

TOWN OF RHINE MUNICIPAL CODE

**CHAPTER 20: GATHERINGS**

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## 20.01 DEFINITIONS

The following words, terms, and phrases when used in this Ordinance shall have the meanings ascribed to them in this Section except where the context clearly gives a different meaning.

(1) **EVENT** means an assembly of two hundred (200) or more persons for four (4) or more consecutive hours for any live, videotaped, recorded, televised, or transmitted speech, performance, presentation, or other gathering. The threshold requirement of two hundred (200) persons in attendance applies to the peak attendance during the assembly and not to the minimum number that must be continuously present. "Event" shall include but not be limited to concerts, dramatic or dance presentations, variety shows, sports presentations, exhibitions, or other performances, presentations and gatherings, where the persons attending may engage in visual or auditory observation of other persons, performers, or objects regardless of whether tickets are issued, sold, or required or whether a fee is charged.

(2) **EXTRAORDINARY SERVICES** means health, safety, sanitation, traffic, planning, crowd control, and public protection services provided by the Town above and beyond its normal level of such services.

(3) **FACILITY** means a location at which an event is held. "Facility" may consist of a structure or an open-air site or both. If part of a structure is used for an event, the entire structure shall be subject to the requirements of this Ordinance. The parameters of a facility shall include all appurtenant lands and buildings used for parking, storage, rehearsals, restrooms, offices, or other support functions.

(4) **PERSON** means any public-sector or private-sector entity and any natural or artificial person or group, including but not limited to any individual, corporation, company, trust, firm, partnership, association, organization, governmental agency, or representative or agent thereof.

## 20.02 AUTHORITY AND PURPOSE

This Ordinance is created pursuant to the authority granted by Wis. Stat. ' 60.23(10). It is the purpose and intent of this Ordinance to promote and protect the public health, safety, and welfare by regulation of events that have the potential to create a need for extraordinary services.

## 20.03 LICENSE REQUIRED

No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to an event at which it is reasonably anticipated that two hundred (200) or more people may be present and which continues or can reasonably be expected to continue for four (4) or more consecutive hours unless a Town of Rhine license to hold the event has first been obtained. An event license issued to one (1) person shall permit any person to engage in any lawful activity in connection with the event.

**20.04 APPLICATION; FEE; CONDITIONS OF LICENSE**

(1) A written application for an event license must be completed and presented to the Town Clerk along with payment of the application fee of Two Hundred Seventy-five Dollars (\$275.00) at least sixty (60) days in advance of the event.

(2) The application shall be submitted on a form prescribed by the Town and shall contain the following information:

(a) The name, address, telephone, fax number, and e-mail address of the applicant, including the same information for principal officers or partners if the applicant is a corporation, LLC, partnership, association, or other organization.

(b) A description of the facility including the following:

1. A site map of the facility including surrounding areas.
2. The inner and outer dimensions of the facility or event location.
3. The number of entrances and exits and their locations.
4. Possible configurations of the facility and surrounding areas for an event including the area of performance, exhibition, or gathering and the locations of aisles, stage, and seating.
5. The inside and outside lighting including house, exit, emergency, and parking lot lighting.
6. The location of any restrooms, refreshment stands, souvenir stands and first aid rooms.
7. A plan or program relating to the sale of alcoholic beverages that demonstrates how the sale of such beverages will be managed to protect the safety of the patrons.

(3) The applicant shall provide separate enclosed toilets for males and females meeting all state and local specifications 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 (1) toilet for every 300 males together with an efficient, sanitary means of disposing waste matter deposited which is in compliance with all state and local laws and regulations.

(4) The licensee shall not permit the sound of the event to carry unreasonably beyond the boundaries of the premises.

(5) The licensee shall provide at least one (1) security guard for every two hundred people (200) or fraction thereof in attendance. The security guards shall be either currently certified sworn Wisconsin peace officers or Wisconsin-licensed private security guards. The Town Board may require a higher number of security guards if the circumstances of an event so warrant.

(6) The licensee shall not permit the consumption of alcohol beverages at the event or on the premises covered by the event license without the issuance by the Town of an alcohol beverage license for the premises and for the event licensee. The requirement to obtain an alcohol beverage license applies irrespective of whether alcohol is provided on the event premises or brought onto the premises by persons other than the licensee or agents.

(7) As a condition of the license granted hereunder, the licensee shall permit access to all areas of the facility by the Town Board and its designees for official purposes during the event and at all reasonable times before and after the event. Designees shall include by illustration but not limitation law enforcement officers, health and sanitation officials, building inspectors, and fire and rescue services personnel.

#### **20.05 RECOVERY OF EXPENSES INCURRED FOR PROVIDING EXTRAORDINARY GOVERNMENTAL SERVICES**

As a condition of any license granted hereunder, the licensee shall be responsible for reimbursing the Town for the cost of extraordinary governmental services provided for or as a result of the event. As a condition of approval of an application, the Town may require an applicant to post a deposit of up to One Thousand Dollars (\$1,000.00) when circumstances warrant.

#### **20.06 PENALTY**

(1) Any person violating any provision of this article shall be subject to a civil forfeiture of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00). Each day of a violation shall constitute a separate offense.

(2) If any person shall violate any provision of this Ordinance, the Town Constable upon direction of the Town Board or the Town Chair, shall be authorized to institute appropriate legal action or proceedings to ensure compliance with this Ordinance and prevent such person from further violating this Ordinance.

#### **20.07 EXEMPTIONS**

The following are exempt from the prohibition on permitting consumption of alcoholic beverages in a public place under Wis. Stat. ' ' 125.09(1) and (2):

- (1) Municipalities.
- (2) Town-owned buildings and parks.
- (3) Regularly established athletic fields and stadiums.
- (4) School buildings.
- (5) Churches.

- (6) Clubs.
- (7) Parades.

[NOTE: Such operations are not subject to licensing in order to permit the consumption of alcoholic beverages. However, if a charge is made directly or indirectly for the beverages, a license is required.]

(8) Private business gathering: A commercial non-licensed business may not serve or possess alcoholic beverages on the premises unless the event is restricted to personally-invited guests and is not open to the general public.

(9) Auctions: An auction house may sell at public auction a collection of sealed liquor bottles or unopened beer cans to settle an estate or dispose of a collection without obtaining a license.

## **20.08 DENIAL**

Any denial of an application shall be made in writing within forty-five (45) days after receipt of the application by the Town Clerk. The reasons for denial shall be included in the written notice of denial.

## **20.09 SUSPENSION**

(1) The Town Board may suspend or revoke any license granted hereunder for the balance of the license period or for any shorter period of time for any of the following reasons:

- (a) Failure of the licensee to comply with the provisions of this Ordinance or any other provision of the Town Code.
- (b) Failure of the licensee to comply with any condition of a license granted hereunder.

(2) The reasons for the suspension or revocation shall be in writing and furnished to the licensee.

(3) When circumstances warrant, the Town Board may elect to provide a licensee an opportunity to cure any non-compliance prior to reaching a decision to suspend or revoke a license.