

CHAPTER 6 LARGE GATHERINGS

6.01 Regulate Large Gatherings.

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(1) Intent.

- (a) It is the purpose of the Board of Supervisors, Trempealeau County, Wisconsin 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 Trempealeau County, in order that the health, safety and welfare of all persons in Trempealeau County, residents and visitors alike, may be protected.
- (b) It is the intent of this Board of Supervisors that all sections and provisions of this ordinance have an independent existence, and, should any provisions be declared invalid by a court of competent jurisdiction, it is the intent of this Board of Supervisors that any provisions so declared shall be severable from and shall not affect the validity of the remainder of the ordinance.

(2) License Required.

- (a) No person shall permit, maintain, conduct, undertake, or manage, an actual or reasonable anticipated assembly of 2,000 or more people at any given time during a gathering, all or any part of which continues or can reasonably be expected to continue for 12 or more consecutive hours, or which may continue into the hours between 1:00 a.m. and 7:00 a.m., whether on public or private property, unless a license to hold the assembly has first been issued by the Law Enforcement Committee of the Trempealeau County Board of Supervisors, application for which must be made at least 30 days in advance of the assembly. 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 license assembly.
- (b) As used in this legislation:
 - 1. Person means any individual, partnership, corporation, except a Wisconsin municipal 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 event and each location on which 2,000 or more people assemble or can reasonably be anticipated to assemble; the fee for each license shall be valid for the period of five consecutive days, after which a new license shall be required; the fee for each license shall be \$300.00.
- (d) A license shall permit the assembly of only the maximum number of people stated in the license. The license shall not sell tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people.
- (e) This legislation 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 250 people the maximum seating capacity of the structure where the assembly is held.
- (f) This legislation shall not apply to government sponsored or formally approved fairs held on regularly established fairgrounds nor to assemblies required to be licensed by other ordinances and regulations of Trempealeau County, Wisconsin, or to approved village or city celebrations, sponsored by any city or village or civic organizations and held within the corporate limits of any city or village.
- (g) The applicant shall execute and file with the County Clerk:
 - 1. An agreement which 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 granting this license;
 - 2. Certificates of insurance issued by insurance companies licensed to transact business in the State of Wisconsin providing that the applicant and the assembly are covered by a comprehensive general liability policy providing a minimum coverage of \$2,000,000 aggregate coverage; fire legal liability policy in the amount of \$2,000,000; and worker's compensation insurance as required by Wisconsin law.

(3) **Conditions for Issuing License.** Before a license may be issued, 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 the zoning or health regulations of the county or state:
- (b) Provide proof that the applicant will furnish at its own expense before the assembly commences:

1. A method of controlling the admission of persons in excess of the maximum permissible;
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 gallon per person per day;
3. Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every 300 persons, together with an efficient, sanitary means of disposing of sewage and waste matter deposited, which is in compliance with all state and local laws and regulations; a hand washing area to accommodate one person for each 500 present with a continuous supply of running water under pressure, soap and paper towels;
4. A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans and personnel to perform the task;
5. A First Aid station of sufficient size and capability of providing for the routine needs of the gathering of persons for which the license is being applied for, arrangements to have at least one emergency ambulance within 10 minutes of the assembly site, and for an anticipated assembly of 5,000 or more one registered nurse for each 5,000 persons or part of 5,000 persons over the first 5,000;
6. If any part of 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 one foot candle, but not to shine unreasonably beyond the boundaries of the assembly area;
7. A free parking area inside 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;
8. A minimum of either one hard-wired telephone line that shall be operational during the entire period of the event or, in the alternative, the applicant may represent in writing that the applicant will have two (2) or more cellular phones that have been tested and found to function in the area and that will be in constant operation the entire period of the event. The applicant shall include this phone number or numbers in the application. Additional wireless communication devices may be used as necessary to ensure that the event operators can contact emergency services at all times;

9. If the assembly is to continue overnight, camping facilities sufficient to provide camping accommodations for the maximum number of people to be assembled;
10. Security guards, either regularly employed, duly sworn, off duty Wisconsin peace officers or private guards sufficient to provide adequate security for the maximum number of people to be assembled at the rate of at least one security guard for every 1,000 people, those persons named or guards to be approved in advance by the county sheriff;
11. Fire protection, including any alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all state and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and ordinance of this municipality, and 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 boundaries of the location of the assembly;
13. For assemblies over 5,000 persons, a bond filed with the County Clerk, either in cash or underwritten by a surety company licensed to do business in Wisconsin, at the rate of \$1.00 per person for the maximum number of people permitted to assemble, which shall indemnify and hold harmless this County or any of its agents, servants, and employees from any liability or causes of action which might arise by granting this license, and from any cost incurred in cleaning up any waste material produced or left by the assembly.

(4) **Application.**

- (a) Application for a license to hold an actual or anticipated assembly of 2,000 or more persons shall be made in writing to the Law Enforcement Committee of the Trempealeau County Board of Supervisors at least 30 days in advance of such assembly.
- (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 case of an individual natural human being, by all officers in the cases 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 be 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 in sub-section (4)(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 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 record owner(s) 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 record owner(s) of all such property that the applicant has permission to use such property for an assembly of 2,000 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, the maximum number of persons allowed to sleep within the boundaries of the location of the assembly;
 7. The maximum number of tickets to be sold, if any;
 8. The plans of the applicants to meet the requirements of sub-sections (3)(b)1. through 13.;
 9. 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 in sub-section (3)(b)13., if any, proof of insurance, and the license fee.

(5) **Obligation of License Holder.** In addition to other obligations to be met by one applying for or holding a license under this ordinance, the applicant shall also comply with the following:

- (a) Beer or other intoxicating beverage shall not be sold or otherwise dispensed upon the assembly grounds or within access of those assembled between the hours of 12:00 midnight and 8:00 a.m., and the drinking of all such beverages shall be prohibited between 1:00 a.m. and 8:00 a.m.

- (b) The sheriff, his deputies or other law enforcement personnel shall be allowed access to the assembly grounds at all times during the assembly and 24 hours before the start of the assembly to verify that all requirements are being met.
- (6) **Issuance.** The application for a license shall be processed within 20 days of receipt. The application shall be reviewed by the County's Law Enforcement Committee, with the assistance of the County's Health Department, Sheriff's Office, and Department of Land Management, to ensure compliance with this ordinance and other County ordinances. The license shall be issued by the County Clerk if all conditions are complied with as determined by the Law Enforcement Committee.
- (7) **Revocation.** The license may be revoked by the Law Enforcement Committee of this county 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.
- (8) **Enforcement.**
 - (a) The provisions of this ordinance may be enforced by injunction in any court of competent jurisdiction and by citation issued by County law enforcement personnel.
 - (b) The holding of any assembly in violation of any provision or condition contained in this legislation shall be deemed a public nuisance and may be abated as such.
 - (c) Any person who violates (2)(a) or who violates any condition upon which the license-holder is granted a license may be fined not less than \$1,000, nor more than \$20,000. Each day of violation shall be considered a separate offense.

(History: Res. 4/20/1982; Res. 2015-02-09; Res. 2016-06-04)