

**TOWNSHIP OF GOODWELL
COUNTY OF NEWAYGO, MICHIGAN
SPECIAL EVENT ORDINANCE**

ORDINANCE NO. 202__-____

Minutes of a _____ meeting of the Township Board of the Township of Goodwell, Newaygo County, Michigan, held at the Township Hall on the ____ day of _____, 202__, at _____ p.m., local time.

PRESENT: Members: _____

ABSENT: Members: _____

Adoption of the following Ordinance was offered by Member _____ and seconded by Member _____.

THE TOWNSHIP OF GOODWELL ORDAINS:

1. **Purpose.** The purpose of this ordinance is to allow and regulate large outdoor gatherings in the Township which generate noise, traffic, and odors and can, if not regulated, present hazards to the public health and safety of the surrounding area and the attendees of the event. This Ordinance recognizes that Goodwell Township is a primarily rural area with no significant commercial areas. It has limited road access and limited police and emergency services provided by other agencies to support these events. The Township has no full-time staff available to administer and enforce its ordinances. The Ordinance is intended to promote a policy of allowing an opportunity for outdoor gatherings and events while limiting the number, duration, and hours of those events without regard to the purpose of the event in order to preserve the peace and tranquility which characterizes the rural nature of the Township, and to acknowledge the limited resources available to provide services for such gatherings. The policy also recognizes that the impact of an event on the surrounding area depends on the number of attendees at the event and applies these regulations based on the number of attendees.
2. **Definitions.**
 - a. **Applicant** means a person that submits an application for a special event.
 - b. **Lot** means a parcel of land exclusive of any adjoining street right-of-way or any legal easements and separated from other parcel by legal description, deed, subdivision lot or condominium unit.

- c. Person means any individual, partnership, limited liability company, or corporation.
- d. Special Event means any indoor or outdoor use of a lot in Goodwell Township for purposes other than its already permitted or accessory use, which involves a gathering of more than 100 people, held for the purpose of offering products, goods services, or entertainment or for educational, political, social, religious or similar purposes; whether or not conducted for fees or profit and whether open to the public or on an invitation basis. The term includes but is not limited to the following examples:
 - i. Car shows, antique shows, craft shows, flea markets; motor sport events;
 - ii. Art, music, concerts, ethnic, food, beer, wine, theatrical, religious, political, or other gatherings or festivals;
 - iii. Sporting events and competitions.
- e. Outdoor Gathering means a special event which involves a gathering of less than 100 persons.
- f. Zoning Administrator means the person appointed by the Township Board to administer and enforce the Township Zoning Ordinance. If no such person is serving in that role, the duties of the Zoning Administrator under this Ordinance shall be performed by the Township Supervisor or other person designated by the Township Board.

3. **License Required.**

No person shall hold a special event other than an outdoor gathering in Goodwell Township without first obtaining a license pursuant to this Ordinance.

4. **Outdoor Gatherings.**

No permit is required for an outdoor gathering not classified as a special event. Outdoor gatherings shall be subject to the following requirements:

- a. Any noise or light generating activity shall be limited to the hours of 9:00 a.m. to 10:00 p.m.
- b. All parking shall be onsite, not on an adjacent public road.

5. **Application for Special Event License.**

- a. An applicant shall submit to the Zoning Administrator a completed application, on a form furnished by the Township. The Zoning Administrator shall use their best efforts to promptly act on the application but shall not be required to act upon an application submitted less than 30 days prior to the proposed event.

- b. The application shall include all of the following information unless deemed unnecessary based on the nature of the application:
- i. The full and complete name, current address, and telephone number of the applicant, including its individual owners and officers in case of a legal entity, in addition to the owner of the land on which the special temporary event is to be held.
 - ii. The name under which the event will be operated if other than the name of the applicant.
 - iii. A written statement describing the proposed special event.
 - iv. The days and hours of the special event.
 - v. The anticipated number of workers and event presenters.
 - vi. The anticipated number of attendees, and any ticketing or other procedures used to limit the number of attendees.
 - vii. The lot or lots upon which the special event is proposed to take place, including the street address.
 - viii. A description of any products and/or services to be provided or sold at the special event.
 - ix. A description of the procedures to manage parking, traffic and circulation, and the location for parking.
 - x. A description of the procedures and facilities to manage sanitation.
 - xi. A description of any procedures for crowd control and public safety, and any police agency or other security to be provided.
 - xii. A description of any food and beverages supplied, whether provided with or without charge and whether consumption of alcohol is anticipated.
 - xiii. A sketch, drawn to scale, showing the placement, number and location of the proposed event space, camping space, parking, signage, sanitary facilities, cooking facilities, performance stage or area, lighting and all structures to be used and/or erected and how each will be used.
 - xiv. Acknowledgment and permission of the lot owner if the applicant is not the lot owner.

- xv. The name and contact information of a person (the “contact person”) who will be immediately available during the event to respond to problems or issues that may arise during the event.

6. **License Fee.**

The application fee for a special event license shall be based on the cost incurred to review and ensure compliance with a license according to the Goodwell Township Special Event Fee Schedule which may be reviewed and amended by resolution of the Goodwell Township Board periodically. Any fees where applicable from other outside departments (building, emergency services, health department or other non-township agency) are not part of this application fee and are the responsibility of the applicant alone and not of Goodwell Township.

7. **Application; Approval or Denial.**

- a. The Zoning Administrator shall review the application and conduct other inquiries as necessary to determine if the standards for approval of the special event ordinance have been satisfied.
- b. Upon receiving the application, the Zoning Administrator shall notify the Newago County Sheriff, Road Commission, and Health Department, and if applicable the Michigan State Police, Department of Natural Resources, U.S. Forest Service and the Michigan Department of Transportation to alert them to the application so that these agencies may provide input and prepare for the event as they deem appropriate.
- c. If the application demonstrates compliance with this Ordinance, a permit for the special event shall be issued by the Zoning Administrator, and the Newago County Sheriff, Health Department, Road Commission and other agencies shall be notified.
- d. The Zoning Administrator may approve the application with conditions appropriate to ensure compliance with the standards for approval of this Ordinance.
- e. If approved, the Zoning Administrator shall issue the license with the name of the Applicant, a description of the Special Event, maximum number of attendees, the dates permitted for the Special Event, and any conditions added to the approval. The Zoning Administrator and the Applicant shall sign the license, and the Applicant shall post the license in a conspicuous place at the Special Event. The license shall also state that Goodwell Township does not endorse the Special Event.
- f. If the standards of this ordinance have not been satisfied, the Zoning Administrator shall issue a written decision setting forth the reasons on which the application has been denied. That decision shall be subject to appeal to the Newago County Circuit Court in the manner provided for appeals of decisions made by administrative agencies.

8. **Standards for Approval.** Each application for a special event shall meet the following standards for approval:
- a. The application is complete, and the application fee is paid in full.
 - b. The applicant has provided written evidence that he or she owns or leases the lot upon which the special event will be held, or that the applicant has permission to hold the special event upon the property which the special event will be held.
 - c. No license shall be issued to a person who has been found responsible by the District Court for a civil infraction for violation of this ordinance or convicted of a State or Federal crime arising out of the conduct of a Special Event. This disqualification shall continue for a period of two years following the termination of the event for which that person had been found responsible for a civil infraction or guilty of a crime, or one year after the determination of responsibility or guilt, whichever occurs latest. This disqualification shall be effective against the individual or entity found responsible, and in addition for any entity for which that individual has a greater than 50 percent ownership interest.
 - d. The sketch plan submitted shall demonstrate that the lot on which the Special Event is to be conducted is of sufficient size to provide on-site parking, sanitation and other facilities based on the number of attendees. The minimum lot size for Special Events with overnight camping, or for which the principal purpose is the performance of amplified music, motorized vehicle sports, firearms, or fireworks discharge shall be 10 acres.
 - e. The area devoted to amplified sound, motorized vehicle sports, firearms, or fireworks discharge shall be located and oriented to limit the noise level at adjacent residences.
 - f. No special event for more than 1,000 persons will be permitted.
 - g. No lot or part of a lot may have more than two special events in one calendar year.
 - h. The hours of operation for any special event shall be limited to the hours between 9 a.m. and 10 p.m., with multi-day events having no noise or light-generating activities ending outside of these times.
 - i. All parking shall be on site and any offsite parking shall be a basis for revocation or suspension of the event until the situation is rectified.
 - j. The maximum length of the special event is 3 days.
 - k. The Special Event shall not:
 - i. Unreasonably interfere with the use of a street for vehicular travel;

- ii. Unreasonably interfere with access to or use of property adjacent to the streets serving the proposed Special Event;
 - iii. Cause a violation of any state laws or local ordinances; or
 - iv. Reduce the effectiveness of or access to any utility pole, street lighting, sign or other traffic control device.
- l. Adequate utilities, drainage, refuse management, traffic control, security, and sanitary facilities will be provided. Emergency services and access and other necessary facilities and services shall be provided for the proposed event.
 - m. The proposed Special Event shall not have a substantially adverse impact on the natural environment by virtue of activities causing erosion, insufficient sanitary measures, stormwater runoff, or unnecessary removal of trees or other natural vegetation.
 - n. The site of the proposed event shall be suitable for such temporary event, giving consideration to possible flood hazards, storm water runoff, erosion or dust that may be caused by the event and similar factors.
 - o. The Special Event and all associated temporary improvements, including, but not limited to tents, stands, temporary electrical system, temporary heating systems and temporary lighting systems shall comply with all applicable provisions of the Township Building Code, Electric Code, and other applicable codes as adopted or amended from time to time.
 - p. The area in which motorized sports, the performance of amplified music, or firearms or fireworks discharge shall be not less than 50 feet from adjoining property, or such further distance as determined necessary to prevent trespassing and provide a safety barrier to adjoining property, based on factors such as expected speeds, and type of vehicles or equipment being used. The Zoning Administrator may require that the event area or property line be marked with signage, banners, or temporary fencing to contain activities and spectators within the designated areas and on the property on which the event is being held.

9. **Inspection:**

After notifying the contact person, who may accompany the official, the applicant shall allow the Zoning Administrator, any Goodwell Township designee, or any law enforcement agency access to the property for inspection at any time during setup for the Special Event, during the Special Event, and after completion of the Special Event, to verify compliance with the Ordinance and conditions of the event license.

10. **Revocation of License.**

If the Zoning Administrator has reasonable cause to believe that a special event is taking place in violation of this Ordinance or the conditions of a Special Event Permit, the

Zoning Administrator may notify the contact person. If the issue is not rectified, then the Zoning Administrator may suspend or revoke the Special Event permit.

11. **Violations and Penalties.**

- a. Any person, partnership, limited liability company, corporation, association or other individual or entity who organizes, sponsors, or conducts a special event without a license, or conducts such an event contrary to the provisions of this ordinance or the conditions of any permit is responsible for a municipal civil infraction, for which the fines shall be not less than \$500, no more than \$1,000 for the first offense, and not less than \$1,000, no more than \$2,500 for the second and subsequent offenses, and as an additional monetary penalty for first or subsequent offenses all expenses direct and indirect, to which the Township has put in connection with the civil infraction up to the entry of a finding of responsibility or compliance with any court order. For these purposes “subsequent offense” means a separate violation of this ordinance, committed by the same responsible party occurring within 12 months of a previous violation of this ordinance for which the person admitted responsibility or which was adjudicated to be responsible. Every day a subsequent violation continues shall constitute a separate and distinct offense under the provisions of this ordinance. In the case of an event conducted without a license, the owner of the lot upon which the event is conducted with the knowledge of the owner shall be responsible for a civil infraction violation as well as to the party conducting the event.
- b. A violation of this ordinance is a nuisance per se.
- c. The Goodwell Township Supervisor and Zoning Administrator, and deputies of the Newago County Sheriff’s Department and Michigan State Police are hereby designated as authorized to issue citations for violations of this ordinance.
- d. The Township may initiate court proceedings to abate or prevent a violation of this Ordinance.

12. **Severability.**

If any portion of this Ordinance is found invalid by any court, such invalidation shall not affect or limit the remaining portions of this Ordinance or its application.

13. **Effective Date.**

This Ordinance shall become effective 30 days after a publication of a summary thereof in a newspaper of general circulation in the Township.

14. **Repeal.**

Ordinance No. 2024-01 is hereby repealed in its entirety.

AYES: Members: _____

NAYS: Members: _____

ORDINANCE DECLARED ADOPTED.

Jennifer Wozniak, Clerk
Township of Goodwell

STATE OF MICHIGAN)
) ss.
COUNTY OF NEWAGO)

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Township Board of the Township of Goodwell at a _____ meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.

Jennifer Wozniak, Clerk
Township of Goodwell

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