

**TOWN OF SOMERSET  
SMALL ASSEMBLIES ORDINANCE  
#2000-3**

- I. PURPOSE:** It is the purpose of this article to preserve, protect and maintain public peace and good order within the Town of Somerset and to preserve and protect the health, safety and general welfare of residents and visitors by regulation to minimize or prevent the potential adverse impacts of small assemblies. It is not the purpose of this article to regulate non-profit events such as family gatherings, church services and socials, receptions or usual meetings of organizations.
- II. DEFINITIONS:** As used in this article, the following terms shall have the meanings indicated:
- A. Small Assembly: Any public gathering where more than 250 and fewer than 1,000 people at any one time congregate at any location or event where the event is scheduled to extend for a period of time of three hours or more, within the limits of the Town of Somerset.

**III. PERMIT REQUIRED, GENERAL REGULATIONS:**

- A. No person, firm or corporation shall conduct, or cause to be conducted, a small assembly without first obtaining a permit from the Town Board of the Town of Somerset. Such an event may include, but is not limited to, a circus, carnival, rodeo, show, exhibition, flea market or similar event.
- B. No event or assembly shall exceed two days in duration without approval by the Town Board of the Town of Somerset.
- C. No person, firm, corporation or institution shall conduct or cause to be conducted a small assembly which cannot be contained within the existing structures on the premises of an established business without first obtaining a permit from the Town Board of the Town of Somerset.
- D. If any small assembly or a portion thereof is to be held outdoors, such activities shall be limited to the hours of 10:00 a.m. to 10:00 p.m.
- E. The Town Board of the Town of Somerset may use the following criteria when issuing the permit but may not limit its definition solely to these items:
1. Adequate insurance liability.
  2. Provisions for traffic control and/or parking.
  3. Solid waste disposal and other sanitary facility issues.
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4. Adequate indoor shelter and/or fencing to adequately contain the gathering

on the premises.

5. Adequate police, fire, and/or security protections, including first aid facilities.
  6. Adequate provisions to prevent the serving of alcohol to minors.
  7. Any other consideration the Town Board deems necessary to preserve the health, safety, and welfare of the Town of Somerset residents.
- E. During its findings, the Town Board may place conditions on the issuance of the permit in order to protect the health, safety, and welfare of the Town residents.
- F. The permit is not transferable from one person to another or from one premise to another.
- G. The permit is valid for a single event. Annual events will require a new permit each year.
- H. The applicant will allow the Town Board, Town Building Inspector, Town Fire Chief or their designees to enter the assembly premises or area at all reasonable hours for the purpose of enforcing this article and verifying compliance with any permit issued pursuant to this article.

#### **IV. APPLICATION FOR PERMIT:**

- A. Application for a permit under this article shall be made to the Town Clerk of the Town of Somerset at least twenty (20) days prior to the date of the event. An official application must be obtained from the Town Clerk. The Town Board may waive the time limit if the applicant can show hardship to the satisfaction of the Town Board.
- B. The application shall include the name, address, and telephone number of the applicant. In addition, the applicant shall state the nature and purpose of the event, the time, date(s), hours, duration and location of the event, estimate the number of attendees anticipated, provisions for traffic movement, provisions for security provisions for sanitary facilities and provisions for solid waste disposal.
- C. The applicant, at the time of filing the application for such permit, shall submit evidence that the applicant has complied with any and all local, county and state laws and regulations with regard to the small assembly.
- D. Applicants anticipating an assembly of 1,000 or more persons during the proposed event shall comply with the Large Assemblies Ordinance adopted by the Town Board of the Town of Somerset and St. Croix County.
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- E. Prior to granting the permit applied for, the Town Board may require the applicant to provide a bond or other proof of the ability of the applicant to pay any costs incurred by the Town of Somerset which might arise by reason of

the granting of the permit.

- F. Prior to the time of granting the permit applied for, the Town Board may require the applicant to provide a single limit liability insurance policy covering bodily injury, property damage, and personal injury, Coverages A, B, and C, naming the Town of Somerset, St. Croix County, Wisconsin, as an additional insured, of up to the amount of \$1,000,000.

**V. REVOCAION OF PERMIT:**

- A. The permit may be revoked by the Town Board of the Town of Somerset at any time if the conditions necessary for issuing of or contained in the permit are not complied with or if any condition previously met shall cease to be met with.
- B. If any permit is revoked, the Town Board will provide a written order revoking said permit and stating the reasons for the revocation. Notice will be given to applicant via the following procedures:
  - 1. If revocation notice can be issued greater than five (5) days from the beginning date of the event, notice will be sent via certified mail with return receipt.
  - 2. If revocation notice is to be issued within five (5) days of the beginning of the event, the applicant will be personally served with notice.
- C. If a permit is revoked, the applicant can request that the Town Board conduct a hearing to review the application allowing the applicant the opportunity to present information on why the permit should not be revoked.

**VI. VIOLATIONS AND PENALTIES; FEES:**

- A. Any person, firm, or corporation violating any of the provisions of this article or knowingly aiding or abetting another in the violation thereof shall, upon conviction, pay a forfeiture as set by the Town Board of not less than \$100.00 nor more than \$5,000.00 per incident and the costs and attorney fees in prosecution, with each day in violation of this article constituting a separate offense subject to the provisions of Subsection B of this section.
- B. The amount of forfeiture and cost shall be set forth in Town of Somerset Ordinance 99-4 (Citations and Fees) and shall be subject to annual review.
- C. Fees: There shall be no fees for obtaining the Small Assembly Permit.

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- VII. ENFORCEMENT:** This article may also be enforced by an injunction issued by any court of competent jurisdiction, and any holding of an event in violation of this article may be deemed a public nuisance and may be abated as such.

**VIII. EFFECT ON OTHER LAWS:**

- A. The provisions of this article shall be cumulative to any other laws, regulations, or rules now or hereafter in effect in the county.
- B. No provisions of this article shall be construed to waive or satisfy the requirements of any state or local regulation relating to the sale or use of alcoholic beverages.

**IX. SEVERABILITY:** The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply on to the specific section or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect.

**X. EFFECTIVE DATE:** This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Adopted this 5<sup>th</sup> day of April, 2000.

By the Town Board of the Town of Somerset,

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Ed Schachtner, Town Chairman

Attested By:

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Jeri Koester, Town Clerk