

CHAPTER 6.47

CIRCUSES, CARNIVALS AND MUSICAL ASSEMBLIES

SECTION:

6.47.010: Generally

6.47.020: Class

6.47.030: License Required

6.47.040: Applications and Requirements

6.47.050: Fee

6.47.060: Approval of Other Agencies

6.47.100: Revocation, Suspension and Penalties

6.47.010: Generally: This Chapter regulates circuses, carnivals, festival gatherings, outdoor musical assemblies and similar performances. (Ord. 3556 Sec. 1 (part), 1994: Ord. 2542 Sec. 17 (part), 1980)

6.47.020: Class: Licenses issued under this Chapter are Class II licenses. (Ord. 2542 Sec. 17 (part), 1980)

6.47.030: License Required: No person shall allow, organize, promote, conduct or advertise any circus, carnival, festival assembly or outdoor musical entertainment, amusement or assembly, without first applying for and obtaining a permit as required by this Chapter. Advertisement of the event may be conducted after application for the permit has been submitted, but no event shall be held unless final approval has been obtained from the License Officer. An outdoor musical entertainment, amusement or assembly is any event the primary purpose of which the presentation of live or recorded musical entertainment or other amplified sounds, when it is reasonable to believe that five hundred (500) or more people will be attracted to the event and irrespective of whether or not a charge or contribution is required for admission. A festival assembly is any gathering of people, whether in one location or at a group of locations, when it is reasonable to believe that more than five hundred people will be attracted to the event, irrespective of whether or not a charge or contribution is required for admission. A festival assembly does not include activities at fixed or permanent locations, such as coliseums, stadiums, auditoriums, fairgrounds, and the like, unless the event includes camping or parking on other than established campgrounds and parking lots. (Ord. 3556 Sec. 1 (part), 1994: Ord. 2542 Sec. 17 (part), 1980)

6.47.040: Applications and Requirements: A written application shall be made to the License Officer at least fifteen (15) days prior to the date the event is to be held. (Ord. 3698 Sec. 1, 1996: Ord. 2542 Sec. 17 (part), 1980)

6.47.050: Fee: The license fee for festival gathering shall be \$25.00 per event. The license fee for other activities regulated by this Chapter shall be \$150.00 for each day of the event, unless an admissions tax will be charged in which case the license fee shall be \$50.00 annually. The fee covers expenses of processing the license, and no refund shall be given whether the permit is granted, denied, or revoked. Activities licensed under this Chapter are subject to the admissions tax in accord with Chapter 3.50. (Ord. 5008 Sec. 18, 2003: Ord. 3698 Sec. 2,

1996: Ord. 3556 Sec. 1 (part), 1994: Ord. 3206 Sec. 1, 1989: Ord. 2980 Sec. 6, 1986: Ord. 2542 Sec. 17 (part), 1980)

6.47.060: Approval of Other Agencies: The License Officer shall immediately prepare and distribute copies of every application to the appropriate officials charged with the enforcement of building, fire, health, and zoning ordinances and laws. The applicant shall cooperate fully with these approving agencies to ensure that a full review of his proposal is accomplished within the 15 days required for the issuance of a permit. When any type of physical facility is required, preliminary approval may be granted upon specific plans proposed and submitted by the applicant. All facilities for musical assemblies shall be in existence two (2) days or more prior to the event and shall be subject to inspection by all approving agencies. Should the actual facility fail to meet the standards approved in the proposed plan, preliminary approval shall be withdrawn and the permit automatically revoked. (Ord. 3698 Sec. 3, 1996: Ord. 2542 Sec. 17 (part), 1980)

6.47.100: Revocation, Suspension and Penalties: The License Officer, or on review the Appeals Commission, may suspend, revoke or refuse to issue a license if the licensee or applicant has violated any of the provisions of this Title. They may also assess a penalty of not less than \$25.00 nor more than \$500.00. They may also order that compensatory damages or restitution be paid to anyone injured as the result of a violation. The failure of the licensee to pay an assessment, damages or restitution automatically suspends the license until such time as they are paid. Suspensions, revocations, penalties, damages and restitution are suspended during the course of hearing, appeal and review. (Ord. 3698 Sec. 4, 1996: Ord. 3589 Sec. 2, 1996: Ord. 3429 Sec. 12, 1992: Ord. 3160 Sec. 12, 1988: Ord. 2542 Sec. 17 (part), 1980)