

Original
Live Outdoor Entertainment
Ordinance



ORDINANCE OF RANKIN COUNTY RELATING TO LIVE OUTDOOR
ENTERTAINMENT PRODUCTIONS

WHEREAS, The Board of Supervisors of Rankin County have decided to address the question of providing an ordinary process for obtaining a permit for live entertainment productions. Exempted from this ordinance are recognized religious or charitable organizations as defined by the Internal Revenue Service.

SECTION 1: LIVE OUTDOOR ENTERTAINMENT PRODUCTIONS

Subject to the provisions of this ordinance, live outdoor entertainment productions shall be allowed within Rankin County, Mississippi.

SECTION 2.- PRIVILEGE LICENSE REQUIRED

Any person, partnership, firm or corporation desiring to engage in the business of production of live outdoor entertainment shall pay the county a privilege tax license at the same rate as that imposed by Section 27-17-1 et. seq. of the Mississippi Code of 1972, annotated, and as amended, for the purpose of engaging in such business and shall file with the Tax Collector of Rankin County, Mississippi, an application showing that said person, partnership, firm or corporation possesses all the requirement provided for in this ordinance. Said licenses shall be displayed conspicuously in licensees' place of business and shall not be transferable. It shall be unlawful for any person, partnership, firm or corporation to engage in the business without having first applied for and obtained from the Tax Collector a privilege license to engage in such business as aforesaid.

SECTION 3: APPLICATION REQUIRED

Any person, partnership or corporation desiring to produce live, outdoor entertainment within the unincorporated bounds of Rankin County shall file an application with the Board of Supervisors in the form of a sworn statement giving the address of each partner or member and, if a corporation, then names of two principal officers, the post office address and the nature of the proposed production. In case any business is conducted by the same person, partnership, firm or corporation at two or more separate places, a separate license for each location shall be required.

The applicant shall further show in his sworn application for a license that he, the partnership, firm or corporation possesses the following qualifications

(a) Applicant must be over 21 years of age and a person of good moral character, a citizen of the United States and in the State of Mississippi.

(b) Applicant shall not be convicted in this state, any other state or the United States of a felony of any kind nor any misdemeanor concerning the possession of any controlled substance, alcoholic liquors, pandering, gambling or prostitution.

(c) Applicant shall be the owner of the premises for which the permit is sought or the holder of a bona fide written lease thereupon.

(d) If applicant is a partnership or firm, all members of the partnership or firm must be named and shall be qualified to obtain a license.

(e) If applicant is a corporation, all officers and directors thereof, and any stockholder owning more than 5% of the stock of such corporation, and the person or persons who shall conduct and maintain the licensed premises for the corporation shall possess all the qualifications required herein for an individual permittee; provided however, that the requirements As to residents shall not apply to officers, directors, and stockholders of such corporation, but such requirements shall apply to any officer, director, or stockholder who is also the manager of the licensed premises or who is engaged or employed at the licensed premises in any capacity, in the conduct or operation of the licensed premises,

SECTION 4: LOCATION TO BE IDENTIFIED

In addition to the foregoing information required as to said application, applicant shall give the location of the proposed site for the outdoor live entertainment production. The site designation shall include the exact physical address and shall include a site map which shall include all pertinent information concerning the ownership of adjoining property, bordering roads and the proposed entrance to the production.

A detailed plan with accompanying maps or charts shall be submitted for approval by the Rankin County, Mississippi Sheriff's Office showing the following: the proposed location of all structures of any kind, permanent or temporary; a proposed detailed emergency evacuation plan; a proposed detailed security plan which shall include who shall be providing the security; a proposed detailed first aid and medical facilities; and a detailed parking plan to adequately provide parking that is off the public right-of-way.

A detailed plan shall be submitted for approval by the Rankin County Health Department showing the following: the proposed location of all restroom facilities; the proposed method of human waste disposal including both solid and non-solid waste; the proposed method of providing drinking water; the proposed permanent and temporary food preparation and eating facilities; the proposed method for the removal of garbage.

No permit shall be issued by Rankin County, Ms. until the above proposals have been approved by the appropriate agency. All requested information shall be provided to the appropriate agency within ninety days. All approvals or rejections shall be returned within a reasonable time and an opportunity shall be afforded the applicant to present a revised plan or plans.

No permit shall be granted to any person, firm, partnership, or corporation where it is apparent that the same shall be conducted in such close proximity to any church sanctuary, school main entrance, funeral home or kindergarten as might prove harmful to the general welfare, health, and morals of the community. Under no circumstances shall

such business be located closer to any church, funeral home, school, or kindergarten, than 500 feet measured from the front door of said business along the center line of the street to the front door of any such church, sanctuary, school main entrance, or kindergarten. In incorporated municipalities, such business may be located only in those areas zoned commercial according to the zoning map or ordinances of the incorporated cities of Rankin County, Mississippi. The restriction as to the location of such business shall not apply if said premises has already been licensed under the terms of this ordinance prior to the construction or operation of any such church, school, funeral home, or kindergarten.

SECTION 5: GENERAL RESTRICTIONS

It shall be unlawful for any person, partnership, firm, business or corporation within Rankin County, Mississippi producing outdoor entertainment to:

- (a) To sell or distribute or allow to be sold or distribute upon the property under its control any beer, light wine, or alcoholic beverage before, during or after the said event,
- (b) To allow the consumption of beer light wine or any' alcoholic beverages,
- (c) To permit or suffer gambling or the operation of games of chance up on the Licenses premises.

SECTION 6: RIGHT OF INSPECTION

The Board of Supervisors of Rankin County, Mississippi shall have the power and the authority to demand the inspection of all invoices, sales tax reports and other business papers or records. The failure to furnish said records to the Board of Supervisors or to any designated employee of the Board of Supervisors shall be a violation of the ordinance and shall be punishable as herein provided. Further, the Board of Supervisors shall immediately revoke the license of any person, partnership, firm or corporation refusing to furnish said records to the Board of Supervisors or any designated employee of the Board of Supervisors.

SECTION 7: PENALTY FOR VIOLATION

The Board of Supervisors shall suspend or revoke the license of any retailer of beer or light wine who has been convicted of violating this ordinance, by providing beer, light wine or other alcoholic products at any live outdoor performance, and such revocation of a license shall be in addition to and not in lieu of a limitation of any other penalty provided by this ordinance.

Any person, partnership, firm or corporation violating any provision of this ordinance shall be fined not in excess of \$1,000.00 or imprisoned in jail for not in excess of six (6) months or be punished by both such fine and imprisonment and each and every violation shall be a separate offense and separate fines and imprisonment may be assessed for each offense.

SECTION 8: OTHER PENALTIES

The application for a permit to produce outdoor live entertainment shall be good for 90 days and must be accompanied by the posting of a \$10,000.00 bond and a \$100.00 application fee which shall be non-refundable.

SECTION 9: EFFECTIVE DATE

This ordinance shall be effective on and after December 2, 2002.





PRESIDENT, RANKIN COUNTY
BOARD OF SUPERVISORS

ATTEST:



CLERK OF THE BOARD