

**PENINSULA TOWNSHIP
LARGE EVENTS ORDINANCE
NO. 52 OF 2014**

AN ORDINANCE TO REQUIRE A PERMITTING PROCEDURE FOR LARGE OUTDOOR EVENTS TO PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROPER PLANNING, USE OF TOWNSHIP SERVICES AND PERSONNEL AND FOR PROTECTION OF ADJOINING PROPERTIES.

PENINSULA TOWNSHIP ORDAINS:

Section 1. Definitions.

The following terms, as used in this Ordinance, are hereby defined to mean:

“Course Map” shall mean an illustration of all areas of the Township where participants of an event may occupy for purposes of the given event.

“Event” shall mean an organized and open to the general public event where two hundred fifty (250) people or more will be in attendance at one time and held on either public or private real property or on the roads within the Township and may be held at one or more sites; provided, however, an event shall not include an activity of any size that is sponsored by an elementary or secondary school recognized as such by the State of Michigan for purposes of supporting that entity and held on school premises or as otherwise authorized in the zoning ordinance.

“Permitee” shall mean any person, entity and/or sponsor to whom a permit is issued pursuant to this Ordinance.

“Person” shall mean any natural person, partnership, corporation, limited liability company, association, organization, or other legal entity.

“Site(s)” shall mean the location(s) where the event is to be held.

“Sponsor” shall mean any person or entity that organizes, promotes, conducts or causes to be organized promoted or conducted an event.

“Temporary Structure” shall mean any structure erected or placed for the use of an event which is transient in nature and easily removed without causing undo harm to any site hosting an event subject to this ordinance.

“Township” shall mean Peninsula Township.

“Township Board” shall mean the Supervisor, Clerk, Treasurer and four Trustees of Peninsula Township or its designated representative(s).

Section 2. Permit Requirements.

2.1 Necessity of Permit

A person shall not sponsor, maintain, conduct, promote or permit an event in Peninsula Township without first obtaining an approval from the Township Board for each such event and obtaining a permit for the approved event from the Peninsula Township Zoning Administrator.

2.2 Application for Permit

No later than one hundred twenty (120) days before the proposed event, the person or sponsor(s) of the event shall submit in writing an application for an event permit to the Planning & Zoning Department on such forms and in such manner as the Township prescribes. If the person or sponsor(s) fails to provide all the information required by this Ordinance, then the application shall be deemed incomplete, shall not be processed, and may be denied by the Planning & Zoning Department on that basis. The application shall contain:

- (1) The name(s), address(es) and telephone number(s) of the sponsor(s) of the proposed event.
- (2) If the event is to be held on private property, the name(s), address(es) and telephone number(s) of the owner or lessee whose presence will be required during the event.
- (3) The date(s) and estimated hours of the proposed event.
- (4) A description of the kind, character and type of the event proposed.
- (5) The address or location of the site(s) at which the proposed event will be held, including a written statement from the real property owner consenting to the use of his or her property for the proposed event.
- (6) An estimate of the maximum number of people expected to attend (including staff, vendors, and volunteers) the proposed event.
- (7) A copy of the notice required to be sent per Section 2.7 of this ordinance.
- (8) A rendering of all signage proposed as part of the event with dimensions and in compliance with Peninsula Township Zoning Ordinance requirements.
- (9) A written statement that indicates how the sponsor(s) plans to provide for the following:
 - (a) Police and fire protection.
 - (b) Medical facilities and services; including emergency vehicles and equipment.
 - (c) Food and water supply facilities.
 - (d) Health and sanitation facilities.
 - (e) Vehicle access and parking facilities.

- (f) Cleanup and waste disposal.
- (g) Noise control & trespass.
- (h) Road closures
- (i) Insurance or bonding arrangements.
- (j) A list of the names and addresses of all persons to whom the public notification document is to be sent as per Section 2.7 of this Ordinance.

(10) A site plan illustrating the following uses as part of the proposed event:

- (a) Parcel boundaries of the site(s).
- (b) Location of event area on the site(s).
- (c) Location of parking areas and ingress/egress as required by Section 2.3 of this Ordinance.
- (d) Location of sanitary facilities.
- (e) Location and number of temporary structures.
- (f) Location of medical facilities.
- (g) Location of waste disposal facilities.
- (h) A course map, if applicable, of the event including location and description of what activities will take place upon those areas of the Township subject to the proposed event.
- (i) Location of all signage on site(s) and along the event's course.

2.3 Parking requirements

- (1) One (1) parking space is required for every three (3) persons attending/participating in the event.
- (2) Parking spaces shall measure a minimum of ten (10) feet by thirty (30) feet in size.
- (3) All parking spaces shall be located on the event site(s).

2.4 Pre-Application Meeting

Prior to any official application being accepted by the Planning & Zoning Department the applicant must meet with the Township staff. This meeting will be scheduled with the assistance of the Planning & Zoning Department and shall include other permitting agencies and services as necessary.

2.5 Emergency Services

Large outdoor events may require additional emergency services. The event sponsor shall be responsible for all expenses incurred as a result of contracting the required emergency services.

2.6 Road Closures

Any proposed road closures within Peninsula Township will require the support and approval of the Township Board.

2.7 Public Notification

Following application for an event, and at least fifteen (15) days prior to the meeting of the Township Board where the application will be discussed the applicant shall send by first class mail a written notice of the of the hearing to all owners and occupants of real property within 300 feet of the of the site(s). The notice shall contain the following information:

- (a) The location of the proposed event and its course, if applicable.
- (b) The date(s) and time(s) of the proposed event.
- (c) The date, time and location of the public hearing where the application will be discussed.
- (d) A statement that the site plan and application for the proposed event is available for public inspection at the Township offices.

Upon granting of the permit and at least fifteen (15) days but not more than thirty (30) days prior to the event the applicant shall send by first class mail a written notice of the approved event to all owners and occupants of real property within 300 feet of the of the site(s). The notice shall contain the following information:

- (a) The location of the proposed event and its course, if applicable.
- (b) An estimate of the maximum number of people expected to attend the event.
- (c) The date(s) and time(s) of the proposed event.
- (d) A statement that the site plan and application for the proposed event is available for public inspection at the Township offices.

2.6 Additional Permit Approvals

Any event (including temporary structures and/or accessory equipment) which may be subject to any local, State, or Federal regulations shall provide approved permits for closure of roadways, sales of alcohol, usage of public facilities, and sanitation requirements.

Any site or business within the Township which has an existing Land Use Permit (LUP) or Special Use Permit (SUP) must also continue compliance with the regulations outlined in that permit.

2.7 Application Fee

Each application for an event permit shall be accompanied by a nonrefundable fee in an amount established by the Township Board.

2.8 Action on Application

After receiving a complete application for an event permit and the appropriate fee, the Township Board shall consider the information contained in the application and shall, if necessary, investigate or cause to be investigated the circumstances surrounding the proposed event, including the suitability of the site(s) location and course for the proposed event, the time span of the proposed event, the number of people anticipated to attend, whether there is a conflict with other uses of the site(s), the increased demands on the Township, County Police, Township Fire Department, and emergency medical resources, and the sponsor's plans to provide adequate food and water facilities, bathroom facilities, disposal of solid waste and garbage, vehicle parking and access to the site(s).

Within sixty (60) days after receiving a complete application (as determined and stated in writing by staff) for an event permit, the Township Board shall consider the application and approve the event, unless after considering the above factors, it finds that holding the event as proposed in the application would be detrimental to the public health, safety and welfare of the Township.

If the Township Board denies or revokes an event permit, the Planning & Zoning Department shall send by certified mail written notice and the reasons for such actions to the sponsor(s) of the event.

2.9 Basis for Determination

The Township Board shall find that each proposed event meets the following standards:

- (a) That the sponsor can legally apply for an event permit.
- (b) That the event meets the requirements of Peninsula Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage and other public facilities and services.
- (c) That the event meets the standards of all other governmental agencies where applicable, and the approval of these agencies has been obtained or is assured.
- (d) That the parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

(e) That vehicular and pedestrian traffic within the site(s) and course, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

(f) That outdoor storage of garbage is located so as to not be a nuisance to the subject property or neighboring properties and a plan for removal upon completion of the event is outlined.

(g) That the sponsor(s) have an adequate plan to assure that all signage approved in conjunction with the event be removed within 24 hours of the end of the event.

(h) That the event will not have a substantially negative impact on township or county resources or on adjacent properties. When considering this standard, the Township Board shall consider the type, time of year, and impact of the proposed event as well as the impacts and number of previously approved events in the same calendar year, and shall apply this standard in a manner to avoid overuse of township or county resources or to avoid repetitive, negative impacts on the same adjacent property or properties. In addition, the Township Board shall find adequate evidence that each event will:

(i) Not be hazardous to existing uses in the same general vicinity.

(ii) Be served adequately by essential facilities and services such as highways, streets, police, fire protection, drainage structures, refuse disposal, and water and sewage facilities.

(iii) Not create additional requirements at public cost for public facilities and services.

2.10 Insurance and Conditions

(a) The sponsor shall maintain general liability insurance of no less than \$1,000,000.00 (one million dollars) naming Peninsula Township as an additional insured and shall as a condition of receiving a permit under this Ordinance, provide a copy of the insurance policy binder as well as the name, telephone number and, if applicable, email address of the name of the insurance company agent who issued the insurance policy.

(b) The Township Board may attach reasonable condition with the approval of an event under this Ordinance. Any such condition shall be imposed to ensure continuing compliance with the requirements of this Ordinance.

Section 2.11 Annual Permit Renewal

If the event is to happen on an annual basis and in the same location a permit may be issued upon review by Planning & Zoning staff for up to two subsequent years after initial permit request provided the applicant provides the following information:

(a) Number of participants expected and that number does not exceed permitted participants by more than ten (10) percent; and

(b) Any changes to initial permit application.

Section 3. Violations.

3.1 Municipal Civil Infractions

Any person who violates any provision of this Ordinance or any condition imposed under this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Section 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

3.2 Enforcement Official

The Township Supervisor and the Zoning Administrator are hereby designated as the authorized Township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

3.3 Nuisance Per Se

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

3.4 Civil Remedies

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 4. Conflicts With Other Ordinances.

To the extent that any section of this Ordinance conflicts with the provisions of any Ordinance adopted by Peninsula Township, the provisions of the other Ordinance shall supersede and govern.

Section 5. Severability.

If any portion of this Ordinance shall be found to be invalid by any court of competent jurisdiction and venue, the remaining provisions of this Ordinance shall be severable and valid.

Section 6 . Effective Date.

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

Peter A. Correia, Township Supervisor
Peninsula Township

Monica A. Hoffman, Township Clerk
Peninsula Township