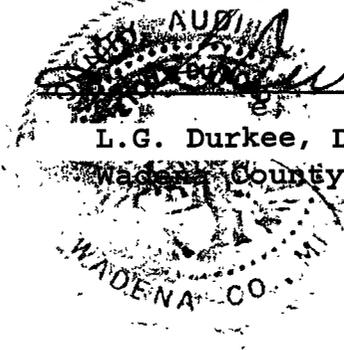


State of Minnesota)
County of Wadena)ss

I, L. G. Durkee, Deputy Auditor in and for Wadena County, Minnesota hereby certify that the attached is a true and correct copy of Wadena County Ordinance # Ord (6), as amended to March 6, 1987.

Dated at Wadena, Minnesota this 6th day of March, 1987.



L.G. Durkee, Deputy Auditor
Wadena County, Minnesota

COUNTY RECORDER
WADENA COUNTY, MINN.
FILED

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OFFICE OF COUNTY RECORDER
WADENA COUNTY, MINNESOTA

Fee: \$0
Pages: 13

Certified, Filed, and/or Recorded on: November 26, 2019 3:05 PM

SOLEDAD HENRIKSEN, COUNTY RECORDER

Well Certificate [] Received

Received from Received from name

Returned To: WADENA COUNTY AUDITOR/TREASURER
415 SOUTH JEFFERSON STREET
WADENA, MN 56482

AN ORDINANCE ESTABLISHING STANDARDS AND PROCEDURES
FOR THE LICENSING AND REGULATION OF
LARGE ASSEMBLIES AT SHOWS AND EXHIBITIONS

FILED

JUN 20 1978
COUNTY AUDITOR
Wadena County, Minn.

ORDINANCE NO. 6

The Wadena County Board of Commissioners, pursuant to Minnesota Statutes Annotated, Section 375.40 hereby accepts the following Ordinance to be applicable to Wadena County excluding incorporated municipalities.

I. INTENT

A. It is the intent and purpose of the Board of Commissioners of Wadena County to regulate the assembly of large numbers of people, in excess of those normally needing the health, sanitary, fire, Sheriff, and utility services regularly provided in Wadena County, in order that the health of all persons in Wadena County, residents and visitors alike, may be protected.

B. It is the intent of this Board that all Sections and Provisions of this Ordinance have an independent existence; and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of this Board that any section or provision so declared shall be severable from and shall not affect the validity of the remainder of the Ordinance.

II. LICENSE REQUIRED

A. No person shall permit, maintain, promote, conduct, advertise, act as an entrepreneur, organize, manage or sell or give tickets to an actual or reasonably anticipated assembly of One Thousand Five Hundred (1,500) or more people which is to continue at any point in time, whether on public or private property, unless a license to hold the assembly has first been issued by the Board of County Commissioners of Wadena County, application for which must be made at least ninety

(90) days in advance of the assembly. When applying for an assembly license, the sponsor must submit certified copies of other necessary Minnesota State licenses and/or permits to support his application. A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connection with the holding of the licensed assembly.

B. As used in this Ordinance:

1. "person" means any individual natural human being, partnership, corporation, firm, company, association, society, or group;
2. "assembly" means a company of persons gathered together at any location at any single time for any purpose.

C. A license shall be required each event and in which One Thousand Five Hundred (1,500) people assemble or can reasonably be anticipated to assemble. The fee for each license shall be Four Hundred and no/100 (\$400.00) Dollars. Subsequent licenses of the same event and location the fee shall be Two Hundred Fifty and no/100 (\$250.00) dollars.

D. A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit to assemble at the licensed location, more than the maximum permissible number of people.

E. This Ordinance shall not apply to any regularly established, permanent place of worship, stadium, athletic field, auditorium, or other similar permanently established place, where shows or exhibitions are held. This Ordinance shall not apply to Government sponsored fairs, held on regularly established fairgrounds.

III. CONDITIONS FOR ISSUING LICENSE

Before they may be issued a license, the applicant shall first:

A. Determine the maximum number of people which will be assembled

or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly, and provided that where the assembly is to continue overnight, the maximum number allowed in the campground shall not be more than is allowed to sleep within the boundaries of the assembly area specified and approved for that purpose.

B. At the time the application is submitted, the sponsor will provide a plan including the provisions herein for operation of the assembly. Ten (10) days prior to the start of the assembly, local authorities will inspect to determine whether the requirements of these provisions have been met:

1. A fence or barrier (sufficient to prevent ingress and exit except at established gates) completely enclosing the proposed location of performance or assembly areas and adjacent vendors of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds, which shall have sufficient entrances and exits to allow easy movement into and out of the assembly grounds and provide traffic control onto established public road systems.

2. Public water supply, meeting all federal, state and local requirements to ensure safe drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day. If no on-site approved water supply is available, hauled water may be used, provided that persons using hauled water comply with applicable Minnesota rules.

3. Separate enclosed toilets and handwashing stations conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled, in accordance with regulations and standards.

4. A sanitary method of disposing of solid waste, in compliance with State and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at

4. A sanitary method of disposing of solid waste, in compliance with State and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 lbs. of solid waste per person per day, together with a plan for holding and collecting all such waste at least once each day of the assembly, and an adequate number of durable, covered, watertight containers for garbage, refuse and recyclable materials and personnel to perform tasks required;

5. The applicant shall provide plans for medical services, including structure(s) to be used, the hours of medical coverage, names and credentials of medical personnel, and the plans for provision of ambulance and other emergency medical services. The structure(s) shall be attended by at least one medical personnel, contain at least one defibrillator, and be heated or air conditioned. Medical personnel means a physician, nurse, emergency medical technician or emergency medical responder with current licensure, certification or registration with their respective licensing boards. The medical services plan shall be reviewed by the Public Health Medical Director and amended as needed;

6. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five foot candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly and paths to campground areas;

7. A parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons a parking space will be calculated at 300 square feet for a paved surface and 375 square feet for a unpaved surface.;

8. If the assembly is to continue overnight, camping facilities shall be in compliance with all State and local requirements as set forth in Minnesota statutes/rules and state or local ordinances.

Applicant must attain a special event camping license issued by the Minnesota Department of Health or delegated county agency;

9. Security and traffic control plans which will meet the requirements of local law enforcement and road authorities and the Minnesota Department of Public Safety. Regularly employed off-duty Minnesota Law Enforcement Officers or other approved security officers, sufficient to provide adequate security for the maximum number of people to be assembled, as recommended by the Wadena County Sheriff. If security is provided by the Wadena County Sheriff's Office, cost of security will be billed by the Sheriff's Office rate identified on the Wadena County Fee Schedule. Advanced payment will be required. If the exhibition is canceled 10 days prior to its schedule date, the advanced payment will be refunded;

10. Fire protection shall be provided by the sponsor which may include but not be limited to the following: fire alarms, extinguishing devices, fire lanes, and shall be sufficient to meet all applicable State laws and local regulations which are in effect, or may be set forth by the political subdivision concerned: and sufficient emergency personnel to efficiently operate the required equipment will be provided by the sponsor,

11. All reasonably necessary precautions to insure that the sound of the assembly will not carry unreasonably beyond the enclosed boundaries of the location of the assembly. The Wadena County Sheriff has the authority to order a reduction in sound levels, if necessary, based on complaints;

12. A bond, shall be filed with the County Auditor/Treasurer of Wadena County, either in cash or underwritten by a surety company, licensed to do business in Minnesota, in the minimum amount of Twenty-five Thousand and no/100 (\$25,000.00) Dollars, which shall indemnify and hold harmless this political subdivision or any of its agents, officers, servants and employees from any liability or causes of action which might arise by reason of granting this license, payment of employees, or services rendered by the granting authority, including the cost of extraordinary police protection or fire

protection, and from any cost incurred in cleaning up any waste material produced or left by the assembly.

13. If bleachers are present, a copy of the inspection report as required in Minnesota Statute 326B.112.

IV. APPLICATION

A. Application for a license to hold actual or anticipated assembly of One Thousand Five Hundred (1,500) persons shall be made in writing to the Auditor/Treasurer of this political subdivision at least ninety (90) days in advance of such assembly.

B. The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group, or if there are no officers, by all members of such association, society or group.

C. The application shall contain and disclose:

1. the name, date of birth, residence, and mailing address of all persons required to sign the application by Section IV.B, hereof, and in the case of a corporation, a certified copy of the articles of incorporation together with the name, date of birth, residence, and mailing address of each person holding ten percent (10%) or more of the stock of said corporation.

2. the address and legal description of all property upon which the assembly is to be held, together with the name, residence, and mailing address of the record owner(s) of all such property;

3. proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner(s) of all such property that the applicant has permission to use such property for an assembly of 1,500 or more persons;

4. the nature or purpose of the assembly;

5. the total number of days and/or hours during which the assembly is to last. No performance or noise generating activity in connection with the licensed show or exhibition shall occur between the hours of 1 a.m. and 9 a.m.
6. the maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning regulations of the political subdivision if the assembly is to continue overnight;
7. the maximum number of tickets to be sold, if any;
8. the plans of the applicant to limit the maximum number of people permitted to assemble. The County Board may impose restrictions on the maximum number of persons which will be assembled if such restrictions are deemed necessary to protect the health, safety, and welfare of those persons who will be in attendance, the residents of the community in which the assembly will be held, and other residents of Wadena County;
9. the plans for fencing the location of the assembly and the gates contained in such fence;
10. the plans for supplying potable water including the source, amount available, and location of outlets;
11. the plans for providing toilet and lavatory facilities including the source, number, and location, type, and means of disposing of waste deposited;
12. the plans for holding, collection, and disposing of solid waste material;
13. the plans to provide for medical facilities including the location and type of a medical structure, the names and addresses and hours of availability of company and or licensed medical person available and provisions for emergency ambulance service;

14. the plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lights;
15. the plans for parking vehicles including size and location of lots, points of highway access and interior roads including routes between highway access and parking lots;
16. the plans for camping facilities, if any, including facilities available and their location, and a site plan showing roads, camping facilities, toilet facilities and drinking water stations.
17. the plans for security including the number of security guards, their deployment, and their names, addresses, credentials and hours of availability;
18. the plans for fire protection as may be required by Section III.B.II, herein.
19. the plans for any alcohol sales, food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concessioners and their license or permit numbers;
20. the plans for area traffic control foregress from and exit onto public roads or highways.
21. If bleachers are present, a copy of the inspection report as required in Minnesota Statute 326B.112.

D. The application shall include the bond required in Section III.B.14., and the license fee.

V. ISSUANCE

The application for a license shall be processed within thirty (30) days of receipt and shall be issued if all conditions are complied with.

VI. REVOICATION

A. The license may be revoked by the County Board at any time, if any of the conditions necessary for the issuing of or contained in the license are not complied with, or if any condition previously met

ceases to be complied with.

B. If during the course of the show or exhibition for which a license has been granted hereunder it appears in the judgement of the Wadena County Sheriff that there exists an imminent danger of the outbreak of violence, riot or other calamity, or if there are threats or acts of terrorism, threatening the physical health or safety of those in attendance at the assembly, or residents of the community in which the assembly is held, the Sheriff shall be empowered to take whatever action he/she deems appropriate to protect said persons, including temporarily suspending the license granted if he/she deems such action necessary. Any such suspension by the Sheriff shall be effective immediately and a hearing thereon shall be held before the County Board at the earliest opportunity. In the event the County Board deems such suspension improper, the license shall be reinstated or the license application fee refunded, whichever action the licensee requests.

VII. ENFORCEMENT

A. The provisions of this Ordinance may be enforced by injunction in any court of competent jurisdiction.

B. The holding of an assembly in violation of any provision or condition contained in this Ordinance shall be deemed a public nuisance and may be abated as such.

C. Any person, firm, corporation or association violating or failing to comply with any provision of this Ordinance or any licensee who fails to comply with the conditions of a license, shall be subject to a fine of not more than One Thousand and no/100 (\$1,000.00) Dollars or to imprisonment for not more than ninety (90) days or both.

D. Any person who violates Section II, A. or who violates any condition upon which a license is granted will forfeit an appropriate amount from the bond required in Section III, B, 14. No portion of the bond will be released to the licensee until all provisions of the license agreement have been met.

E. Outdoor vendors using power supply are subject to inspection by the MN department of Labor and Industry and must meet all

applicable codes and regulations. For information regarding the necessary requirements please call the local MN State Inspector

F. The provisions of this ordinance are cumulative to all other laws, ordinance and regulations heretofore passed or which may be passed hereafter by the State of Minnesota and the County of Wadena.

G. Nothing contained in this ordinance shall be construed to waive or otherwise satisfy the obligations or restrictions imposed by State statute or County ordinance or regulation concerning the sale of non-intoxicating malt liquor or intoxicating liquor.

VIII. EFFECTIVE DATE.

This ordinance shall become effective January 1, 2020 and publication according to law.

The motion for the adoption of the foregoing Ordinance was
moved by Commissioner Nelson,
and seconded by Commissioner Berg upon roll call vote.

The following voted:

Berg - Yes

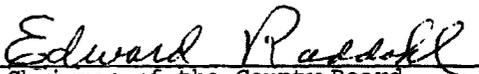
Johnson - Yes

Nelson - Yes

Raddohl - Yes

Wain - Yes

Dated at Wadena, Minnesota this 20th day of June, 1978


Chairman of the County Board
Wadena County, Minnesota


ATTEST Wadena County Auditor

State of Minnesota)
County of Wadena)ss

I, L. G. Durkee, Deputy Auditor in and for Wadena County, Minnesota hereby certify that the attached is a true and correct copy of Wadena County Ordinance # Ord (6), as amended to March 6, 1987.

Dated at Wadena, Minnesota this 6th day of March, 1987.

[Handwritten signature]
L.G. Durkee, Deputy Auditor
Wadena County, Minnesota

COUNTY RECORDER
WADENA COUNTY, MINN.
FILED

MAR 6 1987

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Doc#. 253925

OFFICE OF COUNTY RECORDER
WADENA COUNTY, MINNESOTA

Fee: \$0
Pages: 13

Certified, Filed, and/or Recorded on: November 26, 2019 3:05 PM

SOLEDAD HENRIKSEN, COUNTY RECORDER

Well Certificate [] Received

Received from: Receieved from name

Returned To: WADENA COUNTY AUDITOR/TREASURER
415 SOUTH JEFFERSON STREET
WADENA, MN 56482

State of Minnesota
County of Wadena

I, Ryan Odden, County Coordinator in Wadena County, Minnesota hereby certify that the attached is a true and correct copy of Wadena County Ordinance No. 6 as amended to November 5, 2019.

Dated at Wadena, Minnesota this 5th day of November, 2019.

[Handwritten signature]
Ryan Odden, County Coordinator
Wadena County, Minnesota

[Handwritten signature]
Bill Stearns, Chairman of the Board
Wadena County Board of Commissioners