



TO: Amusement/Entertainment Applicant

FROM: Delta Charter Township, Clerk's Office

RE: Amusement & Entertainment Application Procedure

Delta Township would like to say thank you for considering Delta as the community in which to conduct your amusement/entertainment. We wish you success in your application process. Attached is a copy of the current Delta Township Ordinance, Chapter 6 Amusements and Entertainment, Article II, Entertainments and Performances, to guide you in the application procedure.

The attached application must be filled out entirely before returned for processing, a minimum of thirty, (30) days, prior to your event. The Township Board of Delta Charter Township must approve this license. The Township Board meetings are scheduled every first and third Monday of each month. \$500.00 Non-refundable application fee is due at time of submittal of application.

For electrical inspections, or sign permits contact the Community Development Building Division at (517)323-8530, for zoning information contact Community Development Planning Division (517)323-8560, for noise ordinance information and variance contact the Managers Office at (517)323-8590 and for Fire Safety or tent inspections contact the Fire Department at (517)321-6622.

Carefully review the attached Amusements and Entertainments Ordinance and complete the application. Questions may be directed to the township clerk at (517)323-8500 for further information.

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TO: Amusement & Entertainment License Applicant

FROM: Delta Charter Township, Clerk's Office

RE: Amusement & Entertainment Application Guidelines

APPLICATION/LICENSE REQUIREMENTS AS FOLLOWS:

1. A application shall be submitted to the Township Clerk for a amusement permit and shall be submitted by the owner, manager, sponsor or operator of the carnival a minimum of thirty (30) days prior to the requested carnival date as this permit must be approved by the Delta Township Board. The Township Board meetings are scheduled every first and third Monday of each month.
2. A non-refundable application fee of \$500.00 shall be submitted with the application for Amusement & Entertainment license.
3. The application shall contain the following information:
 - a. The name and address of the person applying for the permit; the full name and address of the owner, operator and sponsor of such show.
 - b. The proposed location and dates of operation of such show, or a statement that operation will be on a continuous basis and the hours of such operation.
 - c. A brief description of the type of activity.
 - d. A statement setting forth all admission charges
 - e. Such other information as the township clerk shall deem reasonably necessary and proper for the full protection of the charter township, as well as the applicant in order to effectuate the purposes of this article and determine whether the terms of this article and state statutes have been complied with.

4. The fee shall be \$200.00 per day for Amusement & Entertainment License. The fee will be set by the Township Board and must be paid prior to license being issued.
5. A letter on business stationary from the property owner where the carnival/circus will be held giving permission for the event and location.
6. Prior to issuance by the township clerk of any license under this article, each person applying for a license shall file with the clerk a public liability and property damage insurance policy. (See Section 6-34-a).
7. Prior to issuance by the township clerk of any license under this article, each person applying for a license shall file with the clerk a bond in the penal sum of \$10,000.00 indemnifying the Charter Township. (See Section 6-34-b).
8. For electrical inspections contact the Community Development Department - Building Division at (517)323-8530, for Fire Safety inspections contact the Fire Department at (517)321-6622.

Carefully review the attached Amusements and Entertainments Ordinance. Questions may be directed to the township clerk at (517)323-8500 for further information

APPLICATION FOR A ENTERTAINMENT AND PERFORMANCE LICENSE

The undersigned hereby applies for a license to sponsor, operate, exhibit, perform or cause to be operated, exhibited or performed any public amusement, entertainment, bingo game, exhibition, circus, carnival, sporting event or religious service under canvas or in the open air, within the Charter Township of Delta, Michigan. This listing is illustrative only and is not meant to be all inclusive.

APPLICATION/LICENSE FEES

\$500.00 Non-Refundable Application Fee due at time of submittal of application:

License Fee set by Township Board at Township Board Meeting. \$200.00 per day.

GENERAL INFORMATION:

FULL LEGAL NAME OF APPLICANT: _____

ADDRESS OF APPLICANT: _____

APPLICANT PHONE NUMBER: _____

APPLICANT(S) DATE OF BIRTH: _____

FULL LEGAL NAME OF OWNER(S): _____

ADDRESS OF OWNER(S): _____

OWNER(S) PHONE NUMBER: _____

OWNER(S) DATE OF BIRTH: _____

FULL LEGAL NAME OF OPERATOR(S): _____

ADDRESS OF OPERATOR: _____

OPERATOR(S) PHONE NUMBER: _____

OPERATOR(S) DATE OF BIRTH: _____

FULL LEGAL NAME OF SPONSOR(S): _____

ADDRESS OF SPONSOR(S): _____

SPONSOR(S) PHONE NUMBER: _____

EVENT INFORMATION:

LOCATION OF PROPOSED EVENT: _____

DATES OF PROPOSED EVENT: _____

PROPOSED HOURS OF OPERATION: _____

CHARGES FOR ADMISSION: _____

IF NO ADMISSION CHARGE, OTHER MANNER(S) IN WHICH MONEY OR OTHER CONSIDERATION IS RECEIVED:

BRIEF DESCRIPTION OF PROPOSED TYPE OF ACTIVITY(S) INCLUDING TIMES:

BRIEF DESCRIPTION OF APPLICANT AND OPERATOR(S) EXPERIENCE WITH PROPOSED EVENT AND ACTIVITY(S):

BRIEF STATEMENT WHETHER APPLICANT HAS APPLIED FOR A SIMILAR LICENSE OTHER THAN DESCRIBED IN THIS APPLICATION, AND THE DISPOSITION OF SUCH APPLICATION:

INSURANCE INFORMATION:

INSURED

BY: _____

\$500,000.00, in the event of injury or death of any one person, and for the payment up to \$1,000,000.00 in the event of injury or death of more than one person, and for the payment up to \$500,000.00, for property damage. The Charter Township of Delta must appear as an additional insured and receive a 30-day cancellation notice.

POLICY#: _____ DATE ISSUED: _____ EXPIRATION DATE: _____

BONDED
BY: _____

(In the Penal Sum of \$10,000.)

BOND#: _____ DATE ISSUED: _____ DATE EXPIRES: _____

REQUIREMENTS:

Applicant understands full compliance with any and all Township Ordinances is required, including but not limited to, the:

- Delta Township Fire Code,
- Delta Township Zoning Ordinance,
- Delta Township Building Code,
- Delta Township Utility Ordinance,
- Delta Township Traffic Ordinance,
- Delta Township Sign Ordinance,
- Delta Township Nuisance Ordinance,
- Delta Township Noise Ordinance,
- Delta Township Offenses Ordinance.

Applicant understands full compliance with any and all Township Ordinances, County Ordinances, State Statutes, and Federal Statutes is required.

IMPORTANT: applicant is required to provide, along with this application, items necessary to show how and where the license (if granted) is to be utilized, which shall describe adequate off-street parking, lighting, refuse disposal facilities, water facilities, restroom facilities, medical facilities, seating, trespass containment, and adequate plans for screening and noise control. This listing is illustrative only, and is not meant to be all inclusive.

Applicant understands all required fees, utility bills, and taxes must be paid in full before a license will be granted. Applicant is required to provide written permission from the property owner, of the property upon which the event or activity is intended to take place. A fee for each license shall be in an amount determined by resolution of the Township Board.

Such other information as deemed reasonably necessary and proper, for the full protection of the Charter Township, as well as the applicant in order to effectuate the purposes of the Ordinance and determine whether the terms of the Ordinance and State Statutes are being complied with, may be required to be provided by applicant.

Should your request for a license be denied by the Township Clerk, applicant may file an Appeal to the Township Board. To file an appeal, the form is available from the Township Clerk, a fee is required and set by resolution of the Township Board and applicant has five days from the date of denial in which to file such appeal.

"I, the undersigned, hereby acknowledge my understanding of this application and its requirements. I have received and read a copy of the Township Ordinance, and

understand and will comply with the regulations contained within the Township Ordinance. Further, I understand that a false statement on this application may result in either a denial of this application or subsequent revocation if this license is granted."

APPLICANT SIGNATURE: _____

DATE: _____

Delta Township Official use only below this line.

Reviewed and approved by the following: Date Initials

Delta Township Clerk's Office: _____

Eaton County Sheriff Department: _____

Delta Township Fire Department: _____

Delta Township Planning Department: _____

Delta Township Building Department: _____

Delta Township Treasurer: _____

Fee Established: _____

Delta Township Board of Trustees: _____

Application Fee Paid (receipt no.): _____

License Fee Paid (receipt no.): _____

Date of Acceptance/Denial: _____

**Delta Charter Township, (Eaton Co.), Michigan, Code of Ordinances >> - CODE OF ORDINANCES >>
Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS >> ARTICLE I. - IN GENERAL >>**

ARTICLE I. - IN GENERAL

Sec. 6-1. - Township clerk certification: investigation of applicant's character.

Sec. 6-2. - Conditions prerequisite to license issuance.

Secs. 6-3—6-14. - Reserved.

Sec. 6-1. - Township clerk certification; investigation of applicant's character.

- (a) In all cases where the certification of the township clerk is required prior to the issuance of any license by the township clerk, such certification shall be based upon a finding that the person making application for such license is of good moral character.
- (b) The term "good moral character," when used in this Code for the purpose of licensing, means the propensity on the part of the person to serve the public in the licensed area in a fair, honest and open manner.
- (c) A judgment of guilt in a criminal prosecution or a judgment in a civil action shall not be used, in and of itself, as proof of a person's lack of good moral character. It may be used as evidence in the determination, and when so used the person shall be notified and shall be permitted to rebut the evidence by showing that at the current time he has the ability and is likely to serve the public in a fair, honest and open manner, that he is rehabilitated, or that the substance of the former offense is not reasonably related to the occupation or profession for which he seeks to be licensed.
- (d) The following criminal records shall not be used, examined or requested by the township in a determination of good moral character:
 - (1) Records of an arrest not followed by a conviction.
 - (2) Records of a conviction which has been reversed or vacated, including the arrest records relevant to that conviction.
 - (3) Records of an arrest or conviction for a misdemeanor or a felony unrelated to the person's likelihood to serve the public in a fair, honest and open manner.
 - (4) Records of an arrest or conviction for a misdemeanor for the conviction of which a person may not be incarcerated in a jail or prison.
- (e) When a person is found to be unqualified for a license because of a lack of good moral character, or similar criteria, the person shall be furnished by the township clerk with a statement to that effect. The statement shall contain a complete record of the evidence upon which the determination was based. The person shall be entitled, as of right, to a rehearing on the issue before the township board if he has relevant evidence not previously considered regarding his qualifications.

(Code 1992, § 3-1)

State law reference— Similar provisions, MCL 338.41 et seq.

Sec. 6-2. - Conditions prerequisite to license issuance.

The township clerk shall not issue a new license, nor issue a renewed license, nor submit a license application to the township board for approval (new or renewal) until the applicant has met all applicable conditions of this chapter. Applicant must continue to meet all conditions of a new license as a minimum to qualifying for a license renewal. No licenses shall be issued (new or renewed) under this chapter until the applicant has met all applicable township regulations and ordinances and has paid all required township fees, utility bills, and taxes when due.

(Code 1992, § 3-2; Ord. No. 93-8, § 1, 10-4-1993)

Secs. 6-3—6-14. - Reserved.

**Delta Charter Township, (Eaton Co.), Michigan, Code of Ordinances >> - CODE OF ORDINANCES >>
Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS >> ARTICLE II. - ENTERTAINMENTS AND
PERFORMANCES >>**

ARTICLE II. - ENTERTAINMENTS AND PERFORMANCES

DIVISION 1. - GENERALLY

DIVISION 2. - LICENSES

**Delta Charter Township, (Eaton Co.), Michigan, Code of Ordinances >> - CODE OF ORDINANCES >>
Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS >> ARTICLE II. - ENTERTAINMENTS AND
PERFORMANCES >> DIVISION 1. - GENERALLY >>**

DIVISION 1. - GENERALLY

Sec. 6-15. - Penalty.

Sec. 6-16. - Operational requirements.

Secs. 6-17—6-29. - Reserved.

Sec. 6-15. - Penalty.

It shall be unlawful for any licensee to knowingly advertise, produce, operate, exhibit or cause to be advertised, produced, operated or exhibited, in the township, any activity regulated in this article without first having obtained a license.

(Code 1992, § 3-109; Ord. No. 243, § 8.00, 10-21-1974)

Sec. 6-16. - Operational requirements.

After issuance of a license under this article, the licensee shall meet the following requirements:

- (1) The insurance and bond required shall continue in full force and effect until expiration or termination of the license.
- (2) The licensee shall permit township, county and state officials to enter upon the licensed premises at all reasonable times to determine compliance with the requirements of this article and other applicable township, county and state ordinances and statutes.
- (3) The licensee shall not knowingly permit violations of any township ordinance, county ordinance or state statute by any of his patrons.
- (4) The licensee shall provide off-street parking facilities sufficient to accommodate all persons to be admitted to his place of business.
- (5) The licensee shall not admit to his premises any person who is then under the influence of intoxicating beverages or of drugs, nor shall he knowingly permit the

possession, sale or consumption of intoxicating beverages or controlled substances on his business premises.

- (6) The licensee shall provide sufficient fences or barriers or shall so patrol the boundaries of his business premises as to efficiently prevent his patrons from directly trespassing on neighboring premises.
- (7) The licensee shall so conduct his business that it shall not give rise to a nuisance by reason of noise, vibration, smoke, odor or dust.
- (8) The licensee shall limit his business activities to the hours specified in his license.
- (9) The licensee shall post a copy of this article and a copy of his license in his place of business in a location where they can be read easily by his patrons.
- (10) The licensee shall pay all required fees, utility bills and taxes by the due dates.

(Code 1992, § 3-108; Ord. No. 123, § 5, 7-6-1971; Ord. No. 93-8, § 7, 10-4-1993)

Secs. 6-17—6-29. - Reserved.

**Delta Charter Township, (Eaton Co.), Michigan, Code of Ordinances >> - CODE OF ORDINANCES >>
Chapter 6 - AMUSEMENTS AND ENTERTAINMENTS >> ARTICLE II. - ENTERTAINMENTS AND PERFORMANCES >> DIVISION 2. - LICENSES >>**

DIVISION 2. - LICENSES

Sec. 6-30. - Required.

Sec. 6-31. - Exceptions to requirement.

Sec. 6-32. - Application.

Sec. 6-33. - Fees.

Sec. 6-34. - Insurance and bond prerequisite to issuance.

Sec. 6-35. - Approval issuance.

Secs. 6-36—6-50. - Reserved.

Sec. 6-30. - Required.

It shall be unlawful for any person to sponsor, operate, exhibit, perform or cause to be operated, exhibited or performed any public amusement, entertainment, bingo game, exhibition, circus, carnival, sporting event or religious service under canvas or in the open air, within the township without first obtaining a license therefor from the township clerk. The listing is illustrative only and is not meant to be all inclusive. The township clerk is hereby authorized to grant such license for the aforesaid purposes subject to the approvals and requirements contained within the ordinances, code, laws and regulations of township, the county and the state.

(Code 1992, § 3-101; Ord. No. 243, § 3.00, 10-21-1974; Ord. No. 93-8, § 5, 10-4-1993)

Sec. 6-31. - Exceptions to requirement.

- (a) No license shall be required under this article where the sponsor, operator, exhibitor or performer of such show is the state or a political subdivision thereof.
- (b)

This article shall not require a license for any exhibition, entertainment, amusement or performance conducted by established businesses in the township for the purpose of stimulating business or sales.

(Code 1992, § 3-102; Ord. No. 123, § 1, 7-6-1971; Ord. No. 243, § 3.00, 10-21-1974)

Sec. 6-32. - Application.

- (a) Applications for a license to operate any activity regulated by this article shall be made by the owner, manager, sponsor or operator thereof on forms to be furnished by the township clerk and shall be sworn to and filed with the township clerk not less than 30 days prior to the date upon which the license applied for shall become effective; provided, however, that the township clerk may, upon good cause shown, allow the filing of an application less than 30 days prior to the effective date.
- (b) The application shall contain the following information:
 - (1) The name and address of the person applying for the permit; the full name and address of the owner, operator and sponsor of such show.
 - (2) The proposed location and dates of operation of such show, or a statement that operation will be on a continuous basis and the hours of such operation.
 - (3) A brief description of the type of activity.
 - (4) A statement setting forth all admission charges.
 - (5) Such other information as the township clerk shall deem reasonably necessary and proper for the full protection of the township, as well as the applicant in order to effectuate the purposes of this article and determine whether the terms of this article and state statutes have been complied with.

(Code 1992, § 3-104; Ord. No. 243, § 4.00, 10-21-1974)

Sec. 6-33. - Fees.

- (a) A fee for each license required by this article shall be in an amount as currently established or as hereafter adopted by resolution of the township board from time to time. The fee, as determined by the township board, must be paid prior to the time that the license is issued.
- (b) In the case of the circus and/or a carnival or activity where rides, concessions and amusements are provided that are in the nature of a circus or carnival operated or sponsored by a person who is classified as a nonprofit organization for federal internal revenue purposes, the township board may designate such fees for the license as it deems necessary.

(Code 1992, § 3-105; Ord. No. 243, § 5.00, 10-21-1974)

Sec. 6-34. - Insurance and bond prerequisite to issuance.

- (a) Prior to issuance by the township clerk of any license under this article, each person applying for a license shall file with the township clerk a public liability and property damage insurance policy, insuring such persons and the township against any liability imposed on such person and/or the township arising out of the operation of such show in the township by such persons. Such policy shall provide for payment as currently established or as hereafter adopted by resolution of the township board from time to time. Such policy shall bear an endorsement to the effect that the insurance company shall notify the township clerk at least ten days prior to the expiration of such policy, whether by way of cancellation or limitation of term.

- (b) Prior to issuance by the township clerk of any license under this article, each person applying for a license shall file with the township clerk a bond in the penal sum as currently established or as hereafter adopted by resolution of the township board from time to time, indemnifying the township against any and all violations of any ordinance, regulation or rule of the township, to indemnify the township for any and all damage to public property of any kind or nature, and conditioned that such licensee will pay to the township all fines or penalties which may be assessed against the licensee for breach of any ordinance relating to the show carried on by such person and conditioned further that such licensee will fulfill any obligation to a resident of the state, which obligation is incurred as a result of the operation of such show by the licensee within the township.
- (c) It shall be unlawful for any person required to have a license under this article, to sponsor, operate, exhibit, perform or cause to be operated, exhibited or performed such show within the township unless a policy of insurance and a bond as required by this section are in force at the time of such operation, exhibition or performance.

(Code 1992, § 3-106; Ord. No. 123, § 4, 7-6-1971; Ord. No. 243, § 6.00, 10-21-1974)

Sec. 6-35. - Approval, issuance.

Upon approval by the township board and when the township clerk is satisfied that the licensee has complied with all provisions of this article and state statutes, the township clerk shall immediately issue the license provided for in this article. The township board may require as a condition to the issuance of the license approval by the chief of the fire department, by the county sheriff's department and by the township treasurer.

(Code 1992, § 3-107; Ord. No. 243, § 7.00, 10-21-1974; Ord. No. 93-8, § 6, 10-4-1993)

Secs. 6-36—6-50. - Reserved.

Chapter 43

TENT DISPLAYS

Article I. In General

- Sec. 43-1. Definitions.
- Sec. 43-2. General regulations.

Article II. Permit

- Sec. 43-3. Permit required.

ARTICLE I. IN GENERAL**Sec. 43-1. Definitions.**

Tent means a structure, enclosure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

Tent display means the erection of a tent on the ground displaying goods or services for promotion or sale on church and school properties and parcels zoned office (O), business (B1, B2) and industrial (I1, I2).

(Ord. No. 14-82, 5-5-2014)

Sec. 43-2. General regulations.

(a) A maximum of five permits authorizing a tent display for nine consecutive days shall be issued in any calendar year for any property. Permits may be issued back to back.

(b) Tent displays shall not be erected in a road right of way, over a sidewalk, or obstruct a barrier free parking space.

(c) Signs attached to a tent display or within the interior of a tent which are in view of the general public shall comply with the requirements of the sign ordinance.

(d) Tent displays shall be maintained in a clean and sanitary condition and all litter and debris removed at the cessation of the tent display.

(Ord. No. 14-82, 5-5-2014)

ARTICLE II. PERMIT**Sec. 43-3. Permit required.**

(a) No person shall erect a tent display without first obtaining a permit as provided for herein with the following exceptions:

- (1) Tent displays associated with the sale of produce on the same property on which it was grown.
- (2) Tent displays maintained by the United States of America, the State of Michigan, any agencies thereof, as well as local municipalities.
- (3) Parcels developed for church and school uses shall not be regulated for tents under 200 square feet.

(b) Application for a permit to erect a tent display shall be made to the township zoning administrator or his/her designee by submission of the required forms and information. The 28/196 application shall be accompanied by payment of a fee in an amount established by the township board. A sketch shall be submitted with the application depicting the proposed location of the tent display on the property.

DELTA TOWNSHIP COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

◆ 7710 West Saginaw Highway ◆ Lansing, Michigan 48917 ◆ (517) 323-8560 ◆
Township Website: www.deltami.gov Email: planning@deltami.gov

TENT PERMIT APPLICATION

ALL ITEMS SHALL BE FILLED OUT

I. TENT INFORMATION Date _____

Name of Business/School/Church	Street Address
Tent Purpose (eg. fireworks display)	
Dimensions of Tent	Dates of Display
Phone number	Email address

II. TENT INSTALLER (if not done by owner)

Tent Installer's Name		
Address		
City	State	Zip Code
Phone Number		
E-mail Address		

Site plan and sketch of tent (with dimensions) is required with the application

FEES:

\$30 – events with tents under 200 square feet
\$50 – events with tents 200 square feet and over

Fees changed 5-5-14

Form Rev. 6-26-14

Tent Permit Number (completed by Township)

Tent Event of the year (completed by Township)

III. TENT DISPLAY REGULATIONS

1. A maximum of five (5) permits authorizing a tent display for nine (9) consecutive days shall be issued in any calendar year for any property. Permits may be issued back to back.
2. Tents 200 square feet and over require review & approval by the Fire Department
3. Tent displays shall not be erected in a road right of way, over a sidewalk, or obstruct a barrier-free parking space.
4. Tent displays shall be maintained in a clean and sanitary condition and all litter & debris removed at the cessation of the tent display.
5. The tent display permit shall be attached to the tent and in public view at all times.
6. The Zoning Administrator or his/her designee may impound any tent display which has been erected in violation of this chapter.
7. Tent permits only required for church and school properties and parcels zoned office (O), business (B1, B2) and industrial (I1, I2).
8. Tents over 200 square feet must be set back 20 feet from any property line.

IV. APPLICANT SIGNATURE

I do hereby agree to comply with the terms and requirements of Chapter 43 of the Delta Township Code of Ordinances, Tent Displays		
Applicant (print)	Applicant (signature)	<u>Date</u>
Property Owner (print)	Property Owner (signature)	<u>Date</u>
<u>Zoning Administrator Approval (Completed by Township)</u>		<u>Date</u>