

CHARTER TOWNSHIP OF LANSING

3209 W. Michigan Ave.

Lansing, MI 48917

Phone: 517-485-4063 Fax: 517-485-3276

APPLICATION FOR OUTDOOR ENTERTAINMENT LICENSE

Fees: Basic (Minimum): \$100	Paid: _____	Insurance Policy <input type="checkbox"/>
Daily: \$25	Paid: _____	Bond <input type="checkbox"/>
Deposit: \$500	Paid: _____	

Applicant Information:

Name \_\_\_\_\_ Telephone \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Location of Outdoor Entertainment:

Name of Business \_\_\_\_\_  
 Address \_\_\_\_\_  
 Name of Property Owner \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_

Dates requested: \_\_\_\_\_

Hours of event: \_\_\_\_\_

Number of people expected to attend: \_\_\_\_\_

Describe in detail the type of outdoor entertainment involved (include plans for the sale/serving of alcohol) :

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Describe in detail security measures that will be in place during the event:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Attach diagram showing set-up, fences or barriers, parking, adequate sanitary facilities.

Additional permits may be necessary for tents and temporary signage subject to Township ordinances.

I hereby certify that the proposed event is authorized by the property owner of record and that I have been authorized by the owner to make this application as his/her authorized agent, and we agree to conform to all applicable laws of the State of Michigan and ordinances of the Charter Township of Lansing. All information submitted as part of this application is accurate to the best of my knowledge.

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Signature

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Printed Name

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**FOR TOWNSHIP USE ONLY**

Date application received: \_\_\_\_\_

Department comments upon review:

Police: \_\_\_\_\_

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Fire: \_\_\_\_\_

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Planning/Zoning/Building: \_\_\_\_\_

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**ORDINANCE NO. 70**

AN ORDINANCE OF THE CHARTER TOWNSHIP OF LANSING, INGHAM COUNTY, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CHARTER TOWNSHIP OF LANSING, MICHIGAN, BE AMENDED BY ADDING CHAPTER 61 ("OUTDOOR ASSEMBLIES AND SPECIAL EVENTS") TO TITLE VI ("LICENSING") TO: PROVIDE FOR THE LICENSING OF CERTAIN OUTDOOR ASSEMBLIES AND EVENTS; PROVIDE FOR THE PROCEDURES AND REQUIREMENTS RELATED TO OBTAINING LICENSES FOR OUTDOOR ASSEMBLIES AND EVENTS; PROVIDE FOR CIRCUMSTANCES UNDER WHICH SUCH LICENSES MAY BE REVOKED BY THE TOWNSHIP; AND TO DESIGNATE VIOLATIONS OF THIS CHAPTER AS MUNICIPAL CIVIL INFRACTIONS; REPEAL ORDINANCES AND PORTIONS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; AND PROVIDE AN EFFECTIVE DATE HEREOF.

THE TOWNSHIP BOARD OF TRUSTEES FOR THE CHARTER TOWNSHIP OF LANSING HEREBY ORDAINS:

1. Chapter 61 ("Outdoor Assemblies and Special Events") of Title VI ("Licensing") is hereby added to the Code of Ordinances as follows:

**CHAPTER 61. OUTDOOR ASSEMBLIES AND SPECIAL EVENTS.**

**Section 61-1. Intent.**

The Township Board finds and declares that the interests of the public health, safety and welfare of the citizens of the Township require the regulation, licensing and control of assemblages of large numbers of people in excess of those normally drawing upon the health, sanitation, fire, police, transportation, utility and other public services regularly provided in and by this Township.

**Section 61-2. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Attendant* means any person who obtains admission to, attends and/or is present for an outdoor assembly, including, but not limited to, spectators, participants, workers, vendors, and performers.

*Licensee* means any person to whom a license is issued pursuant to this chapter.

*Outdoor assembly or assembly* means any event, attended by more than 150 persons attendant, all or any part of which includes a theatrical exhibition, competition, public show, display, entertainment, amusement or other exhibition, including, but not limited to musical festivals, rock festivals, peace festivals, sporting or athletic events, or similar gatherings, but does not mean:

- (1) An event which is conducted or sponsored by a licensed or accredited school on its property; or
- (2) An event conducted entirely within the confines of a fully enclosed and covered permanent structure. This does not include temporary structures or tents.

*Sponsor* means any person who organizes, promotes, conducts, or causes to be conducted an outdoor assembly.

### **Section 61-3. Properties affected.**

Notwithstanding any provision contained within the Township's Code of Ordinances to the contrary, the provisions of this chapter shall apply to all properties within the Township, regardless of use and zoning classification.

### **Section 61-4. License required.**

A person shall not sponsor, operate, maintain, conduct or promote an outdoor assembly in the Township unless they shall have first made application to the Township Clerk for, and obtained as hereinafter prescribed, a license for each such assembly.

(a) Each application shall be accompanied by a detailed description, including drawings and diagrams where applicable, of the prospective licensee's plans to provide for the following:

- (1) Police and fire protection.
- (2) Food and water supply and facilities.
- (3) Health and sanitation facilities.
- (4) Medical facilities and services including emergency vehicles and equipment.
- (5) Vehicle access and parking facilities.
- (6) Camping and trailer facilities.
- (7) Illumination facilities.
- (8) Communications facilities.
- (9) Noise control and abatement.
- (10) Facilities for clean up and waste disposal.
- (11) Insurance and bonding arrangements as required under this chapter.
- (12) Wayfinding and directional signage which are not deemed to be advertising, but rather to promote the orderly flow of vehicular and pedestrian traffic as may be approved in conjunction with a license.

(b) The application shall be accompanied by a map of the overall site of the proposed assembly.

(c) The application shall be accompanied by evidence of application and/or approval for other necessary state and local agencies as well as private property owners when impacted for:

- (1) Liquor Control Commission
- (2) Ingham County Road Commission for road closures
- (3) Ingham County Health Department
- (4) Private parking arrangements
- (5) Other

Once an application has been deemed complete by the Township Clerk, the Township shall have 15 business days to approve, deny or request clarification of the applicant. Approval of a license shall be subject to provision for:

1. Adequate sanitary services as approved by the Township building department.
2. Parking of a sufficient number to accommodate all motor vehicles, but no less than 1 parking space per 3 attendees, as approved by the Township planning department and/or zoning administrator. Approved temporary event parking on grass or other non-typical parking areas will not constitute a violation of general requirements for parking found under Section 84-3.1 and 84.3.5 inclusive.
3. Police protection as approved by the Township police department
4. Fire protection and emergency access as approved by the Township fire department

The license shall be subject to the following conditions, which shall be specified on each license:

1. Licensee shall not admit to the premises any person who is then under the influence of intoxicating beverages or of drugs, nor shall licensee knowingly permit the possession, sale or consumption of intoxicating beverages or controlled substances on the site of the assembly.
2. Licensee shall provide sufficient fences or barriers and/or shall so patrol the boundaries of the site of the assembly as to efficiently prevent his/her patrons from directly trespassing on neighboring premises.
3. Licensee shall so conduct the assembly, including the Township's review and approval of the hours of operation, to ensure that it shall not give rise to a nuisance of noise, vibration, smoke, odor or dust.
4. Miscellaneous. In approving the issuance of a license, the Township may impose any other condition reasonably calculated to protect the health, safety, welfare and property of persons attendant or of the citizens of the Township.

### **Section 61-5. Fees, deposits, bonds and insurance.**

The fees and deposits to be charged for licenses issued pursuant to this section shall be established by the Township Board by resolution. The fee schedule so established by the Township Board shall be posted in the office of the Township Clerk.

Prior to issuance of the license, deposits for the following shall be deposited with the Township Clerk's office.

1. Cleanup of the property. This amount shall be refunded after the event once the site is properly cleaned.
2. Police and Fire Personnel. If, in their discretion, the Township police department and/or fire department determines that the public safety and welfare make it necessary or desirable that police and/or fire personnel be assigned to the vicinity of licensee's assembly, the licensee shall be obligated to reimburse the Township for the actual expense, including administration and overhead, in providing such police and/or fire service.

A public liability and property damage insurance policy insuring licensee and the Township against any liability imposed on such person or the Township providing for payment up to \$500,000.00 in the event of injury or death of any one person, and for payment up to \$1,000,000.00 in the event of injury or death of more than one person and for payment of up to \$1,000,000.00 for property damage is required.

Each applicant for a license shall file with the Township Clerk a bond in the penal amount established by resolution of the Township Board for the purpose of indemnifying the Township against any and all violations of any ordinance, regulation or rule of the Township, reimburse for public safety and administration and to indemnify the Township for any and all damage to public property of any kind or nature.

### **Section 61-6. Violations and penalties.**

(a) It shall be unlawful for a licensee, or an employee or agent thereof, to:

- (1) Advertise, promote or sell tickets to, conduct, or operate an assembly without first obtaining a license as herein provided.
- (2) Conduct or operate an assembly in such a manner as to violate the terms of this chapter and/or the terms or conditions of the license.
- (3) Conduct or operate an assembly in such a manner as to create a public or private nuisance.
- (4) Conduct or permit, within the assembly, any obscene display, exhibition, show, play, entertainment or amusement.
- (5) Permit any person on the premises to cause or create a disturbance in, around, or near the assembly by obscene or disorderly conduct.
- (6) Permit any person to unlawfully consume, sell, or possess intoxicating liquor while on the premises.

(7) Permit any person to unlawfully use, sell or possess any narcotics, narcotic drugs, drugs or other substances as defined in article 7 of Public Act No. 368 of 1978 (MCL 333.7101 et seq.) Act 343, Public Acts of 1952.

(b) Any person who shall violate any of the provisions in subsection (a) of this section shall be responsible for a municipal civil infraction.

#### **Section 61-7. Revocation.**

The Township may revoke a license whenever the licensee, and/or an employee or agent thereof, fails, neglects or refuses to fully comply with:


- (a) information relied upon by the Township in granting the license,
- (b) any and all provisions and requirements set forth in this chapter, and/or
- (c) any and all requirements and conditions stated in the license.

Such revocation will take place via a letter in U.S. Mail to the name and address provided on the application.


2. Severability. If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision. Provided, however, that if a court of competent jurisdiction declares a penalty provision to exceed the authority of the Township, the penalty shall be construed as the maximum penalty that is determined by the court to be within the authority of the Township to impose.

3. Repeal. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect.

4. Effective Date. This Ordinance shall take immediate effect.

  
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John Daher, Supervisor  
Charter Township of Lansing

I, Susan L. Aten, Clerk of Charter Township of Lansing, hereby certify that the foregoing is a true copy of the original of Ordinance No. 70, enacted by the Charter Township of Lansing Board of Trustees at a regular meeting on July 7, 2009.

  
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Susan L. Aten, Clerk  
Charter Township of Lansing