

**TOWNSHIP OF MELROSE  
MASS GATHERING ORDINANCE  
Ordinance No. 8 of 2001**

AN ORDINANCE TO PROVIDE A LICENSING PROCEDURE FOR MASS GATHERINGS TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE BY PROPER PLANNING FOR AND USE OF TOWNSHIP SERVICES AND PERSONNEL.

THE TOWNSHIP OF MELROSE ORDAINS:

**Section 1. Definitions.**

The following terms, as used in this Ordinance, are hereby defined to mean:

- a. "Licensee" shall mean any person to whom a license is issued pursuant to this Ordinance.
- b. "Mass Gathering" shall mean an organized outdoor event of three hundred (300) people or more held at a single location on either public or private land within the Township; provided, however, a mass gathering shall not include an outdoor event of any size that is sponsored by an elementary or secondary school recognized as such by the State of Michigan.
- c. "Person" shall mean any natural person, partnership, corporation, limited liability company, association, organization, or other legal entity.
- d. "Planning Commission" shall mean the Melrose Township Planning Commission.
- e. "Sponsor" shall mean any person who organizes, promotes, conducts or causes to be organized, promoted or conducted a mass gathering.
- f. "Township" shall mean the Township of Melrose.

**Section 2. License Requirements.**

2.1 Necessity of License

A person shall not sponsor, maintain, conduct, promote or permit a mass gathering in the Township of Melrose without first obtaining a license from the Township for each mass gathering.

2.2 Application for License

No later than seventy-five (75) days before the proposed mass gathering, the sponsor(s) of the mass gathering shall submit in writing an application for a mass gathering license

to the Township Zoning Administrator on such forms and in such manner as the Township prescribes. The application shall contain:

- (1) The name(s), address(es) and telephone number(s) of the proposed mass gathering sponsor(s).
- (2) The date(s) and estimated hours of the proposed mass gathering.
- (3) A description of the kind, character and type of mass gathering proposed.
- (4) The address or location of the site at which the proposed mass gathering will be held, including a written statement from the property owner consenting to the use of his or her property for the proposed mass gathering.
- (5) An estimate of the maximum number of people expected to attend the proposed mass gathering.
- (6) A written statement that indicates how the sponsor(s) plans to provide for the following:
  - (a) Police and Fire Protection.
  - (b) Medical facilities and services, including emergency vehicles and equipment.
  - (c) Food and water supply facilities.
  - (d) Health and sanitation facilities.
  - (e) Vehicle access and parking facilities.
  - (f) Cleanup and waste disposal.
  - (g) Noise Control.
  - (h) Insurance and bonding arrangements.

### 2.3 Application Fee

Each application for a mass gathering license shall be accompanied by a non-refundable fee in an amount established from time to time by the Township Board by resolution.

### 2.4 Action on Application

After receiving an application for a mass gathering license and the appropriate fee, the Planning Commission shall consider the information contained in the application and shall, if necessary, investigate or cause to be investigated the circumstances surrounding the proposed mass gathering, including the suitability of the site for the proposed mass gathering, the length of the proposed mass gathering, the number of people anticipated to attend, whether there is a conflict with other uses of the site, the increased demands on the Township and County police and Township fire department

and emergency medical resources, and the sponsor's plan to provide adequate food and water facilities, bathroom facilities, disposal of solid waste and garbage and vehicle parking and access to the site. Within forty-five (45) days after receiving an application for a mass gathering license, the Planning Commission shall recommend to the Township Board approval of the mass gathering license, unless after considering the above factors, it finds by a preponderance of the evidence that holding the mass gathering as proposed in the application would be detrimental to the public health, safety and welfare of the Township. The Township Board shall approve the application for a mass gathering license within twenty (20) days after receiving the Planning Commission recommendation, unless after considering the above factors, it finds by a preponderance of the evidence that holding the mass gathering as proposed in the application would be detrimental to the public health, safety and welfare of the Township. If the Township Board denies a mass gathering license, the Township Clerk shall send written notice of the denial, including the reasons for the denial, to the sponsor(s) by certified mail within five (5) days of the denial decision.

### **Section 3. Exemption from County Mass Gathering Ordinance.**

It is the express intent of the Township of Melrose that all mass gatherings held within the Township shall be governed by this Ordinance and shall therefore be exempt from the provisions of the Charlevoix County Mass Gathering Ordinance.

### **Section 4. Violations**

#### 4.1 Municipal Civil Infractions

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600-101.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this ordinance is violated shall be considered as a separate violation.

#### 4.2 Enforcement Official

The Township Supervisor and Zoning Administrator are hereby designated as the authorized township officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

#### 4.3 Nuisance Per Se

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

#### 4.4 Civil Remedies

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Township may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

**Section 5. Severability**

If any portion of this Ordinance or the application thereof to any person or circumstances shall be found to be invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions or applications of this Ordinance which can be given effect without the invalid portion or application, provided such remaining portions are not determined by the court to be inoperable, and, to this end, this Ordinance is declared to be severable.

**Section 6. Repeal.**

Melrose Township Ordinance #4 (Mass Gathering Ordinance) enacted by the Township Board March 10, 1981 is hereby repealed in its entirety.

**Section 7. Effective Date.**

This Ordinance shall become effective thirty (30) days after being published in a newspaper of general circulation within the Township.

TOWNSHIP OF MELROSE

By: \_\_\_\_\_  
Michael Webster, Supervisor

By: \_\_\_\_\_  
Annette Longcore, Clerk