

CHAPTER 12

LICENSES AND PERMITS

12.02 GENERAL PROVISIONS AS TO LICENSES. (1) LICENSES OR PERMITS REQUIRED. No person shall engage in any trade, profession, business or privilege in the County for which a license or permit is required by any provision of this Code without first obtaining such license or permit from the County in the manner provided in this section, unless otherwise specifically provided.

- (2) APPLICATION. Unless otherwise provided, application for a license or permit shall be made in writing to the County Clerk upon forms provided by the County and applicant shall state the location of the proposed activity and such other facts as may be required for or be applicable to the granting of such a license or permit.
- (3) FEES. (a) To Accompany Application. License fees imposed under 12.01 shall accompany the license application. The County Clerk shall issue the applicant a receipt for the license fee.

(b) Refunds. No fee paid shall be refunded unless the license is denied.
- (4) GRANTING OF LICENSES. Unless otherwise designated, licenses required by this chapter shall be issued by the County Clerk with the approval of the Jackson County Large Assembly Committee.
- (5) FORM OF LICENSE. All licenses issued hereunder shall show the dates of issue and expiration and the activity licensed and shall be signed by the County Clerk.
- (6) RECORDS OF LICENSES. The County Clerk shall keep a record of all licenses issued.
- (7) DISPLAY OF LICENSES. All licenses hereunder shall be displayed upon the premises or vehicle for which issued or, if carried on the person, shall be displayed to any officer of the County upon request.
- (8) COMPLIANCE WITH ORDINANCES REQUIRED. It shall be a condition of holding a license under this chapter that the licenses comply with all ordinances of the County. Failure to do so shall be cause for suspension or revocation of the license.
- (9) TRANSFER OF LICENSES. All licenses issued hereunder shall be personal to whom issued, and no license shall be transferred without the consent of the Jackson County Large Assembly Committee.

- (10) EXEMPTIONS. No license shall be required under this chapter for any nonprofit educational, charitable, civic, military or religious organization if the activity which would otherwise be licensed is conducted for the benefit of the members or for the benefit of the public generally.
- (11) CONSENT TO INSPECTION. An applicant for a license under this chapter thereby consents to the entry of law enforcement officers or authorized representatives of the County upon the licensed premises at all reasonable hours for the purposes of inspection and search, and consents to removal from the premises and introduction into evidence in prosecutions for violations of this chapter all things found therein in violation of this chapter or State law.
- (12) REVOCATION AND SUSPENSION OF LICENSES. (a) Except as otherwise provided, any license issued under this chapter may be revoked for cause by the County Board. No license shall be revoked except upon written verified complaint filed with the County Board by a law enforcement officer or other officer of the County or a resident of the County. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the County Board. The licensee shall be given notice of such hearing, which shall be not more than 20 or less than 5 days after notice, unless otherwise agreed between the parties.
- (b) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the presiding officer of the County Board to compel the attendance of witnesses.
- (c) After hearing the evidence, the County Board may revoke such license or impose a limited period of suspension. The determination of the County Board shall be final, subject to review under Ch. 68, Wis. Stats., provided the licensee shall not be entitled to a further hearing granted by the County Board.
- (d) The Sheriff's Department shall repossess any license revoked hereunder.
- (e) If the licensee does not apply for a hearing within the time provided, the license may be revoked by the County Board.

12.04 LARGE ASSEMBLIES. (1) INTENT. It is the purpose of the County Board to regulate the assemblage of large numbers of people in excess of those normally needing the health, sanitary, fire, police, transportation and utility services regularly provided in the County, in order that the health, safety and welfare of all persons in the County, residents and visitors alike, may be protected.

(2) LICENSE REQUIRED. (a) No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, provide location for or sell or give tickets to an actual or reasonably anticipated assembly of **750** or more people which continues or can reasonably be expected to continue for 12 or more consecutive hours without twelve (12) consecutive hours whereby the assembly vacates the property upon which the assembly is gathered, whether on public or private property, unless a license to hold the assembly has first been issued by the Jackson County Large Assembly Committee, application for which must be made at least sixty (60) days in advance of the assembly. The Jackson County Large Assembly Committee may accept applications less than sixty (60) days in advance of the assembly, upon a showing of hardship, or unusual circumstances, solely at the discretion of the Jackson County Large Assembly Committee. A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the licensed assembly. Both sponsors of an assembly as well as owners of the property where an assembly takes place shall be required to obtain this license. Owners and sponsors may obtain a license by filing a joint application referred to in (4). This ordinance shall be effective in all unincorporated areas of Jackson County. This ordinance shall not be effective in any incorporated municipality of Jackson County unless the governing body of that incorporated municipality passes an ordinance expressly authorizing the enforcement of this chapter within its corporate boundaries, and forward a copy of said ordinance to the Jackson County Clerk.

(b) As used in this section:

1. Person means any individual, natural human being, partnership, corporation, firm, company, association, society or group.
2. Assembly means a company of persons gathered together at any location at any single time for any purpose.
3. Sheriff shall be defined as the duly elected sheriff and/or his/her designee.
4. Sponsor means any individual, natural human being, partnership, corporation, firm, company, association, society or group that is responsible for organizing an assembly and/or provides the financial resources for an assembly.

(c) The licensee shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly or to violate the Jackson County Prohibition of Noise

Disturbing the Peace Ordinance.

- (d) This section shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.
 - (e) This section shall not apply to government sponsored fairs held on regularly established fairgrounds nor to assemblies required to be licensed by other laws and regulations of the County.
- (3) CONDITIONS FOR ISSUING LICENSE. (a) Determine the maximum number of people who will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number in consideration of the nature of the assembly and provided that, where the assembly is to continue overnight, the maximum number shall not exceed the maximum number in consideration of the nature of the location of the assembly by the zoning or health ordinances of the County.
- (b) Provide proof that the licensee(s) will furnish at his/her own expense before the assembly commences:
 - 1. A fence or such other boundary approved by the Jackson County Large Assembly Committee, completely enclosing the proposed location of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have at least 4 gates, at least one at or near 4 opposite points of the compass with adequate access for emergency vehicles. The property lines of the property subject to the application shall be identified and marked and a site plan shall be submitted to the Jackson County Large Assembly Committee prior to the permit being issued.
 - 2. Potable water meeting all federal and State requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day and water for bathing at the rate of at least 10 gallons per person per day.
 - 3. Separate enclosed toilets for males and females, shall meet federal, state, and local specifications, conveniently located throughout the grounds sufficient to provide facilities for the

maximum number of people to be assembled. Each designated area shall have hand washing sinks with a continuous supply of soap and towels as required by federal, state, or local requirements.

4. A sanitary method of disposing of solid waste in compliance with State and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once a day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task.
5. There shall be provided an enclosed covered structure for medical treatment and there shall be present at all times ambulance service staffed by qualified EMT's. A private telephone line or a reasonable alternative means of communication shall be provided within the medical facility. There may be additional requirements to satisfy this provision in the event the Sheriff of Jackson County deems it necessary. Also there shall be adequate reserved parking for EMS, Law Enforcement, Fire Service Personnel.
6. If the assembly is to continue during areas of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least 5 foot candles, but not unreasonably beyond the boundaries of the enclosed location of the assembly.
7. A free parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons.
8. If the assembly is to continue overnight, camping facilities in compliance with all State and local requirements as set forth in the Wisconsin Administrative Code and County ordinances, sufficient to provide camping accommodations for the maximum number of people to be assembled.
9. Security guards, either regularly employed, duly sworn, off-duty Wisconsin peace officers or private guards, licensed in Wisconsin, and having been previously approved by the Jackson County Sheriff or his/her designee, sufficient to provide adequate security for the maximum number of people to be assembled.

- (a) That a schedule of the deployment of the security guards be submitted to the sheriff and approved by him/her. In the event persons are allowed on the grounds throughout the entire night the Sheriff shall also approve the deployment for those times.
 - (b) That in the event the sheriff so determines that it is necessary to provide additional security he/she may assign regular deputies of the department at the usual rates for regular or overtime hours to the event to be placed inside or outside the grounds as determined by the sheriff and at the expense of the permit holder. That during the event county law enforcement officers shall be permitted access without cost or restrictions to the grounds and may videotape the premises at any time.
 - 10. Fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all State and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and County ordinances and sufficient emergency personnel to efficiently operate the required equipment.
 - 11. All reasonably necessary precautions as required by the Jackson County Sheriff's Department to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.
 - 12. A Ten Thousand Dollar (**\$10,000.00**) cash bond filed with the Jackson County Clerk, which may be used by the County to indemnify person including the County and its Sheriff's Department Personnel which might arise by reason of the granting of this license or which may be used for any cost incurred for law enforcement services or costs incurred in cleaning up or in removal of any waste material produced or left at the assembly grounds and from any cost incurred via the necessary placement of road signs and other safety devices. These costs are defined as those which were deemed necessary by Jackson County officials due solely to the permitted event and would not have been incurred otherwise by Jackson County or others. Jackson County officials shall determine the priority as the municipality or persons to be indemnified.
- (c) The Jackson County Large Assembly Committee may grant an

exception for any requirements required by s. 12.04(3)(b)(1) to (12) if the committee makes a finding that the exception is in the public health, safety and welfare of all persons in the County, residents and visitors alike.

- (4) APPLICATION. (a) Application for a license to hold an actual or anticipated assembly of 750 or more persons shall be made in writing to the Jackson County Large Assembly Committee at least sixty (60) days in advance of such assembly. As stated in (2), licenses are required for both the sponsors and property owners where an assembly takes place. Sponsors and property owners may file individual or joint license applications.
- (b) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant(s) and shall be signed and sworn to or affirmed by a representative of the sponsor of the assemblage as well as a representative of the owner of the property on which the assemblage is scheduled to take place. In the case of the representative of the sponsor of the assemblage, the application shall be signed by the individual making application in the case of an individual, natural human being, by all officers in the case of a corporation, by all partners in the case of a partnership or in the case of an unincorporated association, by all members of such association, society or group. The representative of the owner providing such verification.
- (c) The application shall contain and disclose:
1. The name, age, residence and mailing address of all persons required to sign the application by par. (b) and, in case of a corporation, a certified copy of the articles of incorporation with the name, age, residence and mailing address of each person holding 10% or more of the stock of such corporation.
 2. The address and legal description of all property upon which the assembly is to be held together with the name, residence and mailing address of the record owner of all such property.
 3. The nature or purpose of the assembly.
 4. The total number of days and/or hours during which the assembly is to last.
 5. The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the

assembly, in consideration of the nature of the assembly.

6. The maximum number of tickets to be sold, if any.
7. The plans of the applicant to limit the maximum number of people permitted to assemble.
8. The plans for fencing the location of the assembly and the gates contained in such fences together with a site plan for the event.
9. The plans for supplying potable water, including the source, amount available and location of outlets.
10. The plans for providing toilet and lavatory facilities, including the source, number and location, type and the means of disposing of waste deposited.
11. The plans for holding, collection and disposing of solid waste material.
12. The plans to provide for medical facilities, including the location and construction of a medical structure, the provisions for emergency ambulance service and on-site EMT's. This section may be modified in the event the Sheriff requires additional conditions as specified in Section 3 (5).
13. The plans, if any, to illuminate the location of the assembly, including the source and amount of power and the location of lamps.
14. The plans for parking vehicles including size and location of lots, points of highway access and interior roads, including routes between highway access and parking lots.
15. The plans for communication service, including the source, number and location of such communication services/devices.
16. The plans for camping facilities, if any, including facilities available and their location.
17. The plans for security, including the number of guards, their deployment and their names, addresses, credentials and hours of availability. That a schedule of the deployment of the guards shall be submitted with the application and approved by the Sheriff of Jackson County or his/.her designee. This does not include members of the Jackson County Sheriff's Office on duty

by the request of the Sheriff.

18. The plans for fire protection, including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment.
 19. Emergency plans in the event of severe weather.
 20. The plans for food concessions and concessionaires who will be allowed to operate on the grounds, including the names and address of all concessionaires and their license or permit numbers.
 21. That the fees for the application shall be submitted upon filing the same and shall be \$150.00 flat rate.
- (d) The application shall include the bond required in sub. (3)(b)(12).
 - (e) The applicant(s) shall provide the County Clerk with verification from the town board of the town wherein the event is to be held, certifying that the applicant(s) have/has met all town requirements and that the town has approved and authorized the event.
 - (f) The County Clerk has a deadline of ten (10) business days from the receipt of the completed application to process, make and forward to the Jackson County Large Assembly Committee for a determination to approve or deny the application which must be made within sixty (60) days from the County Clerk receiving the completed application.
- (5) **REVOCAATION.** The license may be revoked by the County Board at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with or if any condition previously met ceases to be complied with.
 - (6) **ENFORCEMENT.** (a) The provisions of this section may be enforced by injunction in any court of competent jurisdiction. The Jackson County Sheriff Department is authorized and directed to administer and enforce the provisions of this ordinance.
 - (b) The holding of an assembly in violation of any provision or condition contained in this section shall be deemed a public nuisance and may be abated as such.
 - (c) Any persons, or organizations who violates sub. (2)(a) or any condition upon which he is granted a license may be subject to a

forfeiture of not less than \$1,000.00 nor more than \$10,000.00. A second and each subsequent violation of this ordinance within a twenty four (24) hour period shall result in a forfeiture of not less than \$1,000.00 nor more than \$10,000.00 plus costs of prosecution and in default of payment thereof, may be incarcerated in the County Jail for not more than 30 days.

- (d) That the Sheriff may suspend the permit at any time for any violations of the ordinance or if he/she deems it necessary to protect the public safety.