

TITLE 6 – BUSINESS & LICENSE REGULATIONS

**CHAPTER 1
NONRESIDENT SOLICITORS**

6-1-1: PERMIT REQUIRED

No person shall go on to any private property in any unincorporated areas of the County for the purpose of soliciting, canvassing or direct sales, without first having applied for and obtained a solicitor's permit from the Sheriff's Department. Any person desiring to secure a solicitor's permit shall apply in person to the Sheriff's Department on forms provided by the County along with the appropriate fee as set by the Law Enforcement and Public Safety Committee.

This section shall not apply to:

- A. Any Green County resident or business.
- B. Any person delivering newspapers, fuel, dairy products or bakery items to regular customers on established routes.
- C. Any person selling merchandise at wholesale to dealers in such merchandise.
- D. Any person selling agricultural products which such person has grown.
- E. Any person who has had a prior business transaction such as a prior sale or credit arrangement with the prospective customer.
- F. Any person holding a sale required by statute, order of any court or a bonafide auction sale.
- G. Any employee, officer or agent of a charitable or nonprofit organization.
- H. Any person engaged in political activities.
- I. Any person while doing business at special events which are under the supervision and control of a local organization or business.

6-1-2: PERMIT ISSUANCE

The Sheriff's Department shall issue the permit, within three business days, after reasonable investigation that the applicant is of good moral character and proposes to engage in a lawful and legitimate commercial or professional enterprise. Each permit shall be valid for a period of one year from the date of issuance.

The Sheriff's Department may refuse to permit the applicant if it is determined that:

- A. The application contains any material omission or materially inaccurate statement;
- B. The address or other information in the application cannot be confirmed;

- C. Complaints of a material nature have been received against the applicant by authorities in the last three cities, villages and towns in which the applicant conducted similar business;
- D. The applicant was convicted of a criminal, statutory or ordinance violation within the last five years, the nature of which is directly related to the applicant's fitness to engage in direct selling;
- E. The applicant has engaged in fraudulent business practices; or
- F. The applicant failed to comply with any applicable provision of this section.

6-1-3: PROHIBITED PRACTICES

No solicitor shall:

- A. Call at any dwelling or other premises between the hours of 9:00 p.m. and 9:00 a.m., except by appointment.
- B. Call at any dwelling or other premises where a sign is displayed bearing the words "No Peddlers", "No Solicitors", "No Trespass", or words of similar meaning.
- C. Call at the rear door of any dwelling.
- D. Remain on any premises after being asked to leave by the owner, occupant or other person having authority over the premises.
- E. Misrepresent or make false, deceptive or misleading statements concerning the quality, quantity or character of any goods offered for sale, the purpose of the visit, the identity of the individual and/or any organization represented.
- F. Impede the free use of sidewalks and street by pedestrians and vehicles. Where sales are made from vehicles, all traffic and parking regulations shall be observed.
- G. Make any loud noises or use any sound amplifying device to attract customers.
- H. Allow rubbish or litter to accumulate in or around the area in which he/she is conducting business.

6-1-4: PERMIT REVOCATION

The permit may be revoked by the Sheriff after notice and opportunity to be heard by the Sheriff or designee, if the applicant made any material omission or materially inaccurate statement in the application for registration, made any fraudulent, false, deceptive or misleading statements or representation in the course of engaging in direct sales, violated any provision of this section or was convicted of any crime, ordinance violation or statutory violation which is directly related to the applicant's fitness to engage in solicitation.

6-1-5: PENALTY

Any person convicted of violating any provisions of this section shall be subject to a Class Five forfeiture. Each violation shall constitute a separate offense.

(Ord. 15-1201, 12/8/2015)

6-1-6: ENFORCEMENT

The Green County Sheriff shall enforce the provisions of this Chapter. The Green County District Attorney shall represent the interests of Green County in any violation of this Chapter. This Chapter shall not apply within towns, cities and villages which have adopted ordinances regulating the same subject matter. (Ord. 17-0202, 2/14/17)

**CHAPTER 2
ROCK FESTIVALS**

6-2-1: INTENT

- A. It is the purpose of Green County to regulate the assemblage of large numbers of people, in excess of those normally meeting the health, sanitary, fire, police transportation and utility services regularly provided in Green County in order that the health, safety and welfare of all persons in Green County, residents and visitors alike, may be protected.
- B. It is the intent of Green County that all sections and provisions of this Chapter 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 County that any section or provision so declared shall be severable from and shall not affect the validity of the remainder of this Chapter.

6-2-2: DEFINITIONS

As used in this Chapter:

ASSEMBLY: A company of persons gathered together at any location at any single time for any purpose.

PERSON: Any individual natural human being, partnership, corporation, firm, company, association, society or group.

6-2-3: LICENSE REQUIRED; FEE; RESTRICTIONS

- A. No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage or sell or give tickets to an actual or reasonably anticipated assembly of five thousand (5,000) or more people which continues or can reasonably be expected to continue for eighteen (18) or more consecutive hours, whether on public or private property, unless a license to hold the assembly has first been issued by Green County, application for which must be made at least thirty (30) days in advance of the assembly. 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. A separate license shall be required for each day and each location in which five thousand (5,000) or more people assemble or can reasonably be anticipated to assemble; the fee for each license shall be one hundred dollars (\$100.00).
- C. 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.
- D. The license shall not permit the sound of the assembly to carry unreasonably beyond the enclosed boundaries of the location of the assembly.

6-2-4: CONDITIONS FOR ISSUING LICENSE

Before such person shall 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 shall not be more than is allowed to sleep within the boundaries of the location of the assembly by the zoning or health regulations of the municipality or County.
- B. Provide proof that he/she will furnish at his/her own expense before the assembly commences:
 - 1. A fence completely enclosing the proposed location, 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 at least four (4) gates, at least one at or near four (4) opposite points of the compass.
 - 2. Potable water, meeting all Federal and State requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one gallon per person per day; and water for bathing at the rate of at least ten (10) gallons per person per day;
 - 3. Separate enclosed toilets for males and females, meeting all State and local specifications, conveniently located throughout the grounds, sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every two hundred (200) females and at least one toilet for every three hundred (300) males, together with an efficient, sanitary means of disposing of waste matter deposited, which is in compliance with all State and local laws and regulations; a lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet.
 - 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 two

and one-half (2-1/2) pounds of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task.

5. Physicians and nurses licensed to practice in Wisconsin sufficient to provide the average medical care enjoyed by residents of Wisconsin for the maximum number of people to be assembled at the rate of at least one physician for every one thousand (1,000) people and at least one nurse for every one thousand five hundred (1,500) people, together with an enclosed covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least one emergency ambulance available for use at all times.
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 (5) foot candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly.
7. A free 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 (4) persons.
8. Telephones connected to outside lines sufficient to provide service for the maximum number of people to be assembled at the rate of at least one separate line and receiver for each one thousand (1,000) persons.
9. If the assembly is to continue overnight, camping facilities in compliance with all State and local requirements as set forth in the Wisconsin Administrative Code and ordinances of Green County, sufficient to provide camping accommodations for the maximum number of people to be assembled.
10. Security guards, either regularly employed, duly sworn, off-duty Wisconsin peace officers or private guards, licensed in Wisconsin, sufficient to provide adequate security for the maximum number of people to be assembled at the rate of at least one security guard for every seven hundred fifty (750) people.
11. Fire protection including alarms, extinguishing devices and fire lanes and escapes sufficient to meet all State and local standards for the location of the assembly as set forth in the Wisconsin Administrative Code and ordinances of Green County, and sufficient emergency personnel to efficiently operate the required equipment.
12. 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.
13. A bond filed with the Clerk of Green County, either in cash or underwritten by a surety company licensed to do business in Wisconsin at the rate of one dollar (\$1.00) per person for the maximum number of people permitted to assemble, which shall indemnify and hold harmless Green County or any of its agents, officers and employees from any liability or causes of action which

might arise by reason of granting this license and from any cost incurred in cleaning up any waste material produced or left by the assembly.

6-2-5: APPLICATION FOR LICENSE

- A. Application for a license to hold an actual or anticipated assembly of five thousand (5,000) or more persons shall be made in writing to the governing body of Green County at least thirty (30) 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 an individual natural human being, by all officers 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 be no officers, by all members of such association, society or group.
- C. The application shall contain and disclose:
 - 1. The name, age, residence and mailing address of all persons required to sign the application by subsection B above and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, 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 five thousand (5,000) 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.
 - 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 ordinances¹ of Green County, 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.

¹Green County Zoning Ordinance contained in Title 4 of this Code.

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 the 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 construction of a medical structure, the names and addresses and hours of availability of physicians and nurses, 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 lamps.
 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 telephone service including the source, number and location of telephones.
 17. The plans for camping facilities, if any, including facilities available and their location.
 18. The plans for security including the number of guards, their deployment, and their names, addresses, credentials and hours of availability.
 19. The plans for fire protection including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment.
 20. The plans for sound control and sound amplification, if any, including number, location and power of amplifiers and speakers.
 21. The plans for 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.
- D. The application shall include the bond required in Section 6-2-4B13 of this Chapter, and the license fee.

6-2-6: ISSUANCE OF LICENSE

The application for a license shall be processed within twenty (20) days of receipt and shall be issued if all conditions are complied with.

6-2-7: EXCEPTIONS

- A. This legislation shall not apply to any regularly established, permanent place of worship, stadium athletic field, arena, auditorium, coliseum or other similar permanently established place of assembly for assemblies which do not exceed by more than two hundred fifty (250) people the maximum seating capacity of the structure where the assembly is held.
- B. This legislation shall not apply to government sponsored fairs held on regularly established fairgrounds nor to assemblies required to be licensed by other ordinances and regulations of Green County.

6-2-8: REVOCATION OF LICENSE

The license may be revoked by the governing body of Green County 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.

6-2-9: ENFORCEMENT; PENALTY

- A. The provisions of this legislation 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 Chapter shall be deemed a public nuisance and may be abated as such.¹
- C. Any person who violates Section 6-2-3A hereof or who violates any condition upon which he/she is granted a license may be fined not less than one thousand dollars (\$1,000.00) nor more than ten thousand dollars (\$10,000.00); and a separate offense shall be deemed committed for each day of violation. (8-11-70)

¹W.S.A. 823.01 et seq.