

**AN ORDINANCE LICENSING AND REGULATING
EXHIBITIONS AND SHOWS**

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**THE COUNTY BOARD OF STEVENS COUNTY
ORDAINS:**

I. General Provisions.

- A. Title: This Ordinance from the date of its passage shall be entitled:

AN ORDINANCE LICENSING AND REGULATING
EXHIBITIONS AND SHOWS

- B. Purpose: The purpose of this Ordinance shall be to regulate and license itinerant shows, carnivals, circuses, endurance contests, rock festivals, music festivals and exhibitions as hereinafter defined in the unincorporated areas of Stevens County and to promote the general health, safety and welfare of all persons in Stevens County, residents and visitors alike.
- C. Legal Authority: This Ordinance is enacted pursuant to Minnesota Statutes 375.40 entitled, County Board May License Exhibitions and Shows.
- D. Sections and Provisions to Have Independent Existence. All Sections and Provisions of this Ordinance have an independent existence and, should any Section or Provision be declared invalid or unconstitutional by a Court of competent jurisdiction, it is the intent that any Section or Provision so declared shall be severable from and shall not affect the validity of the remainder of the Ordinance.

II. Definitions.

- A. "Exhibitions and Shows". The phrase "Exhibitions and Shows" means all itinerant shows, carnivals, circuses, endurance contests, rock festivals, music festivals and any exhibitions of any nature whatsoever. The phrase "Exhibitions and Shows" does not mean, and this Ordinance shall not apply to: (1) auctions conducted by a licensed auctioneer, (2) any regularly established permanent place of worship, (3) stadiums, athletic fields, arenas, auditoriums, coliseums, or other similar permanently established places where shows or exhibitions are held. The phrase "Exhibitions and Shows" does not mean, and this Ordinance does not regulate, government sponsored fairs held on regularly established fair grounds.
- B. "Person". "Person" means any individual, natural human being, partnership, corporation, firm, company, association, society or group.
- C. "Assemblage". "Assemblage" means a group or company of persons gathered together at any location, at any single time.

- III. License Required. No exhibitions or shows shall be held and no person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to any exhibition or show of any nature which exhibition or show continues or is planned to continue eight or more consecutive hours and which causes an assemblage, or which can reasonably be anticipated to cause an assemblage of five hundred (500) or more people, without first obtaining a license therefore from the Board of County Commissioners of Stevens County.
- IV. Procedure and Requirements.
- A. Applications for license shall be made in writing to the Board of Commissioners of Stevens County at least thirty (30) days in advance of the commencement of the show or exhibition. The application must be accompanied by certified copies of all other necessary State of Minnesota, Stevens County and Township licenses or permits to support the application. When a license is granted to one person, any other person is entitled to engage in any lawful activity in connection with the holding of the licensed show or exhibition.
- B. Before a license may be issued, the applicant must determine the maximum number of people which will be assembled or admitted to the location of the show or exhibition, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the show or exhibition in consideration of the nature of the show or exhibition and provided that, where the assembly is to continue overnight, together with the show or exhibition, the maximum number shall not be more than is allowed to sleep within the boundaries of the location of the show or exhibition by the zoning or health ordinances of the County of Stevens, or the regulations of the Minnesota State Board of Health or of the Township wherein such show or exhibition is to be held.
- C. At the time the application for license is submitted, the sponsor will provide a plan including the provisions herein for the operation of the show or exhibition. Ten days prior to the start of the show or exhibition, local authorities will inspect to determine whether the requirements of these provisions have been substantially met. The following provisions shall be required for all shows or exhibitions:
1. A fence (sufficient to prevent ingress and exit except at established gates) 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 show grounds, which fence shall have at least four gates, at least one at or near four opposite points of the compass.

2. Potable water, meeting all federal and state requirements for sanitary quality, sufficient to provide drinking water for the maximum number of people to be assembled to observe the show, at the rate of at least one gallon per person per day.
3. 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 in accordance with the Minnesota State Board of Health Regulations and Standards.
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 each day of the show or exhibitions continuance, and sufficient trash containers and personnel to perform tasks required.
5. If the show or exhibition is to continue during hours of darkness, or the people in attendance to observe shall continue to be assembled during hours of darkness, upon the grounds where the show or exhibition is being held, illumination sufficient to light the entire area of the assembly shall be provided but not to shine unreasonably beyond the boundaries of the enclosed location of said show or exhibition.
6. If the show or exhibition is to continue during the hours or darkness, or the people in attendance to observe shall continue to assemble during hours of darkness, upon the grounds where the show or exhibition is being held, camping facilities in compliance with all state and local requirements as set forth in Minnesota Statutes and Regulations and Ordinances of this County, sufficient to provide camping accommodations for the maximum number of people to be assembled to observe the show or exhibition.
7. Security and traffic control plan which will meet the requirements of local authorities and the Minnesota Department of Public Safety. Regularly employed off duty Minnesota Law Enforcement officers, or other approved security officers, sufficient to provide adequate security for the maximum number of people to be assembled for the purpose of viewing the show or exhibition.
8. Administrative control center with telephones where local authorities can contact the sponsors and law enforcement personnel inside the area

where the show or exhibition is being conducted.

9. A bond, filed with the County Auditor of Stevens County, either in cash or underwritten by a surety company licensed to do business in Minnesota in the minimum amount of One Hundred Thousand (\$100,000.00) Dollars, which shall indemnify and hold harmless the County of Stevens, or any of its agents, officers, servants, and employees from any liability or causes of action which might arise by reason of granting this license, payment of employees, or services rendered by the granting authority, including the cost of extraordinary police protection or fire protection and from any cost incurred in cleaning up any waste material produced or left by the people in attendance at said show or exhibition.

10. Physicians and nurses licensed to practice in Minnesota sufficient to provide the average medical care enjoyed by resident of Minnesota for the maximum number of people to be assembled at the rate of at least one physician and nurse for every one thousand (1,000) people, together with an enclosed covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least two emergency ambulances with attendants for each one thousand (1,000) people.

11. A free parking area inside 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.

12. Fire protection to be provided by the sponsor including, but not limited to, the following: fire alarms, extinguishing devices, fire lanes. Such fire protection shall be sufficient to meet all applicable State laws and local regulations which are in effect, or may be set forth by the political subdivision concerned. Sufficient emergency personnel to efficiently operate the required equipment shall be provided by the sponsor.

13. All reasonable necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly.

D. An application for a license under the terms hereof, shall be processed within twenty days of receipt and shall be issued if all conditions are substantially complied with. The license may be revoked by the governing body of this county at any time if any of the conditions necessary for the issuance of or contained in the license are not complied with, or if any conditions previously met cease to be complied with.

- E. The application for the license to conduct a show or exhibition regulated herein, shall be on a form furnished by the County Auditor of the County of Stevens, said form to be completed by the sponsor of the show or exhibit, under oath, and signed by the applicant. The application form shall contain and require to be disclosed the following matters:
1. The name, age, residence and mailing address of the applicant if an individual, and the officers of the corporation, if applicant is a corporation, and by all partners if the applicant is a partnership, by all officers of a non-incorporated association, society or club or if there are no officers, by all members of such association, society, or club.
 2. The address and legal description of all property upon which the show or exhibition is going to be held.
 3. The names and addresses of the record owners of the land where said show or exhibition is going to be held.
 4. The nature and purpose of the show or exhibition.
 5. The maximum number of persons which the applicant shall permit to assemble at any time, for purposes of observing the show or exhibition and the total number of days and/or hours during which the show or exhibition is held.
 6. The maximum number of tickets, if any, which will be sold.
 7. Plans of the applicant to limit the maximum number of people permitted to assemble for purposes of observing the show or exhibition.
 8. The plans for controlling and parking vehicles of the persons assembling to observe the show or exhibition.
 9. The plans for security including the number of guards, their deployment, their names, addresses, credentials and hours of availability.
 10. The Plans for sound control, if applicable, and sound amplification, if any, including number, location and power of amplifiers and speakers.
 11. The plans for food and/or beverage concessions and concessioner's who will be allowed to operate on the grounds including the names and addresses of all concessioner's and their license or permit numbers.
 12. The plans and provisions therein contained as is required by Section

IV-C of this Ordinance.

- V. **Fee.** The fee for the granting of a license herein shall be the sum of Five Hundred and no/100 (\$500.00) Dollars payable to the County Auditor at the time of the filing of the application for a license. The fee in no event shall be refundable to the applicant.
- VI. **Enforcement.**
- A. Injunction. The provisions of this Ordinance may be enforced by injunction in any court of competent jurisdiction, by any person, and the holding of an exhibition or show in Stevens County, whether on public or private land, in violation of any provisions or conditions contained herein, shall be deemed a public nuisance and may be abated as such.
- B. Penalty. The holding of any exhibition or show without having first obtained a license therefore, or the violation of any of the provisions of this Ordinance, shall be punishable as a misdemeanor under the laws of the State of Minnesota.
- C. Bond Forfeiture. Any person who violates Section III or who violates any conditions upon which a license is granted, will forfeit an appropriate amount from the bond required in Section IV C 9 of this Ordinance. No portion of the bond will be released to the licensee until all provisions of the license agreement have been met.
- VII. Effective Date. This Ordinance shall be in full force and effect upon due passage and publication according to law.

Passed this 7th day of August 1978.

ATTEST: Richard Bluth, Stevens County Auditor

Signed by: Paul W. Larson,
Chairman, Stevens County Board of Commissioners,
Minnesota.