

ORDINANCE NO. 2024-01

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

Minutes of a **regular** meeting of the Township Board of the Township of Goodwell, Newaygo County, Michigan, held at the Township Hall on the **27th** day of **March**, **2024**, at **7:00** p.m., local time.

PRESENT: Members: John Tow II, Rachel Belcher, Bob Birr, Tim Maxson, and Jennifer Wozniak

ABSENT: Members: NONE

The following preamble and resolution were offered by Member Bob B. and seconded by Member Tim M.

THE TOWNSHIP OF GOODWELL ORDAINS:

1. **Purpose.** The purpose of this ordinance is to regulate the effects of 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 is drafted in recognition that Goodwell Township is a primarily rural area with limited road access and police and emergency services to support these events.
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 use, which offers products, goods or services, including entertainment services; whether or not conducted for fees or profit and whether open to the public or on an invitation basis and includes the following examples:
 - i. Car shows, antique shows, craft shows, flea markets; motor sport events;

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- ii. Art, music, concerts, ethnic, food, beer, wine, theatrical, religious, political, or other gatherings or festivals providing lawful content or entertainment;
- iii. Sporting events and competitions.
- iv. A Special Event does not include personal or farm auctions, garage, yard or other similar sales of used items from one household that last no more than 7 days and recur no more frequently than one time in any 60 day period; social gatherings such as family reunions, weddings, receptions, picnics, or related family events that are not open to the public.

3. **License Required.**

No person shall hold a special event in Goodwell Township without first obtaining a license pursuant to this Ordinance.

4. **Application for Special Event License.**

- a. An applicant shall submit to the Zoning Administrator a completed application, on a form furnished by the Township, not less than 60 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 of the proposed event and 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, including the nature and purpose of the activity.
 - 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 the products and/or services to be provided or sold at the special event.

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- 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 the procedures for crowd control and public safety, and any police agency or other security to be provided.
- xii. A description of all food and beverages 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, 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. Written evidence of the status of all approvals and/or reviews by Newaygo County Sheriff, including a criminal background report of the parties listed in 4.b.(i), and the Newaygo County Emergency Services, Health Department District #10, Michigan Department of Transportation, Newaygo County Road Commission, Newaygo County Construction Codes, and any other necessary agency.
- xvi. A demonstration that the Applicant has sufficient liability insurance for the Special Event, with limits of no less than one million dollars, which may be furnished by an umbrella policy and with Goodwell Township its officers and employees listed as additional insured parties.
- xvii. Proof that the Applicant has notified in writing owners of all property within 1000 feet of the property upon which the Applicant requests a License of the following:
 - (1) that the Applicant is seeking a License for a Special Event,
 - (2) the date upon which the Special Event is to take place,
 - (3) a short description of the Special Event, and
 - (4) that the complete Application is available at the Goodwell Township Hall.
- xviii. The name and contact information of a person who will be immediately available during the event to respond to problems or issues that may arise during the event.

5. **License Fee.**

The application fee for a special event license shall be based on the event size according to the Goodwell Township Special Event Fee Schedule which may be

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reviewed and amended by resolution of the Goodwell Township Board periodically. Any fees where applicable from other outside departments (building, emergency services, health dept or other) are not part of this application fee and are the responsibility of the applicant alone and not of Goodwell Township. The applicant is also responsible for the fee for any special meeting of the Board to review the application.

6. **Application Approval.**

- a. Once the Zoning Administrator determines the Application to be complete, the Zoning Administrator shall present the application at a public meeting of the Goodwell Township Board and may request the supervisor to convene a special meeting if appropriate. The Board will vote at this meeting to approve, approve with conditions or deny the license, or request additional information or changes.
- b. The completed application shall be provided to the Board by the Zoning Administrator a minimum of 7 working days prior to the meeting at which it will be considered.

7. **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 which the special event will be held.
- c. Minimum lot size for Special Events

Number of Attendees	Minimum Parcel Size
20 – 50	1/2 acre
51 – 100	2 acres
101– 500	10 acres

- d. No special event for more than 500 persons will be permitted.
- e. No privately owned lot may have more than two special events in one calendar year.
- f. 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.
- g. All parking shall be on site. Any offsite parking shall be a basis for revocation or suspension of the event until the situation is rectified.

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- h. The maximum length of the special event is 3 days.
- i. The Special Event shall not result in any hazard or nuisance to adjacent lands or the uses thereof, not otherwise be contrary to the public health, safety, or welfare of the Township.
- j. The Special Event shall not create hazardous vehicle or pedestrian traffic conditions on or adjacent of the streets serving the property. A Special Event permit shall not be issued if the Township Board determines that the proposed use will:
 - i. Unreasonably interfere with the use of a street for vehicular travel;
 - ii. Unreasonably interfere with the view of access to or use of property adjacent to the street serving the proposed temporary use;
 - 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.
- k. Adequate utilities, drainage, refuse management, sanitary facilities will be provided. Emergency services and access and other necessary facilities and services shall be provided for the proposed event.
- l. The proposed Special Event shall not have a substantially adverse impact on the natural environment.
- m. 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.
- n. 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.

8. **License Form:**

If approved by the Township Board, the Zoning Administrator shall complete 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 the 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.

9. **Inspection:**

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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.

10. **Restrictions.**

- a. No license shall be issued to:
 - i. An applicant who has been convicted or found responsible for a violation of any federal, state, or local law involving moral turpitude, fraud, theft, violence, or controlled substances, or in the case of an entity, if any owner or officer has been convicted or found responsible for such offenses.
 - ii. An applicant that has previously received a special events license under which the Applicant violated any of the restrictions or requirements of that license.
 - iii. An applicant that has previously received a special event license which resulted in substantial and verified material complaints to Goodwell Township for the activities that resulted from that special events license which violated this Ordinance, unless the Township Board is satisfied that changes will be made to prevent recurrence of the problems.
 - iv. Any applicant who has violated this ordinance in the past by holding a special event without the benefit of a license.

11. **Revocation of License.**

The Zoning Administrator may immediately revoke a special event license if the applicant violates any of this Ordinance's provisions, or for other good cause.

12. **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

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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 shall be responsible for a civil infraction violation in addition to the party conducting the event.

- b. A violation of this ordinance is a nuisance per se and is enforceable as such.
- 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. Advertisement for a special event for which an application has not been submitted shall be presumed to show an intention to violate this ordinance which shall be enjoined as a nuisance per se.

13. **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.

14. **Effective Date.**

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

AYES: Members: John Tow II, Rachel Belcher, Bob Birr, Tim Maxson, Jennifer Wozniak.

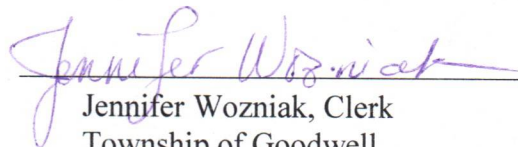
NAYS: Members: NONE

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 **regular** 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