



# BOISE COUNTY

## MASS GATHERING ORDINANCE 2014-02

### AN ORDINANCE FOR LICENSING AND REGULATING MASS GATHERINGS, SPECIAL EVENTS OR OTHER PUBLIC ASSEMBLIES

#### PREAMBLE

**WHEREAS, it is in the public interest of the citizens of Boise County to perpetuate an ordinance for licensing and regulating mass gatherings, special events or other public assemblies; and**

**WHEREAS, in regulating such activity, Boise County recognizes that permits issued under this ordinance may not be granted or denied based upon the content of the message and any potential restrictions on speech shall be narrowly tailored to serve a significant Boise County government interest; and**

**WHEREAS, in the establishment of this mass gathering ordinance, Boise County declares that it has a compelling government interest to protect the health and safety of its residents and visitors in connection with large events or gatherings; and**

**WHEREAS, by this ordinance, Boise County intends to create content neutral time, place and manner regulations that apply to all mass gatherings in Boise County irrespective of the purposes of the gathering.**

**Section I, Enactment.** Therefore, in light of the foregoing, be it ordained by the Board of County Commissioners of Boise County, Idaho, an ordinance for licensing and regulating mass gatherings, special events or other public assemblies.

**Section II, Repeal.** This ordinance shall repeal in its entirety the Boise County Mass Gathering Ordinance, 2011-02.

**Section III, Short Title.** This ordinance shall be known as the Boise County Mass Gathering Ordinance.

**Section IV, Authority.** This ordinance is enacted pursuant to Idaho Code Section 31-714.

#### **Section V, Definitions.**

**Applicant.** "Applicant" means any person or duly appointed agent who has been authorized to apply on behalf of an organization or to whom a permit is issued pursuant to this ordinance. This person must be readily available for consultation and communication throughout the permitting process.

**Attendee.** "Attendee" means any person who obtains admission to an assembly by payment of money, by the rendering of services in lieu of the payment of money for admission or by being present.

**Board.** The Boise County Board of County Commissioners.

**Mass Gathering.** "Mass Gathering" means a company of persons estimated to equal 150 or more persons gathered together at any location, at any single time, for any lawful purpose. Gathering, assembly and event are used interchangeably throughout this ordinance.

**Mass Gathering Review Committee.** "Mass Gathering Review Committee" means a committee consisting of representatives of the Boise County Sheriff, Boise County Road & Bridge Department and Boise County Emergency Management Department, and other members as appointed by the Board, which will review, evaluate and establish minimum requirements for each Mass Gathering Permit.

**Mass Gathering Coordinator.** "Mass Gathering Coordinator" means the employee or agent appointed by the Board charged with collecting all necessary information about a Mass Gathering and providing same to the Mass Gathering Review Committee in a timely manner.

**Person.** "Person" means any natural person, partnership, corporation, association, society or organization.

**Solid Waste.** "Solid Waste" means garbage, trash, containers and excess food. For the purposes of this Ordinance, human waste is not included as "Solid Waste". Human waste is treated separately under "Sanitation".

**Sponsor.** "Sponsor" means any person who organizes, promotes, conducts or causes to be conducted, an assembly of persons.

**Terms.** All words and phrases used in these sections shall be given their ordinary, commonly understood and accepted meanings unless specifically indicated otherwise.

**Section VI, Applicability.** This ordinance applies to any organized activity with an anticipated attendance, including participants and spectators, of at least one hundred (150) people. This ordinance shall not apply to any regular established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, school or other similar permanently established place of assembly which does not exceed the maximum seating capacity of the facility where the assembly is held. This ordinance shall not apply to any events conducted by a business as long as that event falls within the normal scope of that business, as determined by the Mass Gathering Review Committee. Prior issuance of a Conditional Use Permit for the property hosting the event does not exempt the applicant from the requirements of this ordinance.

**1) 150 or More Attendees.** All events with an estimated attendance, including participants and spectators, of at least 150 people shall complete a Notice of Mass Gathering. The Mass Gathering Review Committee will request applications for events they feel will have a substantial impact on Boise County resources.

**2) Government Events.** This ordinance shall not apply to government-sponsored events held on publicly owned land or facility, nor to assemblies within any incorporated municipality within the county.