

Chapter 60 MASS GATHERINGS

ARTICLE I. IN GENERAL

Sec. 60-1. Definitions.

Unless a different meaning is required by the context, the following terms, as used in this chapter, shall have the meanings hereinafter respectively ascribed to them:

Manager means the director of community development for the county, or the manager's designee for the administration of this chapter.

Mass gathering means any event likely to attract 250 or more persons.

Permit means written authorization to a person by the county to operate a mass gathering.

Producer means any person, group of persons, organization, association, club, or other entity responsible for organizing, planning, producing, advertising, or conducting a mass gathering.

(Ord. of 1-3-17(1))

Sec. 60-2. Generally.

It shall be unlawful for any person, group, organization, association, club, or other entity to conduct, cause to be conducted, or assist in conducting any mass gathering without having obtained a valid permit for such event.

(Ord. of 1-3-17(1))

Sec. 60-3. Exemption.

This chapter shall not apply to any mass gathering which is to be held in any regularly established permanent place of worship, athletic field, auditorium, coliseum or other similar permanently established building within the maximum seating capacity.

(Ord. of 1-3-17(1))

Sec. 60-4. Violations.

Any person who violates any provision of this chapter shall be punished as set forth in section 1-13. In addition to the penalties set forth therein, any violation of this chapter shall be deemed a public nuisance and may be abated by the county as provided by law.

(Ord. of 1-3-17(1))

Sec. 60-5. Enforcement.

The provisions of this chapter may be enforced by the county code and ordinance enforcement officer or the county sheriff's department.

(Ord. of 1-3-17(1))

Secs. 60-6—60-10. Reserved.

ARTICLE II. PERMIT

Sec. 60-11. Application.

- (a) A producer of a mass gathering shall apply for a permit for a mass gathering at the office of the manager on a form prescribed by the manager. Mass gathering permit application forms may be obtained from the office of the manager.
- (b) The producer of a mass gathering, if a group or organization, shall be fully identified on the application. However, a mass gathering permit shall be issued only to an individual person, who may be the actual producer or a designated agent of the producer, and such individual person shall be solely and fully responsible for compliance with all provisions, including all financial requirements, of this chapter and other applicable laws.
- (c) An initial application for a mass gathering permit must be filed at least ten days before the first day of advertising the mass gathering and at least 45 days before the first day of the mass gathering. However, no initial application shall be accepted earlier than one year prior to the date of the mass gathering. At the sole discretion of the manager, the producer may be authorized to submit written amendments to the producer's initial application due to unique or changing circumstances related to the event. Amendments to the initial application must be submitted to the manager. Information requested by a designated reviewing authority that clarifies information already provided in the permit application may be submitted directly to the requesting entity.
- (d) Upon a written request and submittal of the appropriate documentation, the manager may waive or reduce the initial application fee for fundraising for charitable or other events if the manager determines that such fee is overly burdensome to the requestor or does not promote the county's general welfare.
- (e) The county is not required to act upon an incomplete permit application. A permit application will not be approved or denied, and there will be no administrative recourse rights to a denial hearing if an applicant has not provided the required information as set forth in the mass gathering permit application established from time to time by the manager.
- (f) Applicants are responsible for obtaining all permits, authorization and/or exemptions required by other agencies or departments with the jurisdiction for any element of the event, such as for emergency medical services plans, emergency planning and preparedness plans, tent permits, pyrotechnics permits, food service permits, etc., as well as with other sections of this Code, including, but not limited to those regulating alcoholic beverages; business licenses; fire safety; zoning; and signs.

(Ord. of 1-3-17(1))

Sec. 60-12. Fee.

An initial application for a mass gathering permit shall be submitted with a nonrefundable fee in the amount of \$100.00.

(Ord. of 1-3-17(1))

Sec. 60-13. Plans and statements to be filed.

Prior to the issuance of a permit, the applicant must provide:

- (1) The applicant's name and address;
- (2) Any promoter's name and address;
- (3) The name and address of the owner of the property on which the mass gathering will be held;
- (4) A copy of the agreement between the promoter and the property owner;
- (5) The location and a description of the property on which the mass gathering will be held;
- (6) The dates and times that the mass gathering will be held;
- (7) The name and address of each performer who has agreed to appear at the mass gathering and the name and address of each performer's agent;
- (8) A description of each step the promoter has taken to ensure that minimum standards of sanitation and health will be maintained during the mass gathering;
- (9) A description of all preparations being made to provide traffic control, to ensure that the mass gathering will be conducted in an orderly manner, and to protect the physical safety of the persons who attend the mass gathering;
- (10) A description of the preparations made to provide adequate medical and nursing care;
- (11) A description of the preparations made to supervise minors who may attend the mass gatherings;
- (12) The maximum number of persons the promoter will allow to attend the mass gathering and provide a plan for limiting attendance, including methods of entering the area, number and location of ticket booths and entrances, and provisions for keeping nonticket holders out of the area;
- (13) A statement verifying that all construction and installation of facilities as required will be completed at least 24 hours prior to the commencement of the event; and
- (14) A statement from local fire and law enforcement authorities having jurisdiction over the area acknowledging that the authorities can supply adequate security, traffic control and law enforcement for the proposed gathering.

(Ord. of 1-3-17(1))

Sec. 60-14. Application review and conditions.

The manager may submit the application to other departments of the county who may recommend in writing certain conditions or restrictions as deemed necessary to facilitate the event, to comply with other laws or regulations, and/or to ensure the safety, health and welfare of the community. In reviewing the recommendations of the departments, the manager may impose such conditions or restrictions as a part of the permit, and such special conditions so imposed shall be construed to have the full force and effect of law as a provision of this chapter. A violation of such conditions or restrictions shall be deemed a violation of this chapter.

(Ord. of 1-3-17(1))

Sec. 60-15. Permit restrictions and requirements.

-
- (a) *Geographic limitation; responsibility for police and sanitation service.* A mass gathering shall be limited to the specific geographic area(s) within which the event is to take place and the producer of a mass gathering shall be responsible for the provision of law enforcement, fire, and sanitation services within the boundaries of the event for a period of two hours past the conclusion of the event or until the area is cleared of all activities and structures related to such event.
 - (b) *Time limitation.* Except for clearing of the area, no mass gathering shall be allowed to continue beyond the time approved on the permit for the event.
 - (c) *Delineation of boundaries; preservation of areas for circulation.* The outermost boundaries of the mass gathering shall be fully and clearly delineated on a map, which shall be no smaller than 8½ [inches] × 11 inches in size, and attached to the application for a permit. All public streets, roads, and/or sidewalks within and adjacent to such area(s) shall be clearly identified.
 - (d) *Maps for walks or runs.* The producer of a mass gathering such as a walk or run as to which the provisions of subsection (c) would not be practicable shall submit a map with the application for a permit, which shall be no smaller than 8½ [inches] × 11 inches in size, showing the exact route of the course for the walk or run.

(Ord. of 1-3-17(1))

Sec. 60-16. Bond.

The person holding or promoting a mass gathering shall provide a bond of \$5,000.00 issued by a surety company authorized to transact business in the state. The bond shall be to guarantee full compliance with this chapter as well as other applicable provisions of the state health code and rules and regulations promulgated thereunder. The bond shall also cover cleanup of the site. This bond shall be in favor of the county for the benefit of any person who is damaged as a result of the activity of a mass gathering. Any person claiming against the bond may maintain an action at law against the producer or the person holding or promoting the mass gathering and the surety.

(Ord. of 1-3-17(1))

Sec. 60-17. Permit fees.

- (a) The fee for a permit to conduct a mass gathering shall be based on all services to be provided by the government for such event and shall be equal to the estimated actual cost to the government to provide such services. The initial permit fee shall be stated on each approved application. If, at the conclusion of the event, the cost of government services is greater than the initial payment, the producer of the event shall be billed for the difference. Failure to pay the outstanding amount within 30 days of the billing date shall be a violation of this chapter.
- (b) The initial permit fee must be paid in full prior to the issuance of a permit and no later than five business days prior to the date of the mass gathering.
- (c) The fees required in this section shall be in addition to any other fees which may be required by any other ordinances or regulations that might be applicable.
- (d) No producer of any mass gathering, except as otherwise provided for in this chapter, shall be exempt from the payment of the appropriate fees and charges required under this chapter.

(Ord. of 1-3-17(1))

Sec. 60-18. Final approval of permit; minimum review period.

-
- (a) The manager is authorized to approve and issue a permit for a mass gathering after considering all comments and conditions of the reviewing departments and agencies, as well as other information pertaining to the proposed event as described on the application, and after the payment of all applicable fees and costs.
 - (b) A minimum of 20 business days will be allowed for the administrative review of an application.
 - (c) The government shall approve, tentatively approve, or deny the permit no later than 30 business days following the date the fully-completed application is filed. If the permit is denied, the producer shall be notified in writing of the denial and the reason(s) for the denial.

(Ord. of 1-3-17(1))

Sec. 60-19. Denial, suspension or revocation.

- (a) Reasons for the denial of a mass gathering permit include, but are not limited to, the following:
 - (1) The event will require the diversion of so many public employees that allowing the event would unreasonably deny service to the remainder of the county;
 - (2) The application contains incomplete or false information;
 - (3) The applicant fails to comply with all terms of this section, including the failure to remit all fees and deposits, or the failure to provide proof of insurance, bonds, and a save-harmless agreement to the county;
 - (4) The event will last longer than three days;
 - (5) The location selected for the mass gathering is inadequate for the purpose for which it will be used;
 - (6) The promoter has not made adequate preparations to limit the number of persons attending the mass gathering or to provide adequate supervision for minors attending the mass gathering;
 - (7) The preparations for the mass gathering do not ensure that minimum standards of sanitation and health will be maintained;
 - (8) The preparations for the mass gathering do not ensure that the mass gathering will be conducted in an orderly manner and that the physical safety of persons attending will be protected;
 - (9) Adequate arrangements for traffic control have not been provided; or
 - (10) Adequate medical and nursing care will not be available; and
 - (11) Access and parking would be insufficient for the attendants and/or public safety responders such as fire, law enforcement, and ambulances.
- (b) Reasons for the revocation of a mass gathering permit include:
 - (1) The application contained incomplete or false information;
 - (2) The producer fails to comply with all terms and conditions of the permit, this Code, state law, or other applicable rule or regulation;
 - (3) The applicant fails to arrange for or adequately remit all fees, deposits, insurance, or bonds to the county; and
 - (4) A disaster, public calamity, change in applicable law, riot, or other emergency exists.

All permits issued pursuant to this section shall be temporary and do not vest any permanent rights.

(Ord. of 1-3-17(1))

Sec. 60-20. Emergency issuance of permit.

In extraordinary circumstances, the manager shall be authorized to waive or otherwise expedite any or all of the review process and to issue a mass gathering permit upon payment by the producer of all applicable fees and costs for such event. Ignorance of the permit requirement shall not be influential in determining extraordinary circumstances.

(Ord. of 1-3-17(1))

Sec. 60-21. Appeal of denial.

Any applicant denied registration may appeal the denial through direct appeal to the county board of commissioners by submitting a notice of appeal to the manager within 15 days of the date of the denial.

(Ord. of 1-3-17(1))