

CHAPTER 12

LICENSES AND PERMITS

12.01	Licenses Required
12.02	General Provisions as to Licenses
12.03	Solicitors and Canvassers
12.04	Large Assemblies
12.05	Facility Use Policy (Ord.3-2003)
12.10	Penalty

LICENSES AND PERMITS

LICENSES AND PERMITS 12.01 (Rev. Ord. 2-2008)

12.01 LICENSES REQUIRED. A license shall be required for each of the following businesses or activities at the indicated license fee, which shall be for one year unless otherwise indicated:

- (1) **SOLICITORS AND CANVASSERS.** \$_____.
- (2) **LARGE ASSEMBLIES.** \$100 for each day of the event.
- (3) **COUNTY FAIRGROUNDS.**
See Fairgrounds Use Policy.

LICENSES AND PERMITS

12.02 GENERAL PROVISIONS AS TO LICENSES.

(1) **LICENSES OR PERMITS REQUIRED.** No person shall engage in any trade, profession, business or activity in the County for which a license or permit is required by any provision of this Code without first obtaining such license or permit from the County in the manner provided in this section, unless otherwise specifically provided.

(2) **APPLICATION.** Unless otherwise provided, application for a license or permit shall be made in writing to the County Clerk upon forms provided by the County and applicant shall state the location of the proposed activity and such other facts as may be required for or be applicable to the granting of such a license or permit.

(3) **PAYMENT OF FEE.** The fees required for any license or permit shall be paid at the office of the County Clerk before the granting of the license or permit. No fee paid shall be refunded unless the license or permit is denied.

(4) **BOND AND INSURANCE.** All required bonds shall be executed by 2 sureties or a surety company and be subject to the approval of the County Board. Where policies of insurance are required, such policies shall be approved as to substance and form by the District Attorney. Satisfactory evidence of coverage by bond or insurance shall be filed with the County before the license or permit is issued.

(5) **APPROVAL OR DENIAL OF LICENSES.**

(1) Where the approval of any County or State officer is required prior to the issuance of any license or permit, such approval shall be presented to the County before any license or permit is issued.

(6) **CERTIFICATE.** Licenses or permit certificates shall show the name of the licensee or permittee, the date of issue, the activity licensed and the term of the license or permit. The Clerk shall keep a record of all licenses and permits issued.

(7) **TERMS.**

(a) Unless otherwise provided, the license year shall end on June 30 of each year.

(b) Where the issuance of licenses for a period of less than one year is permitted, the effective date of such license shall commence with the date of issuance.

(c) Permits shall be issued for the term set forth in the permit.

(8) **EXHIBITION OF CERTIFICATE.** Every licensee or permittee shall carry his license or permit certificate upon his person at all times when engaged in the activity for which the license or permit was granted, except that where such activity is conducted at a fixed place or establishment, the license or permit certificate shall be exhibited at all times in some conspicuous place in his place of business. The licensee or permittee shall exhibit the license certificate when applying for a renewal and upon demand of any law enforcement officer or person representing the issuing authority.

LICENSES AND PERMITS

(9) **TRANSFER.** Unless otherwise provided, no license or permit shall be transferable or assignable.

(10) **INSPECTION.** County officials may enter upon the premises where any licensed or permitted activity is being conducted for the purpose of inspection at any reasonable time.

(11) **REVOCATION AND SUSPENSION OF LICENSES.**

(a) Except as otherwise provided, any license issued under this chapter may be revoked for cause by the County Board. No license shall be revoked except upon written verified complaint filed with the County Board by the Chairman, a member of the County Board, the Sheriff or a resident of the County. The licensee shall be served with a written copy of the charges and shall be given an opportunity to be heard before the County Board. The licensee shall be given notice of such hearing, which shall be not more than 20 nor less than 5 days after notice, except as otherwise agreed between the parties.

(b) At such hearing, the licensee shall be entitled to be represented by counsel, shall have the right to present and cross-examine witnesses and, upon request, may have subpoenas issued by the County Board Chairman or presiding officer of the Board to compel the attendance of witnesses.

(c) After hearing the evidence, the Board may revoke such license or impose a limited period of suspension. The determination of the County Board shall be final, subject to review under Ch. 68, Wis. Stats.

(d) The Sheriff's Department shall repossess any license revoked hereunder.

(e) If the licensee does not apply for a hearing within the time provided, the license may be revoked by the County Board.

LICENSES AND PERMITS 12.03

12.03 SOLICITORS AND CANVASSERS.

(1) No person shall go on to any private residence, apartment or premises in the County for the purpose of soliciting from the occupants thereof; canvassing for orders for goods, wares, merchandise or services of any character or description; offering to give or to furnish or giving or furnishing any goods, wares, merchandise or services to any such occupants; or inducing or inviting such orders, without first having applied for and received from the County Sheriff's Department a solicitor's permit to do so.

(2) The terms of this section shall not be held to include newsboys; the acts of resident merchants, businessmen, insurance agents or employees residing in the County in taking orders in the houses of their customers for goods held by them in stock at established places of business within the County or at established agencies; the acts of such merchants, businessmen and employees in delivering such goods, merchandise or insurance policies in the regular course of business; to solicitations or sales made by residents of the County for charitable purposes; nor shall it apply to farmers or truck gardeners residing in the State, who shall vend, sell or dispose of or offer to sell, vend, dispose of the products of the farm or garden occupied or cultivated by him, provided further that nothing contained in this section shall be held to prohibit any sale required by statute or by order of any court, or to prevent any person from conducting a bona fide auction sale pursuant to law.

(3) Any person desiring to secure such a solicitor's permit shall apply therefore in writing to the Sheriff's Department on forms provided by the County and such application shall state:

(a) The name and address of the applicant.

(b) The name and address of the person by whom employed.

(c) The length of service of such applicant with such employer.

LICENSES AND PERMITS

- (d) The place of residence and nature of the employment of the applicant during the last preceding year.
- (e) The nature or character of the goods, wares, merchandise or services to be offered by the applicant.
- (f) The personal description of the applicant. Such application shall be accompanied by such credentials and other evidence of the good moral character and identity of the applicant as may be reasonably required by the Sheriff's Department.

(4) No solicitor's permit under this section shall be issued to any person until that person's fingerprints are on file with the County Sheriff's Department.

(5) If the County Sheriff's Department shall determine after reasonable investigation that the applicant is of good moral character and proposes to engage in a lawful and legitimate commercial or professional enterprise, he shall then issue the permit applied for, which permit shall expire on December 31 of the year in which such permit shall have been issued.

LICENSES AND PERMITS 12.04 (Rev. Ord. 2-2008)

12.04 LARGE ASSEMBLIES.

(1) PURPOSE AND INTENT.

(a) It is the purpose of the County Board to regulate the assemblage of large numbers of people in excess of those normally needing the health, sanitary, fire, police and utility services regularly provided in the County, in order that the health, safety and welfare of all persons in the County, residents and visitors alike, may be protected.

(b) It is the intent herein that all subsections of this section have an independent existence and should any subsection be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the Board that any subsection or provision so declared shall be severable from and shall not affect the remainder of this chapter.

(2) LICENSE REQUIRED.

(a) No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an actual or reasonably anticipated assembly of 3,000 or more people which continues or can reasonably be expected to continue for 18 or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by the County Clerk. Application for a license shall be made at least 90 days in advance of such assembly. A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.

(b) As used in this section:

1. Person means any individual natural human being, partnership, corporation, firm, company, association, society or group.

2. Assembly means a company of persons gathered together at any location at any single time for any purpose.

(c) A separate license shall be required for each event and each location in which 3,000 or more people assemble. The fee for each license shall be as provided in 12.01 of this chapter.

LICENSES AND PERMITS

(d) A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people.

(e) If the event involves sound systems, the license shall stipulate reasonable hours allowed for the use of the sound systems during the assembly.

(f) This section shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed by more than 250 people the maximum seating capacity of the structure where the assembly is held.

(g) This section shall not apply to government sponsored fairs held at regularly established fairgrounds nor to assemblies required to be licensed by other regulations of the County.

(3) CONDITIONS FOR ISSUING LICENSE. Before a license may be issued, the applicant shall first:

(a) Determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly.

(b) Provide proof that he will furnish at his own expense before the assembly commences:

1. Fencing, or natural barriers such as vegetation, rivers, lakes or wetlands to adequately enclose the proposed location of sufficient height and strength, or width to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, and an adequate number of gates to allow for safe ingress and egress from the grounds.

2. Potable water meeting all federal and State requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled.

3. Separate enclosed toilets for males and females meeting all State and local specifications, and portable toilets, as required by the WI Division of Health conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled, together with an efficient, sanitary means of disposing of waste matter deposited which is in compliance with all State and local laws and regulations. A lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet.

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, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task.

5. Physicians and nurses licensed to practice in Wisconsin sufficient to provide urgent medical care for the maximum number of people to be assembled, together with an enclosed covered structure where treatment may be rendered and contractual arrangements for the sufficient provision of ambulance

LICENSES AND PERMITS

service during the event.

6. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.

7. An off-street parking area inside of the assembly grounds or adjacent to the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled. If the parking area is not contiguous to the assembly grounds, a shuttle service from the off premise parking area to the assembly grounds.

8. Telephones connected to outside lines sufficient to provide service for the maximum number of people to be assembled and/or identification of the location on the grounds where there is cell phone reception available, if any.

9. If the assembly is to continue overnight, camping facilities in compliance with all State and local requirements as set forth in the Wisconsin Administrative Code and ordinances of the County, sufficient to provide camping accommodations for the maximum number of people camping.

10. Security guards, either regularly employed, duly sworn, off duty Wisconsin peace officers or private guards, licensed in Wisconsin, sufficient to provide adequate security for the maximum number of people to be assembled and contractual arrangements for the sufficient provision of security during the event as approved by the Sheriff's Department.

11. Fire protection, including alarms, extinguishing devices and fire lanes and escapes, and a severe weather warning system sufficient to meet all State and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and ordinances of the County and sufficient emergency personnel to efficiently operate the required equipment.

12. All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the boundaries of the location of the assembly.

13. If alcohol is to be served, provisions for an enclosed, secured, monitored area for the purposes of preventing the sale and distribution of alcohol to underage persons, as approved by the Sheriff's Department.

14. A bond filed with the County Clerk, either in cash or underwritten by a surety company licensed to do business in Wisconsin at a per/person rate to be determined by the Water and Land Use Planning Committee after consultation with affected agencies for the maximum number of people permitted to assemble, which shall indemnify and hold harmless the County 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 and from any cost incurred in cleaning up any waste material produced or left by the assembly and any out of pocket expenses that may be incurred or paid by government agencies, including but not limited to sheriff, fire, ambulance, public health, and zoning.

15. A certificate of liability insurance in the amount of \$1,000,000 each occurrence/\$1,000,000 personal injury for coverage of injuries to persons and/or damage to property during the event.

LICENSES AND PERMITS

16. The event coordinator and/or any other vendor selling goods or services are responsible to obtain and provide copies of licenses and/or approvals from the Division of Health, DATCP, and any other state or local agency and comply with said requirements at the time of inspection.

(4) APPLICATION.

(a) Application for a license under this section shall be made in writing to the County Clerk at least 90 days in advance of such assembly.

(b) The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application, in the case of a natural person, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group or, if there are no officers, by all members of such association, society or group.

(c) The application shall contain and disclose:

1. The name of the person responsible to obtain the license for the event and who is authorized to provide the information required. Also, the name, age, residence and mailing address of all persons required to sign the application in par. (b) and, in the case of a corporation, a certified copy of the articles of incorporation, together with the name, age, residence and mailing address of each person holding 10% or more of the stock of such corporation.

2. The address and legal description of all property upon which the assembly is to be held, together with the name, residence and mailing address of the record owners of all such property.

3. Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owners of all such property that the applicant has permission to use such property for an assembly of 3,000 persons.

4. The nature or purpose of the assembly.

5. The total number of days and/or hours during which the assembly is to last.

6. The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of the municipality if the assembly is to continue overnight.

7. The maximum number of tickets to be sold, if any.

8. The plans of the applicant to limit the maximum number of people permitted to assemble.

9. The plans for fencing the location of the assembly and the gate contained in such fence.

10. The plans for supplying potable water, including the source, amount available and location of outlets.

LICENSES AND PERMITS

11. The plans for providing toilet and lavatory facilities, including the source, number and location, type and the means of disposing of waste deposited. Copies of the application for a Division of Health license or evidence of notification of the Division of Health regarding the number and location of portable toilets.

12. The plans for holding, collection and disposing of solid waste material. Copies of the contract with the licensed solid waste disposal service.

13. The plans to provide for medical facilities, including the location and construction of a medical structure, the names and addresses and hours of availability of physicians and nurses, and provisions for emergency ambulance service. Copies of the contract for provisions of these services.

14. The plans, if any, to illuminate the location of the assembly, including the source and amount of power and the location of lamps.

15. The plans for parking vehicles, including size and location of lots, points of highway access and interior roads, including routes between highway access and parking lots, and plans for provision of a shuttle service or other safe means of transporting people from off premise parking areas to the assembly grounds.

16. The plans for telephone service, including the source, number and location of telephones.

17. The plans for camping facilities, if any, including facilities available and their location. Copies of the application for a Division of Health license or evidence of notification of the Division of Health regarding the number, location, and layout of camp sites.

18. The plans for security, including the number of guards, their deployment and their names, addresses, credentials and hours of availability. Copies of the contract for provisions of these services.

19. The plans for fire protection, including the number, type and location of all protective devices, including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment. The plans for notification of severe weather and tornado watches and warnings.

20. The plans for sound control and sound amplification, if any, including number, location and power of amplifiers and speakers.

21. If alcohol is to be served, plans for an enclosed, secure area and provisions for monitoring ingress and egress to the secure area for purposes of preventing the sale and distribution of alcohol to underage persons.

22. The plans for food or dairy product 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. Copies of the application for a Division of Health and/or Department of Agriculture, Trade, and Consumer Protection (DATCP) license or evidence of notification of the Division of Health and/or DATCP regarding the number, name, and type of vendors. Plans for selling of liquor, beer, or wine. Copies of the liquor, beer or wine license applications.

LICENSES AND PERMITS

(d) The application shall include the bond and certificate of insurance required in subpart (3)(b)13 & 14. and the license fee.

(5) ISSUANCE.

(a) Upon receipt of an application for a license under this section, the County Clerk shall:

1. Notify the County Zoning Administrator of the application and shall provide the administrator with a copy thereof.

(b) Upon receipt of notification of application, the County Zoning Administrator shall:

1. Investigate the application to determine whether there is full compliance with the requirements of subs. (3) and (4) and report to the Water and Land Use Planning Committee prior to its hearing and review.

2. Notify all landowners within 300' of all proposed sites in the application and advise them of the application and hearing and review by the Water and Land Use Planning Committee and the time, date and location of such hearing and review.

(c) Upon referral of an application to the Water and Land Use Planning Committee, the chairman shall schedule a hearing and review by the Committee for a time prior to the County Board meeting prior to the proposed date of the event.

(d) The Water and Land Use Planning Committee shall hold a hearing and review of any application. The applicant and any interested person may address the Committee on any matter concerning the application. Upon completion of any public discussion of the application, the Committee shall vote to accept, reject or modify the application. The vote of each Committee member shall be based on the following:

1. Compliance of the application with subs. (3) and (4).

2. Recommendations of the County Zoning Administrator in the administrators report to the Committee.

3. Public approval or disapproval of the application.

4. Economic, transportation and law enforcement impact of the proposed event on the County and Town.

(e) If the Water and Land Use Planning Committee accepts the application, the Committee will instruct the County Clerk to issue the license to the applicant, upon receipt of copies of all required Division of Health licenses, DATCP licenses, and/or liquor, beer, and/or wine licenses. If the Water and Land Use Planning Committee approves a modified version of the application and the applicant accepts the modifications, the Committee will instruct the County Clerk to issue the license as modified.

(f) If the Water and Land Use Planning Committee rejects the application or modifies the application in a manner unacceptable to the applicant, the applicant may request a review by the full County Board. A request for full County Board review must be made at the Water and Land Use Planning Committee hearing and review after their vote. If a request is made, the chairman of the Water and Land Use Planning Committee shall arrange for a review of the application by the full County Board at its next meeting prior to

LICENSES AND PERMITS

the proposed date of the event. The full County Board shall base its vote to approve or disapprove the application on the same criterion as the Water and Land Use Planning Committee made its original determination. The decision of the County Board shall both approve the application in its original form and instruct the County Clerk to issue a license or disapprove or approve as modified by the Water and Land Use Planning Committee. If the applicant accepts a modified application affirmed by the County Board, the County Clerk shall issue the license as modified. The decision of the County Board is not appealable.

(g) The license fee will not be returned to applicants whose applications are denied or modified in a way unacceptable to the applicant.

(6) REVOCATION. The license may be revoked by the Water and Land Use Planning Committee at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with or if any condition previously met ceases to be complied with.

(7) INSPECTIONS. The Lantlade County Zoning Administrator, Sheriff's Department, and Health Department shall be allowed to enter the premises without notice/without admission fee during the term of the license solely for the purpose of inspecting the premises for compliance with license conditions.

(8) ENFORCEMENT.

(a) The provisions of this section may be enforced by injunction in any court of competent jurisdiction.

(b) The holding of an assembly in violation of any provision or condition contained in this chapter shall be deemed a public nuisance and may be abated as such.

(9) PENALTY. Any person who violates par. (2)(a) or who violates any condition upon which he is granted a license may be subject to a forfeiture of not less than \$5000 nor more than \$10,000. Each day of violation shall be considered a separate offense.

LICENSES AND PERMITS 12.05

12.05 LANGLADE COUNTY FACILITY USE POLICY. (Ord. #3-2003)

(1) PURPOSE. It is the intention of Lantlade County to make available certain County facilities for use by the public consistent with the regulations contained in this Chapter. This Facility Use Policy does not include the Lantlade County fairgrounds and buildings (except for the Clover Room in the Multi-Purpose Building), as they are governed by the Lantlade County Fairgrounds Use Policy contained in Section 12.06, Code of Ordinances.

(2) DEFINITIONS.

(a) Commercial Activity. The exchange or buying and selling of any goods, services or similar commodities within a County facility, or if a fee or similar charge is required to participate in the activity scheduled to take place within a County facility (regardless of when such fee or charge is collected).

(b) County Government Activities. This shall include any activities sponsored by County committees or the County Board, including but not limited to, committee meetings, public forums and informational meetings.

(3) PROCEDURE FOR REQUESTING USE OF FACILITIES.

(a) A list of all County facilities that are available for use by the

LICENSES AND PERMITS

public shall be on file in the County Clerk's Office, along with the procedure for submitting a request to use a County facility.

(b) Any individual or group requesting the use of a County facility shall sign a Facilities Request Form.

(c) Requests to use facilities should be submitted to the designated building representative at least ten (10) days prior to the event.

(4) ACTION ON REQUEST.

(a) Requests for County Government activities shall have precedence over requests by the public for use of County facilities.

(b) The Public Property Committee reserves the right to deny any request to use County facilities for any reason, except for use of facilities for County Government activities.

(c) The Public Property Committee reserves the right to impose a rental fee and/or security deposit for maintenance/clean-up, as deemed necessary. The Public Property Committee shall adopt and publish a Schedule of Fees and the Schedule shall be subject to revision by the Committee at any time.

(d) The Public Property Committee reserves the right to require a Certificate of Insurance for the use of any County facilities, or require proof of adequate security personnel, as deemed necessary (except for County Government activities).

(5) ACTIVITIES WHICH REQUIRE COMMITTEE APPROVAL.

(a) The approval of the Public Property Committee is required for any requests for County facilities by any individual or group which intends upon charging admission, advertising for or otherwise engaging in commercial activities.

(b) The approval of the Public Property Committee is required for any requests for County facilities by any individual or group to reserve the same facility for the same day of the week more than four times per calendar year.

(6) FACILITY USE REGULATIONS.

(a) Minors using any facilities shall have adult supervision at all times.

(b) Food and/or beverages are only allowed in areas of County facilities that are specifically designated for that purpose.

(c) Use of any tobacco product is prohibited in all County facilities.

(7) RESPONSIBILITY OF USERS.

(a) Any individual or group requesting the use of County facilities shall comply with all applicable federal, state and local regulations regarding such use or activity.

(b) Any individual or group requesting the use of County facilities shall obtain any necessary permits or licenses to engage in a requested use or activity.

(c) Any individual or group requesting the use of County facilities shall reimburse Langlade County for any damage to the County facilities or equipment during the event.

(d) Any individual or group requesting the use of County facilities shall secure and clean-up the facility after the event or activity. The County may impose a clean-up fee to any individual or group who fails to secure and clean-up the

LICENSES AND PERMITS

facility to the satisfaction of the County.

(8) PENALTY. Failure to comply with the terms of the Llanglade County Facility Use Policy may result in the denial of future use of any County facility. Any individual or group who violates the terms of the Llanglade County Facility Use Policy or any other conditions imposed by the Public Property Committee may be subject to a forfeiture of not less than \$50.00 nor more than \$100.00. Each day of violation shall be considered a separate offense.

LICENSES AND PERMITS 12.10

12.10 PENALTY. In addition to the revocation, suspension or nonrenewal of any license issued under the provisions of this chapter, any person found to be in violation of any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in 25.04 of this Code of Ordinances.