

## ORDINANCE #16

Kanabec County Ordinance No. 16 is an Ordinance regulating itinerant shows, carnivals, circuses, endurance contests and exhibitions of any nature whatsoever, prohibiting their occurrence without a license therefore, and providing penalties for the violation thereof.

**WHEREAS**, it is the judgment of the Kanabec County Board of Commissioners that it is desirable to license and regulate exhibitions to be held in this County that can reasonably be expected to attract more than one thousand (1000) observers and/or participants,

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of Kanabec County, Minnesota, that in order to protect the health, safety and welfare of all persons in Kanabec County, residents and visitors alike, that no persons shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets or admissions to an exhibition, show or assemblage with an expected duration of four (4) hours or more which has an admission charge, which exhibition, show or assemblage can reasonably be expected to cause an assembly of one thousand (1000) or more people, without first obtaining from the County of Kanabec a license to conduct or continue such exhibition, show or assemblage, said license to be subject to the following terms and conditions, to-wit:

1. Application for the license must be made at least sixty (60) days in advance of the commencement of the show or exhibition. The application must be accompanied by certified copies of all other necessary Minnesota state 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 licenses show or exhibition.
2. 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, if any relating thereto now or hereafter exist, or health ordinances of the County of Kanabec and the regulations of the Minnesota state Board of Health.
3. At the time the application for the license is submitted, the sponsor will provide a plan, including the provisions herein, for the operation of the show or exhibition. Local authorities will inspect to determine whether the requirements of these provisions have been substantially met. As a minimum the plan must include the following:
  - a. A fence 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 (4) gates, at least one at or near four opposite points of the compass.
  - b. Portable 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 (1) gallon per person per day.
  - c. 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.

- d. 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 pounds 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 exhibition's continuance and sufficient trash containers and personnel to perform tasks.
- e. 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.
- f. 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, 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.
- g. 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.
- h. 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.
- i. Sufficient surety to indemnify and hold harmless the County of Kanabec, 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 and from any cost incurred in cleaning up any waste material produced or left by the people in attendance at said show or exhibition.
- j. The County Board shall act on the application no later than thirty (30) days prior to the scheduled event.
- k. In the event that the license is denied or revoked, the County shall institute within fifteen (15) days therefrom, proceedings for a temporary or permanent injunction to restrain the proposed event.
- l. In addition to the injunctive remedies, violation of this Ordinance shall be punishable by 90 days incarceration in the Kanabec County Jail or a \$700.00 fine for each day of the violation.

**RESOLVED FURTHER,** That application for the license to conduct a show or exhibition regulated hereunder, shall be on a form furnished by the County Auditor of the County of Kanabec, said form to be completed by the sponsor of the show or exhibition, under oath, and signed by said applicant. The application form shall contain and require to be disclosed the following matters, to-wit:

- a. The name, age, residence and mailing address applicant if an individual, and the officers corporation, if applicant is a corporation.
- b. The address and legal description of all property upon which the show or exhibition is going to be held.
- c. The names and addresses of all persons owning the land where said show or exhibition is going to be held.
- d. The nature and purpose of the show or exhibition
- e. The maximum number of persons which the applicant shall permit to assemble at any time, for purposes of observing the show or exhibition.
- f. The maximum number of tickets, if any, which will be sold.
- g. Plans of the applicant to limit the maximum number of people permitted to assemble for purposes of observing the show or exhibition.
- h. The plans for controlling and parking vehicles of the persons assembling to observe the show or exhibition.
- i. The plans for security including the number of guards, their deployment, their names, addresses, credentials and hours of availability.
- j. The plans for sound control, if applicable, and sound amplification, if any, including number, location and power of amplifies and speakers.
- k. The plans for food concessions and concessionaires who will be allowed to operate on the grounds including the names and addresses of all concessionaires and their license or permit numbers.

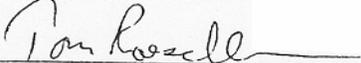
**RESOLVED FURTHER**, that there shall be a \$50.00 application fee which shall be submitted by the applicant with the application.

**RESOLVED FURTHER**, This resolution shall not apply to any stadium, auditorium, or permanent building of worship which has the capacity to hold within its confines, the maximum assemblage which can reasonably be expected to attend anyone event or service. This resolution shall not apply to government sponsored fairs held on regularly established fair grounds.

**RESOLVED FURTHER**, That all ordinances/resolutions heretofore adopted in conflict with the terms of this Ordinance are, to the extent of such conflict, deemed repealed hereby and superseded by this Ordinance.

**RESOLVED FURTHER**, that this Ordinance shall take effect and be in force from and after July 2, 1992.

Adopted this 24th day of June, 1992.

  
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Chairman of County Board  
Kanabec County, Minnesota