

TOWNSHIP OF MARTIN

ORDINANCE NO 99

AN ORDINANCE TO AMEND THE OUTDOOR GATHERING ORDINANCE,  
ORDINANCE 97, OF THE TOWNSHIP OF MARTIN CODE OF ORDINANCES.

ADOPTED: February 9<sup>th</sup> 2011

EFFECTIVE: April 27<sup>th</sup>, 2011

THE TOWNSHIP OF MARTIN, MICHIGAN ORDAINS:

Section 1.     Amendment of Section 4.

The first paragraph of Section 4 of the Outdoor Gathering Ordinance, Ordinance 97, of the Code of Ordinances of the Township of Martin is hereby deleted in its entirety and replaced with the following:

Applicants for a license to conduct an outdoor assembly must submit a complete application to the township clerk at least 45 days prior to the date of the proposed assembly. Each application must be accompanied by a fee of \$ 500.00 to be held by the Township in escrow to cover all costs and expenses associated with the application review and approval process, which costs may include, but are not limited to, Township attorney fees, Township engineering fees, costs and fees for services of outside consultants, fees and expenses of other professionals who may assist the Township, special meeting costs, and any reports or studies which the Township anticipates it may have done related to the application review process for the particular application.

At any point during the application review process, the Township may require that the applicant place additional monies into escrow with the Township should the existing escrow amount filed by the applicant prove insufficient. If the escrow account needs replenishing and the applicant refuses to do so promptly, the Township may suspend the application review and approval process until and unless the applicant makes the required escrow deposit. If the applicant fails to replenish the escrow deposit as set forth above and Township continues the application review and approval process, then the applicant shall pay the Township an amount equal to the costs in excess of any escrow amounts deposited by the applicant that the Township incurred in the application and review process. Any monies paid or deposited by an applicant which are not used

or spent by the Township shall be refunded to the applicant. Each application must include at least the following:

**Section 2. Amendment of Section 9.**

The subsection entitled "Bonding" of Section 9 of the Outdoor Gathering Ordinance, Ordinance 97, of the Code of Ordinances of the Township of Martin is hereby deleted in its entirety and replaced with the following:

*Bonding*—Before the issuance of license, the licensee shall obtain, from a corporate bonding company authorized to do business in Michigan, a corporate surety bond in the amount of \$100,000 in a form to be approved by the township attorney, conditioned upon the licensee's faithful compliance with all of the terms and provisions of this ordinance and all applicable provisions of state or local law, and which shall indemnify the township, its agents, officers, and employees and the board against any and all loss, costs, fees, charges, injury or damage whatsoever arising out of or in any way connected with the assembly or the township's (or its agent's) provision of services for the same and which shall indemnify the owners of property adjoining the assembly site for any costs attributable to cleaning up and/or removing debris, trash, or other waste resultant from the assembly.

**Section 3. Non-Repeal.** This Ordinance amendment shall not be construed to repeal by implication any other ordinances of the Township of Martin pertaining to the same or similar subject matter.

**Section 4. Effective Date.** This Ordinance amendment shall take effect thirty (30) days after publication in a newspaper circulating within the Township of Martin, Michigan.

Moved by Tiemeyer, seconded by Brenner,

that the foregoing Ordinance be adopted.

YEAS: Sturgis, Brenner, Coburn, Tiemeyer

NAYS:

ABSENT: Sipple

That the Ordinance amendment as set forth above was adopted by the Township Board of the Township of Martin in regular session on February 9<sup>th</sup>, 2011, and that it was published in the Pensacola Globe on March 28<sup>th</sup>, 2011. Further, I certify that the attested copy of the Ordinance amendment was filed with the Township Clerk on February 9<sup>th</sup>, 2011.

Carrie Colburn  
Carrie Colburn  
Martin Township Clerk