

Chapter 60

ASSEMBLIES, MASS PUBLIC

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[HISTORY: Adopted by the Town Board of the Town of Pleasant Springs 11-7-1989 by Ord. No. 89-1 as § 6.03 of the 1989 Code. Amendments noted where applicable.]

GENERAL REFERENCES

Campgrounds—See Ch. 75.

Noise —See Ch. 148.

Nuisances—See Ch. 152.

Parks—See Ch. 160.

Peace and good Order—See Ch. 165.

§ 60-1. Purpose.

The purpose of this chapter is to regulate the assembly of persons in the Town of Pleasant Springs, Dane County, Wisconsin, by providing standards of conduct, proper protection, order, safety, health and welfare of persons assembled and the persons or property within said Town of Pleasant Springs, and it is enacted in the public interest and pursuant to the powers granted town governments by the State of Wisconsin.

§ 60-2. Applicability.

This chapter is applicable to the regulation of the assembly of persons that at any given time exceeds 1,000 persons in any one place or area or any area contiguous thereto. This chapter shall not apply to the assembly of persons the duration of which, including the necessary time to assemble and disperse, is not longer than one calendar day, or 12 consecutive hours, if extending into two calendar days, and in addition thereto does not allow or provide for the lodging or camping of a part of those persons so assembling at or near the place of assembly.

§ 60-3. Definitions.

The following word or words when used in this chapter shall have the following meanings:

CLERK — The Clerk of the Town of Pleasant Springs, Dane County, Wisconsin.

PERSON — Includes an individual, partnership, firm, company, or corporation, whether tenant, owner, lessee, licensee, or their agent or assign.

TOWN- The Town of Pleasant Springs, Dane County, Wisconsin.

TOWN BOARD — The Town Board of the Town of Pleasant Springs, Dane County, Wisconsin.

§ 60-4. Permit required.

No person shall use, allow, lease, let or permit any property situated in the Town of Pleasant Springs, Dane County, Wisconsin, to be used for the assembly of 1,000 persons or more, in accordance with the provisions of § 60-2 above, without first obtaining from the Town Board a written permit authorizing said assembly.

§ 60-5. Application for permit.

Application for such permit shall be addressed to the Town Board and filed with the Clerk at least 30 days prior to the date of the contemplated assembly. Said application shall be in writing, either printed or typewritten, dated and signed by the sponsor or sponsors of the assembly or event and all the owners of the lands or premises where said assembly will be held. The signatures of all applicants shall be verified, and the seal of the verifying official shall be affixed thereto.

A. The application shall include without exception the following:

- (1) The names, addresses and occupations of all persons sponsoring the assembly or event, and if said sponsor or sponsors are a corporation, association, company or group, the names and addresses of all officers, directors or members thereof, together with the name and address of an agent who shall reside in Dane County, Wisconsin, who shall be authorized to and shall agree in writing to accept notices and legal documents with respect to any suits, legal actions, or violations of any laws, regulations or ordinances.
- (2) The complete legal description of the land or lands to be used for such event or assembly, together with the number of acres proposed to be used therefor; the zoning classification of said lands; and the number of acres of woodlands, open lands and marsh or wetlands.
- (3) The location of or proximity of any lakes, ponds, or streams.
- (4) The date or dates of the assembly or event and the hours of the day or night that the same shall remain open for participation or activity.
- (5) The names and addresses of all persons having an ownership interest in the lands proposed to be used for such assembly or event and, if any ownership interest shall be held by a corporation, association, company, or group, the names and addresses of all the officers, directors, or members thereof.

- (6) An estimate of the minimum number of persons expected to assemble or attend such event, together with an estimate of the minimum number of motor vehicles, including automobiles, cycles, and buses, that may be using the premises or area during such assembly on any one day and/or collectively.
- (7) A statement as to the nature and/or activity of the assembly or event; whether an admission fee will be charged and the amount of such fee, if any; whether any persons will be lodging or staying on the premises overnight or during nighttime hours; whether food and lodging will be provided for any of the persons assembled on the premises; and what beverages, if any, will be dispensed in the area.
- (8) A statement of what buildings or structures will be erected on the premises or moved onto the same prior to or during the assembly or event.
- (9) A statement disclosing the facilities to be used to charge and control admissions to the assembly or event, and if an advance sale of admissions will be or has been made, the number and extent of the same, including the states and countries in which the same has been or will be offered for sale.
- (10) A statement disclosing the barriers or fences erected or to be erected that will safeguard any and all adjacent property from the overflow, encroachment or trespass of the persons assembled.

B. The following documents shall be filed with the application:

- (1) A scale map or maps of the assembly area showing the present public roads now serving the proposed site; the present buildings located thereon; all adjacent residences within 1,000 feet from the boundaries of the described lands in the application; the woodlands, open lands, wetlands or marshes and lakes, ponds and streams; proposed overnight camping, lodging or bivouac area, together with the number of acres therefor; proposed motor vehicle parking area, together with the number of acres thereof and the illumination or lighting to be provided therefor; the specific location and width of all means and land strips for ingress and egress to the parking areas and other necessary parts of the assembly area requiring vehicular travel, together with the illumination or lighting to be provided therefor; the location of all water wells and toilet facilities; and the location of the proposed buildings or structures to be erected for the purpose of the assembly or event and the nature or use of each building.
- (2) A plan and/or drawing showing the method to be used for collection and disposal of human waste, sewage, garbage and trash and the equipment and facilities that are available and will be provided therefor, including a copy of the contract or contracts with any private or public firm or corporation that has been retained or will be retained to provide equipment or services therefor.
- (3) A plan or drawing showing the system and method to be used for the supply, storage and distribution of water.

- (4) A plan showing the telephone communication facilities to be provided and the type and number of any radio or shortwave device to be used in connection therewith, along with the facilities for sending and receiving mail or postal material.
- (5) A plan showing the location of any sound amplifier, loudspeaker, or sound equipment, together with a statement disclosing the power or strength of such equipment.
- (6) A plan showing the location of first aid stations, emergency helicopter landing area, if any, and ambulance facilities, if any, along with a statement of the names and addresses of medical doctors that will be available, on call, for emergency treatment, if necessary.
- (7) A plan showing the precautions to be used for fire protection, the equipment provided therefor and the location of the same on the premises.
- (8) A plan or drawing showing the location of electrical facilities and the lighting system to be used on the premises.¹
- (9) A statement showing the precautions to be used to prevent the sale, distribution and use of narcotics, marijuana, opium, mescaline, or any other unlawful substance or liquid.
- (10) The names and addresses of any entertainer, or group of entertainers. that will appear at such assembly or event.
- (11) A statement describing the precautions to be used to prevent any immoral or indecent conduct on the part of the entertainers or persons attending said assembly or event.
- (12) A verified statement signed by the sponsor, or its designated resident agent, and the owner of the premises that they will individually and collectively endeavor to prevent and will not foster or encourage the violation of any laws of the United States or State of Wisconsin or any ordinance of the County of Dane or Town and that they will immediately report any such violation to the proper authorities and further that they will be present at the assembly and will investigate the same daily and continually, either personally or by designated responsible agent, who shall also sign such a verified statement and be likewise responsibly committed thereto.
- (13) A verified statement that the applicant will immediately by verified statement submit in writing to the Clerk and addressed to the Town Board any change in plans, estimates, facts or statements made in the application that have, subsequent to the filing of the application, made the statements or plans submitted therein to be misleading or untrue.
- (14) A verified statement disclosing the nature and extent of the advertising or publicizing of the assembly or the event, together with the names of the magazines

I. Editor's Note: Original § 6.03(E)(2)(1), which immediately followed this subsection and provided for a statement regarding police protection, was deleted 11-4-2003. See Subsection 8(15) below.

(15)

or publications in which the same has been or will be, to the knowledge of the applicant. advertised or publicized.

(16) A verified statement by the applicant that trained and experienced uniformed police will be provided or allowed on the entire premises in the number and tour of duty determined by the Town Board, who shall at all times wear the usual uniform and equipment for ordinary police duty.

A verified statement signed by the sponsor, its designated resident agent and the owner or owners of premises that they will, individually or collectively, provide adequate and proper health and sanitation facilities, including potable water and proper healthful food; adequate and capable police protection and traffic patrol; readily available adequate first aid facilities, ambulance service and medical personnel; proper garbage and sewage disposal on a daily basis; and proper illumination and lighting facilities. and that they will hold said Town harmless from any and all costs that it may have to pay on behalf of the persons attending said assembly, damages caused thereby or resulting therefrom. including judgments, settlements of controversies. court costs and attorneys' fees, thereby holding said Town harmless from any expense whatsoever in regard thereto.

(17) A surety bond by a responsible bonding company acceptable to the Town in the penal sum of \$1,000,000 specifically stating that it will pay said Town the sum or sums in legal currency of the United States of America expended or incurred by said Town for police protection, traffic control, fire protection, ambulance service, transportation and communication expense, sewer and garbage collection and disposal, food and water provided, medical expense, poor relief or welfare granted, judgments obtained against the Town, costs of repairing any road, highway or other Town property to restore the same to the condition in which it was prior to the holding of the event or assembly, or the commencement of the assembly of persons thereto, and all court costs, legal expenses and attorneys' fees incurred in the enforcement of this chapter or resulting from the assembly or event. Said bond shall remain in full force and effect until released by order of the Town Board, but not longer than six years from the date of the last day of the assembly of persons attending said event.

§ 60-6. Standards.

- A. The premises described in the application shall be of sufficient size and terrain to accommodate the anticipated attendance or the attendance that could be reasonably expected to attend the same as determined by the Town Board.
- B. The existing public roads shall be adequate to accommodate the local residents and the people that can be reasonably expected to assemble or attend the event.
- C. The applicants and owners of lands, and/or directors and officers of the same, shall be of good moral character and citizens of the United States of America.

- D. The assembly or event shall not pollute the air, streams, ponds or lakes in the area and shall not deny the adjacent landowners or residents of the Town the free and unrestricted use of their homes and property.
- E. The Town Board shall be reasonably assured that such assembly or event will not create a nuisance in the area resulting from, but not limited to, the use of sound equipment and amplifiers, lights or odors, and the collection of human waste, sewage, trash or human conduct, such as morals and decency.
- F. Adequate parking shall be provided for all motor vehicles, so that no vehicle shall be parked, except in cases of emergency, within the right-of-way of any public highway in the vicinity of the assembly.
- G. The sponsors shall provide a register of all persons that remain on the premises for camping or overnight attendance, where the assembly or event is held, which shall contain the name, age and address of each and every person and the date that they expect to leave the premises permanently. Such persons shall be camped, billeted, or bivouacked in a separate designated exclusive area, and the motor vehicles of said persons shall be parked in a separate designated exclusive area for parking.
- H. The area shall be zoned by the County of Dane, State of Wisconsin, so as to permit the assembly or event.
- I. All buildings and structures erected shall be constructed in accordance with Chapter 70, Building Construction, of the Town Code and the regulations of the Uniform Dwelling Code of the State of Wisconsin and the laws of the state. [Amended 11-4-2003]
- J. All water and food used or dispensed on the premises shall comply with the standards relative thereto as provided by rules and regulations of the Department of Health and Family Services, State of Wisconsin, and all sanitary facilities shall comply therewith.

§ 60-7. Additional permits required; waiver.

- A. The applicant shall provide the Town and file with the Clerk the following:
 - (1) Written permit or letter from the Dane County Zoning Director permitting or stating that the proposed assembly or event is not contrary to the Dane County Zoning Ordinance.
 - (2) Written permit or letter from the Dane County Traffic Department stating that the proposed assembly will not create a traffic problem beyond the ability of said Department to control, or the recommendation of said Department as to the necessary additional personnel and equipment to properly control the traffic situation that may be created thereby.

- (3) Written permit or letter from the Wisconsin Department of Transportation stating that the proposed assembly will not create a traffic problem beyond the ability of said Department to control, or the recommendation of said Department as to the necessary additional personnel and equipment to properly control the traffic situation that may be created thereby. [Amended 11-4-2003]

- (4) Written permit or letter from the Wisconsin Department of Natural Resources stating that the proposed assembly is not contrary to the regulations or laws of the State of Wisconsin that are applicable to said Department or stating the conditions that must be met in order to comply therewith.
 - (5) Written permit or letter from the Wisconsin Department of Health and Family Services stating that the proposed assembly is not contrary to the regulations of said Department or laws of the State of Wisconsin that are enforceable by said Department or stating the conditions that shall be met in order to comply therewith.
 - (6) Written statement from the Town Building Inspector that building permits have been issued for the construction of proposed buildings and structures to be erected on the premises.
- B. Any provision or requirement of this section that, because of the nature of the proposed assembly or event, may be unnecessary, unreasonable, or unobtainable may be waived by the Town Board.

§ 60-8. Permit fee. [Amended 11-4-2003]

The applicant shall pay to the Town the sum as set by the Town Board as and for a fee for said permit, which shall be paid and submitted with the application therefor but shall be returned to the applicant if a permit is not issued.

§ 60-9. Denial of permit.

The Town Board may deny the issuance of a permit for the proposed assembly or event if any of the provisions of this chapter are not complied with by the applicant or if in its good judgment the holding of the event or assembly, as and where proposed, could not be accomplished in good order or properly controlled and the health, safety, and welfare of all persons involved may not be able to be reasonably protected and guaranteed.

§ 60-10. Right of injunctive relief.

The Town Board or the Town may maintain and prosecute an action at law in the name of said Town in any court of competent jurisdiction to compel compliance with this chapter or enjoin the sponsors or owners of the premises from holding said assembly or event.

§ 60-11. Violation and penalties. [Amended 11-4-2003]

Any person violating any provision of this chapter, including the officers, directors, or members of any corporation, firm, association, or group, shall, upon conviction thereof, be subject to the penalties provided in Chapter I, General Provisions, § 1-1.

§ 60-12. Liability for damages and costs; Hen.[Amended 11-4-2003]

Any person, by contract or otherwise, who allows any assembly of persons upon lands owned or controlled by said person without obtaining a permit therefor or contrary to the provisions of this chapter shall be liable to the Town for any and all damages to the Town as specified and enumerated in § 60-SB (17), Surety bond, together with the costs and attorneys' fees of prosecution thereof. A bill of costs and damages shall be submitted to the person owning said lands for payment thereof by the Clerk, after order therefor by the Town Board, and if said amount or amounts are not paid within 30 days from the submitting of the same, said amount shall become a lien against all the lands of said person where said assembly was held or which are contiguous thereto and shall be placed on the next succeeding tax roll as a special charge against said lands.