

TITLE 11

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CHAPTER 59

REGULATION OF LARGE ASSEMBLIES

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State Law Reference: Sec. 59.07(64), Wis. Stats.

59.01 INTENT.

(1) It is the purpose of the Dane County Board 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 Dane County, in order that the health, safety and welfare of all persons in Dane County, residents and visitors alike, may be protected.

(2) It is the intent of the Dane County Board that all sections and provisions of this ordinance have an independent existence, and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the Dane County Board that any section or provision so declared shall be severable from and shall not affect the validity of the remainder of this chapter.

59.02 LICENSE REQUIRED.

(1) No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to an actual or reasonably anticipated assembly in Dane County of 5,000 or more people which continues or can reasonably be expected to continue for 18 or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by the Dane County Board, 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 licensed assembly.

(2) As used in this chapter:

(a) *Person* means any individual natural human being, partnership, corporation, firm, company, association, society or group.

(b) *Assembly* means a company of persons gathered together at any location at any single time for any purpose.

(3) A separate license shall be required for each day and each location in which 5,000 or more people assemble or can reasonably be anticipated to assemble; the fee for each license shall be \$100.00.

(4) 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.

(5) The licensee shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly.

(6) This ordinance 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.

(7) This ordinance shall not apply to government sponsored fairs held on regularly established fairgrounds nor to assemblies required to be licensed by other ordinances and regulations of the Dane County Board.

59.03 CONDITIONS FOR ISSUING LICENSE. Before he or she may be issued a license, the applicant shall first:

(1) 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 ordinances of the municipality, or of Dane County.

(2) Provide proof that the applicant will furnish at the applicant's own expense before assembly commences:

(a) A fence completely enclosing the proposed location, of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have at least four gates, at least one at or near four opposite points of the compass;

(b) 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, and water 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 specification, 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 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 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 lbs. of solid waste per person per day, together with a plan for 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 Wisconsin sufficient to provide the average medical care enjoyed by residents of Wisconsin 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 unreasonably beyond the boundaries of the enclosed location of the assembly;

(g) A free 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;

(h) Telephones connected to outside lines sufficient to provide services 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, camping facilities in compliance with all state and local requirements as set forth in the Wisconsin Administrative Code and ordinances of Dane County, sufficient to provide camping accommodations for the maximum number of people to be assembled;

(j) Security guards, either regularly employed, duly sworn off-duty Wisconsin peace officers or private guards, licensed in Wisconsin, 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 750 people;

(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 set forth in the Wisconsin Administrative Code and ordinances of Dane County, and sufficient emergency personnel to efficiently operate the required equipment;

(L) All reasonably necessary precautions to ensure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly;

(m) A bond, filed with the Clerk of Dane County, 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, officers, servants and employees from any liability or causes of action which might arise by reason of granting this license, and from any cost incurred in cleaning up any waste material produced or left by the assembly.

59.04 APPLICATION.

(1) Application for a license to hold an actual or anticipated assembly of 5,000 or more persons shall be made in writing to the Dane County Zoning Department at least 30 days in advance of such assembly.

(2) 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 the case of an individual, natural human being, by all officers in the case 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.

(3) The application shall contain and disclose:

(a) The name, age, residence and mailing address of all persons required to sign the application by section 59.04(2) 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;

(b) 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;

(c) 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 5,000 or more persons;

(d) The nature or purpose of the assembly;

(e) The total number of days, and/or hours during which the assembly is to last;

(f) 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 Dane County if the assembly is to continue overnight;

(g) The maximum number of tickets to be sold, if any;

(h) The plans of the applicant to limit the maximum number of people permitted to assemble;

(i) The plans for fencing the location of the assembly and the gates contained in such fence;

(j) The plans for supplying potable water including the source, amount available and location of outlets;

(k) The plans for providing toilet and lavatory facilities including the source, number and location, type, and the means of disposing of waste deposited;

(L) The plans for holding, collecting, and disposing of solid waste materials;

(m) The plans to provide for medical facilities including the location and construction of medical structure, the names and addresses and hours of availability of physicians and nurses, and provisions for emergency ambulance service;

(n) The plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lamps;

- (o) 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;
- (p) The plans for telephone service including the source, number and location of telephones;
- (q) The plans for camping facilities, if any, including facilities available and their location;
- (r) The plans for security including the number of guards, their deployment, and their names, addresses, credentials and hours of availability;
- (s) The 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 the equipment;
- (t) The plans for sound control and sound amplification, if any, including number, location and power of amplifiers and speakers;
- (u) 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.
- (4) The application shall include the bond required in section 59.03(2)(m) and the license fee.

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

59.06 REVOCATION. The license may be revoked by the governing body of Dane 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.

59.07 ENFORCEMENT.

- (1) The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.
- (2) The holding of an assembly in violation of any provision or condition contained in this chapter shall be deemed a public nuisance and may be abated as such.
- (3) Any person who violates section 59.02(1) or who violates any condition upon which he or she is granted a license may be subject to a forfeiture of not less than \$1,000.00 nor more than \$10,000.00, or in default of payment thereof, may be sentenced to not more than six months in the county jail. Each day of violation shall be considered a separate offense.

59.08 ADMINISTRATION. The provisions of this ordinance shall be administered by the Dane County Zoning Department.

END OF CHAPTER