

**VILLAGE OF AKRON
COUNTY OF TUSCOLA, STATE OF MICHIGAN
VILLAGE OF AKRON ORDINANCE NUMBER 97
SPECIAL EVENTS AND OUTDOOR GATHERINGS**

An ordinance to secure the public health, safety and general welfare of the residents and property owners of the Village of Akron, Tuscola County, Michigan, by the regulation of outdoor gatherings, festivals, and contests within the Village; by requiring a permit for such gatherings, festivals, and contests; to prescribe sanctions for the holding or operating of outdoor gatherings, festivals or contests without a permit or in violation of the provisions or the ordinance; and to repeal all ordinances or parts of ordinances in conflict therewith.

SECTION 1.

This Ordinance shall be known and cited as the Village of Akron Special Events and Outdoor Gatherings Ordinance.

SECTION 2. Definitions

- A. The term "exhibition(s)", "contest(s)" and/or "festival(s)" as used herein shall refer to outdoor gatherings, festivals, concerts, art and craft shows, patriotic and historic festivals, and similar temporary outdoor events.
- B. "Event" does not pertain to temporary outdoor gatherings/festivals conducted on school, church, or public property as an accessory to the principal use and this Ordinance shall not be deemed to prohibit or require a permit for a temporary outdoor gathering, festival, or similar temporary outdoor event conducted on school, church, or public property as an accessory use to the principal permitted use conducted on the property.
- C. "Event" does not pertain to birthday parties, graduation open houses, weddings, and the like held infrequently as an accessory use to a primary residential use. This Ordinance shall not be deemed to prohibit or require a permit for a birthday party, graduation open house, wedding, or other outdoor gathering held infrequently at a residence within the Village.

SECTION 3. Events Permitted

- A. Events shall be permitted on any Village of Akron parcel subject to the following conditions:
 - 1. The event (including scheduled practices for the same) shall occur for no more than five (5) consecutive days or one hundred and twenty (120) hours.
 - 2. There shall be no limitation on the number of events that may occur on the same parcel within a calendar year.
 - a. Once a permit has been issued for a particular parcel in accordance with Section 4, below, the permit holder shall provide a proposed calendar of events to the Village of Akron Special Events Committee not less than one-hundred and fifty days (150) in advance.
 - 3. The event shall not take place during the hours of 1:00 a.m. and 6:00 a.m. The Akron Village Council shall have the authority to impose a greater but not lesser time limit on the

event if the Council determines, in its sole reasonable discretion, that, given the nature of the proposed event, the subject property and/or the surrounding properties, such a time limit is necessary to satisfy the standards of this Ordinance for the granting of the requested special exception use approval.

4. On-site parking shall be cordoned off to prevent pedestrian/vehicular conflicts.
5. Toilet facilities refuse containers, and security personnel shall be provided in adequate number to reasonably accommodate the amount of people anticipated at the event. Refuse containers shall be located so as to be readily accessible to persons in attendance at the event.
6. All lighting for the event shall be directed away and shielded from adjacent residential areas.
7. The event shall not generate noise of such volume or character as to unreasonably disturb the occupants in the vicinity of the subject property. In determining whether a proposed temporary event will satisfy this standard, consideration should be given to the volume and character of noise generated from other lawful activities conducted in the vicinity of the subject property. This shall be no more than ninety-five (95) decibels at a distance of seventy-five (75) feet from the sound generation.
8. If food is contemplated to be provided at an event, an applicant must demonstrate compliance with the food service and safety requirements of the Tuscola County Health Department. A letter from the Health Department may serve as proof of compliance with food service requirements if the same so states.
9. Any Village employee, i.e. DPW, Custodial, Fire Chief, Police Chief, etc., used for the event shall be paid for his/her time worked at current burden hourly rate by applicant/event organizer.
10. Any Village equipment used for the event (setting up and/or taking down, etc.) shall be charged a rental fee for fuel and the Michigan Department of Transportation fees and rates and shall be payable by applicant/event organizer to the Village of Akron Clerk.
11. All applications for Village of Akron Special Events and Outdoor Gatherings shall be made to the Village of Akron no less than one hundred and fifty (150) days prior to the first scheduled event and shall be accompanied by three (3) copies of a letter containing the following information:
 - a. The name and address of the applicant.
 - b. The name and address of the property owner.
 - c. The anticipated maximum number of persons in attendance at the proposed event(s).
 - d. The dates(s) and time(s) during which the event is proposed to be held.
 - e. The proposed location and number of parking spaces.
 - f. The insurance and bonding agreement for the event, if any, with accompanying documentation of the same.
 - g. The number and type of security persons proposed for the event.
12. All applications for event permits must be accompanied by three (3) copies of a site plan of the subject property, containing at a minimum the following information:
 - a. A north arrow
 - b. All property lines with their dimensions.
 - c. The location and number of all toilet facilities to be established on the subject property.

- d. The location of all existing and proposed exterior lighting to be established on the subject property.
 - e. The name and contact information of the party or parties preparing the site plan.
 - f. Designation and type of vendor stalls.
13. The Village Council will have authority to require additional information if it reasonably determines that, given the nature of the proposed event, the subject property, and/or the surrounding properties, such information is necessary to determine whether the requested event satisfies the standards of this ordinance for the granting of the requested permit.

SECTION 4. Granting Permit

The Akron Village Council shall have the authority to approve the holding of an event and may grant a permit for the holding thereof if it determines that the provisions of this Ordinance have been complied with.

SECTION 5. Violations and Enforcements

- A. Any person or entity who violates, disobeys, neglects or refuses to comply with any provision of this Ordinance, or any permit issued under the Ordinance, including any conditions imposed thereon, or who causes, allows, or consents to any of the same, shall be deemed to be responsible for a violation of this Ordinance.
- B. Any person or entity responsible for a violation of this Ordinance, whether as an occupant, owner (by deed or land contract), lessee, licensee, agent, contractor, servant, employee, or otherwise, shall be liable as a principal. Each day that a violation exists shall constitute a separate offense.
- C. Any violation of this Ordinance is hereby declared to constitute a public nuisance, and shall constitute a basis for such judgment, writ or order necessary to compel compliance with the Ordinance and/or to restrain and prohibit continuation of the violation, or other appropriate relief in any court of competent jurisdiction, in addition to any other relief or sanction herein set forth or allowed by law.
- D. The following circumstances are hereby declared to be a violation of this Ordinance; provided, however, that the specification of the same is not thereby to be construed to exclude other violations of this Ordinance not specifically enumerated:
 - 1. The holding of an event without first having obtained a permit from the Village Council.
 - 2. The holding of an event for which a permit has been obtained outside of the parameters by which said permit was obtained.
 - 3. Serving food or permitting camping at an event without a permit or license from the Tuscola County Health Department and/or any state agency charged with issuance thereof.
 - 4. A violation of this Ordinance is a municipal civil infraction as defined by Michigan statute and shall be punishable by a civil fine determined in accordance with the following schedule:

Business

1st offense - \$500.00

2nd offense - \$1000.00

3rd offense - refusal to issue another Special Events Permit.

Residents/Vendors

1st offense - \$500.00

2nd offense - \$1000.00

3rd offense – expulsion/eviction from event and barred from any event within the Village.


Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Village Council has incurred in connection with the municipal infraction.

SECTION 6. Effective Date

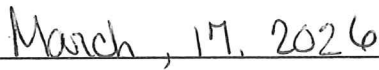
This Ordinance shall become effective thirty (30) days after publication after adoption.



Roxanne Huizar, Akron Village President



Charlynn Wilson, Akron Village Clerk



Date