

GEM COUNTY ORDINANCE 2015-04

AN ORDINANCE OF GEM COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, REGULATING MASS GATHERINGS FOR GEM COUNTY, IDAHO

IT IS THE PURPOSE OF THE COUNTY TO REGULATE THE ASSEMBLY OF LARGE NUMBERS OF PEOPLE, IN EXCESS OF THOSE NORMALLY NEEDING THE HEALTH, SANITARY, FIRE, POLICE, TRANSPORTATION AND UTILITY SERVICES REGULARLY PROVIDED IN THE COUNTY, IN ORDER THAT THE HEALTH, SAFETY AND WELFARE OF ALL PERSONS IN THE COUNTY, RESIDENTS AND VISITORS ALIKE, MAY BE PROTECTED.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF GEM COUNTY THAT:

SECTION 1. TITLE: This ordinance shall be known as the Gem County Mass Gathering Ordinance.

SECTION 2. AUTHORITY AND PURPOSE:

1. This ordinance is adopted pursuant to the authority granted to counties to regulate mass gatherings as provided in the Idaho Code and the Constitution of the State of Idaho.
2. The purpose of this ordinance is to establish consolidated rules and regulations governing mass gatherings.

SECTION 3. DEFINITIONS:

1. ASSEMBLY: A company of persons gathered together at any county location at any single time for any purpose.
2. PERSON: Any individual, natural human being, partnership, corporation, firm, company, association, society or group.
3. COUNTY MASS GATHERING EVENT COORDINATOR: The individual appointed by the Gem County Board of Commissioners to assist with the processing of applications for the licensing of mass gatherings as established by this ordinance.

SECTION 4. LICENSE REQUIREMENTS:

1. License Required: 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 three hundred fifty (350) or more people, whether on public or private property, unless an exception or a license to hold

the assembly has first been issued by the Gem County Commissioners, the application for which must be submitted to the County Mass Gathering Event Coordinator at least sixty (60) days in advance of the assembly.

2. License and Fee: A separate license shall be required for each location in which three hundred fifty (350) or more people assemble or can reasonably be anticipated to assemble. The fee for each license shall be as set by the Board of County Commissioners of Gem County.
3. Ticket Sales: A license shall permit the assembly of no more than 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.
4. Location of Event: No license shall be issued to any anticipated assembly of three hundred (350) or more people where said location may be hazardous, highly prone to wildfire, dangerous or detrimental to the public health, safety and welfare unless appropriate safety provisions have been met.
5. Exceptions:
 - a. This ordinance shall not apply to any regularly established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, school 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 ordinance shall not apply to government sponsored fairs or events held on regularly established fairgrounds nor to assemblies required to be licensed by other ordinances and regulations of the county, nor to assemblies within any incorporated municipality within the county.
 - c. This ordinance shall not apply to any place at which auctions and/or sales are held which do not exceed by more than two hundred fifty (250) people the maximum capacity of the structure or outdoor location where the assembly of the participants and/or buyers of items for auction or sale is held.