-2004)

Sec. 14-71. Enforcement.

- (a) *Injunction.* The provisions of this article may be enforced by injunction in any court of competent jurisdiction.
- (b) *Public nuisance.* The holding of an assembly in violation of any provision or condition contained in this article shall be deemed a public nuisance and may be abated as such.
- (c) *Penalty.* Any person who violates this article or who violates any condition upon which he is granted a license may be subject to a forfeiture of not less than \$1,000.00 nor more than \$10,000.00 per day, per violation.

(Ord. No. 3-04, 4-20-2004)