

TOWNSHIP OF ORONOKO
COUNTY OF BERRIEN
STATE OF MICHIGAN

ORDINANCE NO 44

An ordinance to amend Ordinance No.9 regarding the licensing, regulating and control, in the interest of the public health, safety and welfare, outdoor gatherings of persons to excess of in number, to provide penalties for violations thereof, and to repeal all ordinances or parts of ordinances in consistent therewith.

THE BOARD OF ORONOKO TOWNSHIP ORDAINS:

SECTION 1.

SECTION 2. DEFINITIONS

A. "Outdoor Assembly" hereinafter referred to as "assembly" ,means any event attended by more than 1000 attendants, all or any part of which includes a theatrical exhibition, public show, display, entertainment, amusement or other exhibition, including but not limited to musical festivals, rock festivals, peace festivals or similar gatherings, but does not mean:

1. An event which is conducted or sponsored by governmental unit or agency on publicly owned land or property; or
2. An event which is conducted or sponsored by an entity qualifying for tax exempt status under Section 501 @ (3), of the Internal Revenue Code for 1954, being 26 U.C. Section 501 @ (3), as incorporated by reference in Section 201 of the Michigan Income Tax Act of 1967, Act 281 of the Public Acts of 1967, being Section 206.201 of the Compiled Laws of 1948; or
3. Any event held entirely within the confines of a permanently enclosed and covered structure.

D. "Attendant" any person who is in attendance at an outdoor assembly.

SECTION 4.

A. The name, age, residence and mailing address of the person making application, (where the person making the application is a partnership, corporation or other association, this information shall be provided for all partners, officers and directors of members). Where the person is a corporation, a copy of the Articles of Incorporation shall be filed, and the names and addresses of directors, officers and local managing agents. If a foreign corporation applies, the authorization to transact business in Michigan must be submitted with the application.

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SECTION 9.

A license shall specify the name and address of the licensee, the kind and location of the assembly, the maximum number of attendants permissible, the duration of the license and any other conditions imposed pursuant to this ordinance. It shall be posted to a conspicuous place upon the premises of the assembly, and shall not be transferred to any other person or location. The granting of this license shall constitute consent of the licensee for the inspection of the premises by any person so authorized by the Township for the purpose of assuring compliance with this ordinance, or any other Township, County or State Law.

SECTION 10.

- J. Access and Traffic Control: The licensee shall provide for ingress to and egress from the premises so such ingress and egress insures the orderly flow of traffic onto and off the premises. Access to the premises shall be from a highway or road which is part of the County System of highways or which is a highway maintained by the State of Michigan. Traffic lanes and other space shall be provided, designated and kept open for access by ambulance, fire equipment, helicopter and other emergency vehicles. Prior to the issuance of a license, the Director of the Department of State Police must approve the licensee's plan for access and traffic control.
- K. The licensee shall provide parking area (off street or highway) sufficient to accommodate all motor vehicles, but in no case shall provide less than one automobile space for every four attendants.
- T. The Township Board may waive certain sections deemed unnecessary to protect the health, safety, welfare and property of attendants or of citizens of the Township of Oronoko. Such requests shall be submitted in writing giving reasons as to why such provisions shall be waived. The Township Board may hold a hearing if deemed necessary.

SECTION 12. Violations: It shall be unlawful for a licensee, his employee or agent to knowingly advertise, promote or sell tickets to conduct or operate assembly without first obtaining a license as herein provided.

SECTION II

All other sections said Ordinance No.9 are hereby reaffirmed and ratified.

SECTION III

This ordinance shall become effective thirty (30) days from and after its adoption and publication.

DATED: DECEMBER 31, 1985

ROBERT PAGEL, SUPERVISOR

ATTESTED:
DORIS WALTON, CLERK

"I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF Ordinance No 44 duly adopted by the Board of Trustees of Oronoko Township, Berrien County, Michigan, on December 10, 1985, and published in the Journal Era, a weekly newspaper published in the Village of Berrien Springs, in the issue of said paper dated the 8th. Day of January, 1986.

DORIS WALTON, CLERK