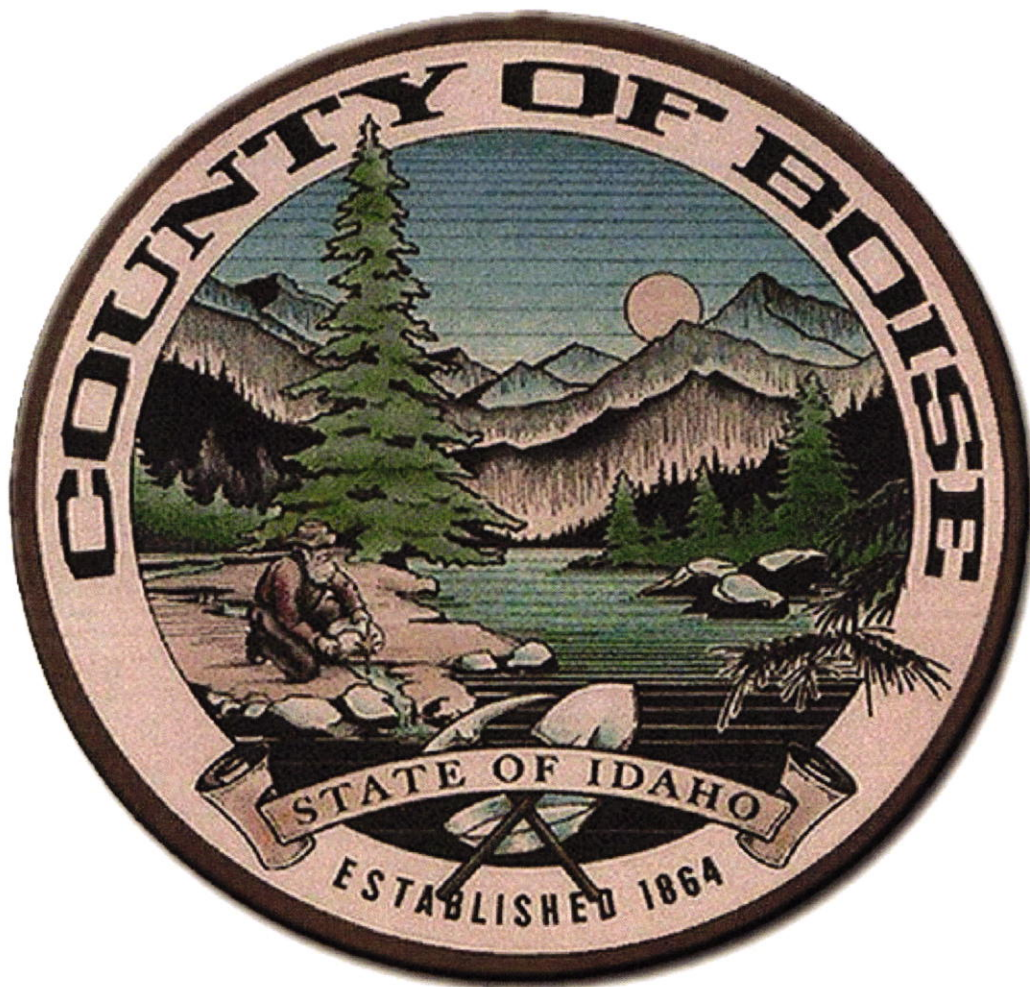


BOISE COUNTY
ADOPTION OF MASS GATHERING
ORDINANCE

2019-01



December 18th, 2018

BOISE COUNTY
MASS GATHERING ORDINANCE
AN ORDINANCE FOR LICENSING AND REGULATING MASS GATHERINGS,
PARADES, FESTIVALS, SPECIAL EVENTS, AND OTHER PUBLIC ASSEMBLIES

RECITALS

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: SHORT TITLE, ENACTMENT, REPEAL

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. This ordinance shall be known as the Boise County Mass Gathering Ordinance. This ordinance shall repeal the Boise County Mass Gathering Ordinance, 2014-02 in its entirety.

SECTION II: AUTHORITY AND APPLICABILITY

This ordinance is enacted pursuant to the authority of the Board of County Commissioners of Boise County described in Idaho Code §§ 31-714, 31-801, 31-828, and 31-870. This ordinance applies only to areas outside of incorporated city boundaries.

SECTION III: DEFINITIONS

“Applicant” means a person applying for a permit pursuant to this ordinance.

“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” means the Board of County Commissioners of Boise County.

"Completed application" means a mass gathering permit application required by Boise County that contains substantive and responsive answers to all sections of the application, and that attaches all documentation required by the application. All contracts, fees and agreements must be complete prior to the application being presented to the Boise County Commissioners for approval.

"Event site" means the location or locations at which the mass gathering will be held.

"Farmer's market" means an open-air market for the sale to the general public of products grown, raised, caught or baked by local farmers and fishers.

"Fire agency" means organization or government entity which provides fire protection services.

"Mass gathering" means a gathering of attendees to equal 150 or more individuals gathered together at any location, at any single time, for any lawful purpose.

"Mass gathering coordinator" means the employee or agent appointed by the Board charged with collecting all necessary information about a mass gathering permit application, and assisting the Board to make an informed decision in a timely manner.

"Person" means any natural person, firm, partnership, corporation, company, association, society, organization, or entity of any kind.

"Portable sanitation unit" means a prefabricated, portable, self-contained toilet that may be housed in trailers or as stand-alone units used for special or temporary events, construction sites, parks, and other events or locations with restroom needs.

"Rally" means a mass gathering that meets all of the following criteria:

- a. is a demonstration, protest, press conference, or march;
- b. is not a commercial or promotional event;
- c. is not a charitable event;
- d. has no fundraising;
- e. has no sales of good or services;
- f. is free of charge to all participants.

"Risk factors" means the following factors that impact the risk of crime, injury, death, or property damage at a mass gathering:

- a. The availability of alcohol (If yes, risk increases).
- b. The number of entrances to the mass gathering (Less roads, more risk).
- c. The environment (Outdoor events increase risk).
- d. Containment of the event site (Lack of barriers increases risk. Temporary barriers lowers risk compared to no barriers, but is higher risk than permanent barriers).