

ORDINANCE

The County Board of Otter Tail County Ordains:

I. General Provisions

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

EXHIBITIONS AND SHOWS ORDINANCE

- 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 Otter Tail County and to promote the general health, safety and welfare of all persons in Otter Tail 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.

II. Definitions.

- A. Exhibitions and Shows. The phrase Exhibitions and Shows means all itinerant shows, carnivals, circuses, endurance contests, rock festivals, music festivals and exhibitions of any nature whatsoever. The phrase exhibitions and shows does not mean, and this ordinance shall not apply to auctions conducted by a licensed auctioneer, any regularly established permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place, where shows or exhibitions are held, where a reasonable anticipated assembly of observers does not exceed more than 250 people, the maximum seating capacity of the structure where the show or exhibit is held. The phrase exhibitions and shows does not mean, and this ordinance does not regulate, government sponsored fairs held on regularly established fair grounds.

- 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 is planned to continue 12 or more consecutive hours, and can reasonably be anticipated to cause an assemblage of 300 or more people, without first obtaining a license therefor from the County of Otter Tail.

IV. Procedure and Requirements.

- A. Applications for license shall be made at least 30 days in advance of the commencement of the show or exhibit. The application must be accompanied by certified copies of all other necessary Minnesota State, Otter Tail 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. 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 Otter Tail, 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 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 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.

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.
 6. If the show or exhibition is to continue during hours of 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 Otter Tail County, either in cash or underwritten by a surety company licensed to do business in Minnesota in the minimum amount of \$50,000.00, which shall indemnify and hold harmless the County of Otter Tail, 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.
- D. An application for a license under the terms hereof, shall be processed within 20 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 Otter Tail, 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.
 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 all persons owning 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.
 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 concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concessioners and their license or permit numbers.
- V. Fee. The fee for the granting of a license herein shall be the sum of \$500.00 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 Otter Tail County, whether on public or private land, in violation of any provision or condition 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 therefor, 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.

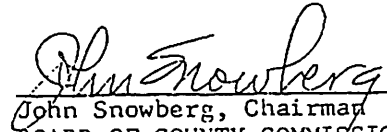
VII. In any case in which compliance with the foregoing restrictions will create an unnecessary hardship and failure to comply does not interfere with the purposes of this ordinance, the County Board may waive such compliance by adoption of a resolution to that effect.

VIII. Effective date. This ordinance shall be in full force and effect upon due passage and upon publication in the Fergus Falls Journal at least once separately, or as part of the publication of the official minutes of the proceedings of the Board of Commissioners of Otter Tail County of the meeting at which the ordinance was enacted.

Attested:



K. W. Hanson, Clerk



John Snowberg, Chairman
BOARD OF COUNTY COMMISSIONERS OF
OTTER TAIL COUNTY, MINNESOTA

(1971)

777087

AMENDMENT TO EXHIBITIONS AND SHOWS ORDINANCE

The Board of Commissioners of Otter Tail County ordains:

That the following is enacted as an amendment to the Exhibitions and Shows Ordinance of Otter Tail County:

VI. Payment for County Services. The sponsor of a licensed exhibition or show shall reimburse Otter Tail County for all wages paid to employees and all reasonable costs related to the services rendered by any county agency or department, as well as all costs incurred in cleaning up any waste material produced or left by the people in attendance at said exhibition or show.

Dated: June 6, 1995

OTTER TAIL COUNTY BOARD OF COMMISSIONERS
By William Stone
William Stone, Chairman

ATTEST:

Larry Kuhn
Clerk

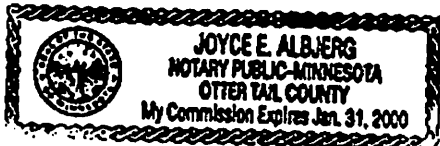
Otter Tail County Board of Commissioners
By William Stone
William Stone, Chairman

Dated: June 20th, 1995

State of Minnesota
County of Otter Tail

The foregoing instrument was acknowledged before me this 20th day of June, 1995, by William Stone, Chairm of the Otter Tail County Board of Commissioners.

Joyce E. Alberg
Notary Public



as was misc
Office of County Recorder
County of Otter Tail
I hereby certify that the within instrument was filed
for record in this office on the 21 day of
June A.D. 1995 at 9:00 a M.
and was duly Microfilmed as Doc # 777087
Wendy Metcalf
County Recorder
(Awaiting) _____ D: