

Chapter 390

PERMITS FOR CERTAIN RECREATIONAL ACTIVITIES

Sec. 390-1 Drive In Theaters.

All Drive-In theaters located in Carroll County, outside the limits of any city, village or incorporated town, shall pay as a license fee, for the use of the County of Carroll, in the manner herein specified, the sum of \$25.00 each year.

Sec. 390-2 Tourist Courts.

All Tourist Courts located in Carroll County, outside the limits of any city, village or incorporated town shall pay as a license fee, for the use of the county of Carroll, in the manner herein specified, the sum of \$25.00 each year.

Sec. 390-3 Roller Skating Rinks.

All Roller-Skating Rinks located in Carroll County, outside the limits of any city, village or incorporated town, shall pay as a license fee, for the use of the County of Carroll, in the manner herein specified, the sum of \$25.00 each year.

Sec. 390-4 Race Tracks.

All Motor Race Tracks, and any and all other businesses providing entertainment and recreation in Carroll county, outside the limits of any city, village or incorporated town, shall pay as a license fee, for the use of the County of Carroll, in the manner specified in said ordinances, the sum of \$25.00 each year.

Sec. 390-5 Carnivals, Festivals and Other Gatherings.

All business engaged in the holding or providing of large group recreation or entertainment including without limiting the generality thereof carnivals, circuses, fairs, festivals, music festivals, rock festivals, and other amusements in Carroll County, Illinois outside the limits of any city, village, or incorporated town, shall be subject to the following rules and regulations:

- (1) All activities covered by this amendment are required to have a license

from the County Board of Carroll County, Illinois before they are permitted to transact business. No phase of any such activity shall be commenced or continued without an appropriate license. Applications for license shall be made on or after the effective date of this Ordinance.

(2) Any such business shall comply with all of the standards hereinafter set forth, together with all laws, rules, regulations and requirements of any other state, regional, local or similar body which might pertain to such business or activity.

(3) The license fee, for the use of the County of Carroll, in the manner herein specified shall be the sum of \$25.00 which shall be paid by the applicant at the time of filing the application hereinafter provided for.

(4) The standards applicable to the aforesaid type of business shall include the following, to wit:

(a) Parking facilities, off public roadways, shall be provided to fully serve all reasonable anticipated requirements at a rate of no more than 100 passenger cars per usable acre or 80 buses per usable acre;

(b) Transportation arrangements from non-contiguous parking facilities to the site shall fully serve all reasonable anticipated requirements at a rate of no less than 20,000 persons per hour;

(c) Privy construction and location shall not constitute a threat to surface or underground water pollution. Such facilities shall be designed to fully serve all reasonable anticipated requirements at a rate of no more than 100 persons per toilet seat and 100 persons per lavatory;

(d) One pint of potable water per person, per hour, at the maximum estimated hourly attendance, shall be provided and shall meet the approved water supply standards of the United States Public Health Service as applied to interstate traffic. Internal water distribution shall meet the requirements of the State of Illinois plumbing code;

(e) Internal storage and collection of refuse shall be provided and shall

not constitute a threat to surface or underground water pollution. A refuse disposal site approved by the State of Illinois Department of Public Health shall be provided; the premises and immediate surrounding properties shall be cleaned within 48 hours after an event;

(f) Emergency first aid facilities and food service arrangements, including mandatory dispensing of liquids in plastic, paper or styrofoam cups, shall be provided to fully serve all reasonable anticipated requirements;

(g) Amplifying equipment shall control the noise level at the perimeter of the site to no more than 70 decibels on the A scale of a sound level meter which meets the specifications of the American National Standards Institute;

(h) The site shall be provided with adequate light to illuminate the entire site at all times. All lighting shall be controlled so as not to reflect on any area beyond the boundary of said site;

(i) Public liability and property damage insurance in such form and amount as shall be determined by the Board to be reasonable in relation to or any way arising out of the proposed activity together with a written hold harmless agreement to the public at large for any loss or damage above and beyond insurance coverage shall be furnished by the applicant;

(j) Security enforcement, including prevention of the unlawful use of alcohol, narcotics, or dangerous drugs at the site, and methods for limiting the size of the proposed function to the number of participants for which the facilities are designed shall be used. Security enforcement shall include external as well as internal crowd and sufficient guards for crowd control and security enforcement shall be provided;

(k) At least 30 sq. feet per person shall be available at the site, and facilities to protect attendees from the elements shall be provided if attendees are to remain at the site overnight;

(5) Applicant shall submit, with his application, proof of his financial

resources sufficient to execute his plans, as submitted, and shall give such further assurances as may be called for by revision required by the County Board as a part of the temporary license issued.

(6) No entertainment activity governed hereby shall be located within 500 feet of any occupied dwelling unless:

(a) The County Board determines that the area to specially used by the activity is adequately buffered from all residential development; or

(b) A written waiver has been filed with the County Board by occupants of each dwelling within 500 feet of the proposed entertainment activity area, excepting such dwelling as are found by the County Board to be adequately buffered.

Sec. 390-6 Issuance of Licenses.

(a) Applications for licensing under all licenses granted under this resolution except those as set forth in Section 390-5 shall be made to the County Board at the office of the County Clerk of Carroll County. The licenses shall be issued by the said County Board. On the issuance of said licenses, the licensee shall display them in a prominent place in his business establishment.

(b) Applications for the license shall be made to the County Board by filing written application, together with the license fee in the office of the County Clerk of Carroll County. The application shall be immediately delivered by the County Clerk to the Chairman of the County Board. An investigation and examination to determine adequacy of applications and determine compliance of application and of applicants with the rules and regulations shall be conducted by the Chairman of the County Board of Carroll County, who shall report his findings to the County Board at a regular meeting or a special meeting called for that purpose. The license shall be issued by the Chairman of the County Board over his signature on behalf of the County Board, after he is given authority to do so by a majority vote of the board, and shall be displayed by the licensee in a permanent place in his business establishment.

(c) The application for a license shall contain:

(1) the name, age, residence, mailing address and telephone number of the applicant, a statement of the applicant's legal nature (such as individual, partnership, corporation, etc.) and if the applicant is a partnership, the names and addresses, etc., of all partners and if a corporation, the names and addresses of all corporate officers and stockholders, together with a certified copy of the articles of incorporation; a list of the names and addresses of all persons directly in charge of the activity.

(2) The location and legal description of the premises where the activity is proposed to be conducted, including all lands to be used directly, indirectly or incidental to the proposed activity or any part thereof. As to all such lands, there shall be attached to the application certified copies of the documents disclosing the nature of the interest of the applicant in and to the same.

(3) The date or dates and the hours during which the activity is to be conducted and a statement as to whether or not the activity will involve a total time period or more than 12 hours and if so, the total time period.

(4) A detailed statement, containing plans and specifications, or the applicant's program and plans for the activity in its entirety including, without limiting the generality hereof, the manner in which the applicant proposes to meet the regulations, requirements and standards provided for elsewhere in this ordinance.

(5) An estimate of the costs of producing the activity and all other costs related thereto (which said estimate shall not be binding upon the County Board).

(6) An estimate of the minimum and maximum numbers of customers, spectators, participants and other persons expected to attend the activity daily or per performance.

(7) A statement certifying on penalty of perjury, the correctness of the information given on the application and in supporting documents, and agreeing on behalf of the proposed licensee that there shall be full compliance of the licensee with all state and local laws in the conduct of the activities for which a license may be granted.

(d) Upon receipt of an application for a license as required in the preceding paragraph, the Chairman of the County Board shall proceed to determine the sufficiency of the application and the other submissions contained therewith. The Chairman of the County Board shall complete his work in this regard within 30 days of the date upon which the application is filed, shall make his report to the County Board for their action, and shall advise the applicant of the Board's decision within said period in writing. The Chairman of the County Board may, but he is not required to do so, appoint one or more members of the County Board to assist him in examining the application and related documents. Further, the Chairman of the County Board may, but he shall not be required to do so, submit the application or any part thereof, to other governmental agencies, national, state or local, for their suggestions and recommendations. If the application meets all of the requirements of this resolution and all of the rules, regulations, and standards related to the activity in question, then the County Board shall issue a temporary license permitting the applicant to proceed with the development of the activity, in accordance with the contents of the application and in accordance with such other reasonable requirements as the County Board may make in the interests of public health, welfare or safety, which said additional requirements shall be set forth in the temporary license. The temporary license shall be valid only for the period from the date it is issued until a date two weeks preceding the date upon which the event or activity shall first commence as set forth in the application.

(e) At least five days before the temporary license expires, the applicant shall in fact meet all of the requirements of the resolution, application and additional requirements prescribed by the County Board as contained in the temporary license, complete all construction, etc., and submit to the Chairman of the County Board written approval from all other governmental agencies having any jurisdiction whatsoever over the proposed activity.

(f) During the last five days before the temporary license expires, the Chairman of the County Board or his designee shall inspect all of the facilities and activities of the applicant to determine compliance or noncompliance with the terms of the temporary license by the applicant. If the applicant is in total compliance, a final license shall be issued forthwith. If there is less than total compliance, then the Chairman of the County Board shall give written notice of all deficiencies to the applicant who shall have three days thereafter within which to correct said deficiencies. If the deficiencies are corrected, the final license shall issue forthwith; if the deficiencies are not corrected, the final license shall be denied by a written

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statement to that effect issued by the Chairman of the County Board to the applicant whereupon all activity in relation to the proposed event shall terminate forthwith and immediately and shall proceed no further until a whole new application procedure shall have been commenced and processed to satisfactory conclusion.

390-7 Term of License.

The license year shall extend from October 1 through September 30 of the year following, except for those licenses granted under Section 390-5.

390-8 Non-transferability.

No license under this ordinance shall be transferable without the consent of the County Board.

Sec. 390-10 Violations.

Any person who violates this ordinance or resolution shall be fined not to exceed \$200.00 for each offense. The violation of this ordinance or resolution is hereby declared a public nuisance in a manner abated by law.

History: ordinance no. _____ recorded in Supervisors Record Book M, page 325-332.