

**BLUE LAKE TOWNSHIP  
MASS GATHERING ORDINANCE # 09052012-1**

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

THE TOWNSHIP OF BLUE LAKE ORDAINS:

**Section 1. Definitions.**

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

- a. "Permit holder" shall mean any person to whom an approval is issued pursuant to this Ordinance.
- b. "Mass gathering" shall mean an organized outdoor event of two hundred fifty (250) 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 event sponsored by the Township itself, and/or garage/yard sales held at private residences, churches, or civic organizations occurring entirely upon the grounds of said private residence, church or organization.
- c. "Person" shall mean any natural person, partnership, corporation, Limited Liability Company, association, organization or other legal entity.
- d. "Sponsor" shall mean any person who organizes, promotes, conducts or causes to be organized, promoted or conducted, a mass gathering.
- e. "Sketch Plan" shall mean a composite drawing on a Township Map that identifies the specific locations of each required amenity and layout of the specific site which includes all requirements of an application.
- f. "Township" shall mean the Township of Blue Lake.

**Section 2. Permit Requirements.**

**2.1 Necessity of Permit.**

A person shall not sponsor, maintain, conduct, promote or permit a mass gathering in the Township without first obtaining a permit from the Township for such mass gathering. In addition, a person shall not sponsor, maintain, conduct, promote or permit an organized outdoor event of any size in conjunction with or on the same date and at the same location as a mass gathering without first being included in the application of and being included on the approved permit for the mass gathering.

**2.2 Application for Permit**

No less than sixty (60) days before the proposed mass gathering, except as provided for in Section 2.6 , the sponsor(s) of the mass gathering shall submit in writing an application for a

mass gathering permit to the Townships Zoning Administrator on such forms and in such manner as the Township prescribes.

The application shall contain at least:

- (1) The name(s), addresses(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 the 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 that meet Kalkaska County Health Department Requirements;
  - (e) Vehicle access and parking facilities;
  - (f) Cleanup and waste disposal;
  - (g) Noise control;
  - (h) Insurance and bonding arrangements
- (7) A sketch plan shall be included with the application which shows at a minimum areas of staging, parking, sanitation facilities, emergency corridors and first-aid stations, ingress and egress locations, crossing areas, waste disposal, food and water facilities and resources;
- (8) The applicant should have the signatures from all required entities listed below that they have been notified of the applications plan and layout as presented:
  - (a) District Health Department
  - (b) Blue Lake Fire and Rescue Department
  - (c) Kalkaska County Sherriff Department

### 2.3 Application Fee

Each application for a mass gathering permit shall be accompanied by a non-refundable fee in an amount established by the Township Board as established in the Township's Schedule of Fees.

### 2.4 Action on Application

After receiving an application for a mass gathering permit and the appropriate fee(s), the Townships Zoning Administrator or his/her appointee, shall review and 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 police, fire department and emergency medical resources, and the sponsor's plans to provide adequate food and water facilities, bathroom facilities, disposal of solid waste and garbage and vehicle parking, access and pedestrian routes to and within the site. Prior to granting the permit, the Zoning Administrator and Supervisor may, in such officer's sole discretion, seek guidance from the Township Board as to the terms and conditions necessary for the issuance of said permit.

Within forty five (45) days after receiving a completed application for a mass gathering permit; the Zoning Administrator shall approve the application and issue the mass gathering permit, unless he or she finds that holding the mass gathering as proposed would be detrimental to the public health, safety and welfare of the Township. If the Zoning Administrator denies a mass gathering permit, the Zoning Administrator 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.

The Zoning Administrator may attach reasonable conditions to the issuance of such permit which said officer, in his or her sole discretion, deems necessary to protect the public health, safety and welfare.

## 2.5 Requirement for Applicant's Reimbursement to the Township.

- (a) Cost determination – During the Zoning Administrator review, determination of the estimated cost to the Township in means of service or personnel shall be calculated and the applicant shall be responsible for reimbursement to the Township for the estimated cost. Since most events are customarily held on weekends, overtime rates shall be used in the calculation for all events held on weekends. The estimate shall not include the Townships regularly scheduled activities or personnel schedules that would normally be scheduled on the specific date(s).
- (b) Reimbursement requirement for Township employees. – Reimbursement shall be based on actual cost associated to the specific employees.
- (c) Reimbursement requirement for Township equipment or supplies. – Reimbursement to the Township for equipment, vehicles or supplies and services such as refuse disposal cost and vehicles shall be based on actual cost of equipment or services.
- (d) Reimbursement Payment to the Township – All cost reimbursement due to the Township must be paid in full within not more than 30 days after the final date of the event. The Township shall use any legal means necessary to collect any unpaid cost reimbursements. The Zoning Administrator may require the applicant to post an appropriate performance bond or cash security deposit based on estimated cost as a condition of granting the permit. If in said Zoning Administrators sole discretion, such performance bond or cash security deposit is necessary to ensure the Township will be reimbursed for its cost as provided for in this ordinance.

## 2.6 Waiver

The Zoning Administrator may waive the requirement in Section 2.2 that application for a permit be filed no less than 60 days before the proposed mass gathering if circumstances make it impossible for the applicant to comply. It is the express intent of the Township of Blue Lake that all mass gatherings held within the Township shall be governed by this ordinance and shall therefore be exempt from provisions of any similar County ordinances not specifically adopted by the Township Board. The Zoning Administrator may accept or

reject any review, decision, determination or recommendation by Kalkaska County or its officers for any event held or to be held within the Township limits.

**Section 3. Appeals Process.**

The applicant may appeal any decision of the Blue Lake Township Zoning Administrator as the Township Enforcement Officer to the Township Board. All such appeals shall be filed and heard prior to the event's occurrence. No appeal of the costs imposed by this Ordinance shall be considered for any event after the event's occurrence. The Township Board's decision shall be final.

**Section 4. Effective Date.**

This ordinance shall become effective upon publication in accordance with law.

At a regular meeting of the Blue Lake Township Board held on September 5, 2012. Almose moved for adoption of the foregoing ordinance and Shaw supported the motion.

Voting for: Almose, Shaw, Shoemaker

Voting against: Nichol, McCulloch

The Township supervisor declared the ordinance adopted.

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Dean McCulloch, Township Supervisor

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Tracy Nichol, Township Clerk