

EVENT LICENSING ORDINANCE
MILAN TOWNSHIP, MICHIGAN

An Ordinance to license and regulate events such as but not limited to circuses, carnivals, and musical concerts in the Township of Milan, requiring licenses therefore, requiring license fees, providing for sanitary conditions therefore, controlling noise pollution, restricting use of controlled substances on premises used by licensee and providing penalties for the violation of any of the provisions of this Ordinance.

THE TOWNSHIP OF MILAN ORDAINS

Section 1. TITLE

This Ordinance shall be known and cited as the "Township of Milan Event Licensing Ordinance".

Section 2. SCOPE

This Ordinance shall not be deemed to supersede any other existing Ordinance or state law regulating the same type of activity. This Ordinance shall provide the minimum requirements for conducting any event. If this Ordinance conflicts with any other Township of Milan Ordinance or state statute, the more restrictive Ordinance or statute shall apply.

Section 3. PURPOSE

The purpose of this Ordinance shall be to promote the health, safety, and welfare of the citizens of the Township of Milan.

Section 4. DEFINITIONS

Person. Person shall mean and include natural persons, firms, partnerships, corporations, and any and all other associations of natural persons, incorporated or unincorporated, whether acting by themselves or by servant, agent or employee.

Circus. Circus means any public entertainment consisting typically of a variety of performances, acrobats, clowns, or trained animals.

Carnival. Carnival shall mean any traveling amusement show having as its main attraction rides, sideshows, and/or games of chance.

Musical Concert. Musical Concert shall mean any performance in which one or more persons sing and/or play and/or perform on any musical instrument or instruments. The term shall also include a disc jockey performance.

Event. An event, such as but not limited to circuses, carnivals or musical concerts, is any outdoor public activity for which pay is demanded, received, or collected, directly or indirectly, whether for admission fees or otherwise.

Section 5. LICENSE REQUIREMENT

No person shall conduct, exhibit, maintain or operate within the limits of the Township of Milan any event for which pay is demanded, received, or collected, directly or indirectly, whether for admission fees or otherwise, unless the license has first been obtained for such activity from the Township of Milan.

Section 6. APPLICATION FOR LICENSE

Application for license shall be made in writing to the Township Clerk and filed not less than 30 days prior to the proposed opening day of such activity. The Township Clerk shall then submit the application to the Township Board at its next regularly scheduled meeting for approval or disapproval. A special meeting may be called at the expense and request of the applicant to consider the application. Such application shall give the full name of the applicant or applicants, the business and residence addresses of such persons and their present interest in the issuance of the license applied for. If the applicant is a corporation, the names, business addresses and residence addresses of the present officers and directors of the corporation shall be stated in the application. Such application shall also state the place or places where the event is to be conducted and the number and character of the exhibits to be there established, maintained or operated. If a license is issued, it shall be unlawful for any person to carry on the event at any place other than that specified in the application.

Section 7. INSURANCE

Before any license shall be issued, there shall first be filed with the Township Clerk a certificate of insurance stating that the proposed licensee has provided liability insurance protection in an amount not less than \$500,000 per person for personal injury to any one person and not less than \$1,000,000 for personal injury related to any single accident and not less than \$1,000,000 for property damage. Such insurance shall include the Township of Milan as a named insured and shall be approved by the Township Attorney.

Section 8. FEE

Before any license shall be issued, there shall first be collected by the Township Clerk a fee in the amount of \$100 from the applicant.

Section 9. DIRT, PAPER, LITTER AND DEBRIS

No dirt, paper, litter or other debris shall be permitted to remain uncollected upon any public or private property used by the licensee, his agents or employees, for longer than 24 hours subsequent to the termination of a licensed activity.

Section 10. SANITARY FACILITIES

Prior to the issuance of any license required by this Ordinance, the applicant shall submit written proof that he has contracted to have available at the site of any event a sufficient number of toilet facilities to meet the requirements of the Monroe County Sanitary Code as it applies to Public Assemblages. The applicant shall submit written proof from the Monroe County Health Department to the Milan Township Clerk of compliance with the requirements of the Monroe County Sanitary Code.

Section 11. EXPIRATION OF LICENSE

All licenses issued under this ordinance shall, unless a different date is provided for in the license, expire on the 30th day from and after the date of issuance. No such license that is granted by the Township Clerk shall be assignable or transferable and the same shall at all times be conspicuously displayed on the premises on which the licensed activity is to take place. No person, except the licensee as permitted in the license, shall do business or be permitted to do business under the provisions of a single license, either directly or indirectly.

Section 12. REVOCACTION OF LICENSE

Licenses issued under the provisions of this Ordinance shall be revocable by the Township Clerk, upon notification of the Ordinance Enforcement Officer, at any time for a violation of any statute of the State of Michigan or Ordinance of the Township of Milan.

Section 13. CLOSING TIME

Activities licensed under the provisions of this Ordinance shall be closed to the public from midnight until 9:00 a.m.

Section 14. MAINTAINING ORDER

Quiet and good order shall be maintained upon the premises upon which a licensed activity takes place as well as on adjacent property. The licensee shall contract for the attendance of one police officer or one licensed private security guard for every 500 persons reasonably expected to be in attendance at the activity. Sufficient evidence or assurances of such an agreement shall be presented to the Township Clerk prior to the issuance of any license.

Section 15. ISSUANCE OF LICENSE

The Township Clerk shall issue a license to an applicant who has complied with all of the provisions of this Ordinance.

Section 16. GAMBLING

No person shall be permitted to play any game in which a bet or wager is laid, and no person shall be permitted to lay any wager or bet on the outcome or result of any game played upon the premises.

Section 17. PROHIBITION OF CONTROLLED SUBSTANCES

No controlled substances whose sale, use, or possession is illegal, as defined by local statutes or statutes of the State of Michigan, shall be sold, used, consumed or possessed on the premises licensed under the provisions of this Ordinance. No person under the influence of any controlled substance shall be permitted to enter in or remain on the premises where a licensed activity is being held.

Section 18. SEVERABILITY

If any court of competent jurisdiction shall declare any provision of this Ordinance to be invalid, such declaration shall in no way effect any other provision of this Ordinance, either as a whole or in part.

Section 19. PENALTY

Any person who, himself, or his clerk, servant, agent, manager, or employee, violates or fails to comply with the provisions of this Ordinance, shall, upon conviction thereof, be sentenced to pay a fine and not more than \$500 and costs of prosecution, or to imprisonment for a period not to exceed 90 days or by both such fine and imprisonment in the discretion of the court.

Section 20. EFFECTIVE DATE

This Ordinance shall become effective 30 days following passage and publication. This Ordinance, number 15 was made and passed by the Milan Township Board at a regular meeting of the Board held on October 8, 1981 at the Milan Township Hall with all members of the Board being present and 5 voting in favor of this Ordinance and 0 voting against.

The amended ordinance shall become effective the day following publication provided that there were no amendments that affected the ordinance's sanctions. If any amendments affected the ordinance's sanctions, then the amended ordinance shall become effective 30 days after publication.

Amendments to Ordinance, number 15 was made and passed by the Milan Township Board at a regular meeting of the Board held on August 11, 2016 at the Milan Township Hall with 3 members of the Board being present and 2 absent. Three Board members voted in favor of the Ordinance amendments and 0 voted against.

Attested: Phil Heath
Supervisor

Margaret Rock
Milan Township Clerk