

**TOWN OF WEST BEND**  
**TEMPORARY "CLASS B" SPECIAL EVENTS PERMIT**

The Town of West Bend Town Board has the authority to promote the health, safety and general welfare of the citizens and inhabitants of the Town of West Bend enacts this ordinance for that purpose. This ordinance is enacted pursuant to Ch. 60, Wisconsin Statutes.

It shall be unlawful for any persons or organization on a temporary basis to sell or offer to sell any alcohol beverage upon any Town of West Bend owned property or private property within the Town of West Bend except through the issuance of a temporary "Class B" special event permit issued by the Town of West Bend in accordance with Wisconsin state statutes. The Town of West Bend does not issue a temporary event permits to be held on Town of West Bend property. A temporary "Class B" special event permit authorizing the sale and consumption of alcohol beverages on privately owned property may be authorized by the Town of West Bend Town Board provided the following requirements are met.

A. General

- 1) Compliance with eligibility standards. The organization shall meet the eligibility requirements of a bonified club, association, lodge or society, churches, non-profit or charitable organization which have been in existence for at least six months, set for in Wis. Statute 125.26 (6).
- 2) Any person or organization operating conducting or managing within the Town of West Bend any outdoor dance, show, presentation, musical event or similar occurrence during which a public address system, instrument, amplifier, machine or any other device which increases the volume of sound is to be used, must obtain a special event permit from the Town of West Bend.
- 3) A permit under this ordinance shall not be required for any small private party event or gathering, namely, a party, event or gathering limited to not more than 75 attendees which is not open to the general public and for which no products are sold to those attending and no admission fee is charged. However, a permit may be issued for such small parties, events and gatherings. All other Town of West Bend ordinances must be adhered to.
- 4) Underage persons. No person who has not reached the legal age to consume alcohol unless accompanied by a parent, spouse or guardian shall be permitted. No underage person shall be permitted to sell or serve intoxicants.
- 5) Posting of event permit. The event permit must be posted in a conspicuous location and clearly visible.

B. Application

- 1) An application for a "Class B" Special Event Permit along with the application fee set by the Town of West Bend Town Board, shall be filed with the Town of West Bend Town Clerk on forms provided by the Town Clerk at least [14] fourteen days prior to the regularly scheduled Town Board meeting in which the applicant seeks to have the Town Board act upon the application. The application is to be signed and sworn to by the applicant, duly authorized agent, officer or member of the entity seeking the "Class B" Special Event Permit. The application shall include:
  - a) The name, address, telephone number and email address of the applicant.
  - b) The address of the premises where such event/activity is proposed to occur.
  - c) The date and period of time for which the permit is sought.
  - d) A general description of the type of event to be held on the premises.
  - e) A description of any equipment to be used for the amplification of noise/sound and any steps to be taken to minimize noise/sound emanating from the premises.
  - f) If there is an evening event, a description of the outdoor lighting to be used and steps to be taken to minimize light emanating from the premises.
  - g) A description of measures to be taken to address toilet and sanitation needs for the event
  - h) A description and measures to be taken to address parking for those attending the event.
  - i) Name, address, phone number, email address and date of birth of the person responsible or authorized agent who will be present on site during the event/activity.
- 2) In no event shall "Class B" Special Event Permits be issued for more than (4) four events/activities on the same premises in any (4) week period. Each twenty-four-hour period included in any single event/activity shall be deemed a sperate event/activity for purposes of determining the allowable number of events/activities in any period.

- C. Notices. Each permit sought shall require a sperate application and applicable fee. The Town Clerk upon receiving the application shall send a copy of the application to all landowners who own any parcel within [500] five hundred feet of the premises in which the "Class B" special Event Permit is requested, along with notice of the date and time that the Town Board is to hold a hearing to consider the application.
- D. Decision by the Town Board. The application shall be referred to the Town Board and, if timely filed, the Town Board shall hold a hearing on the application at its next regularly scheduled meeting. The Town Board, in making a determination, shall consider the days of the week and the hours which the event/activity will be held on the premises, the sufficiency of the applicants plan to address noise/sound, light emanating from the

premises, parking, toilet and sanitation needs for the event/activity and any other likely impacts from the event/activity if any on the adjacent properties and within the neighborhood. The Town Board shall also consider whether the event/activity as proposed is likely to cause significant interference with the use and/or enjoyment of neighboring properties or otherwise have an appreciable detrimental effect on public health, safety or welfare. Denial may also be based on whether the proposed event/activity would exceed the number of events/activities under sub section B 2. The subject matter of the proposed event/activity shall not be considered in determining whether to grant the permit. The Town Board may approve the application as presented, approve the application with limitations or conditions, or deny the application. If the application is denied, The Town Board shall set forth the basis for its denial.

E. Event/Activity

- 1) The Town of West Bend reserves the right to monitor or enter the event/activity, without prejudice or sanction, by a Town Official, Agent, Law Enforcement, Fire Official or Emergency personnel at any time. Failure to comply, or to comply with any direction given by said Officials, will result in immediate revocation of "Class B" Special Event Permit.

F. Insurance

- 1) The applicant for the special "Class B" permit may be required to indemnify, defend and hold the Town of West Bend and its employees and agents harmless against all claims, death of any person(s) or damage to property caused by or resulting from the activities for which this permit is granted. As evidence of the applicant's ability to perform the conditions of the permit, the applicant may be required to furnish a certificate of comprehensive general liability insurance with the Town of West Bend. The applicant may also be required to furnish a performance bond prior to being granted the permit.