

AN ORDINANCE TO REGULATE THE OPERATION OF CIRCUSES, MENAGERIES, CARNIVALS, THEATERS, CONCERTS AND OTHER PUBLIC EXHIBITIONS IN THE VILLAGE OF MARTIN, MICHIGAN; PROVIDING FOR A LICENSE TO CONDUCT SAME AND A FEE THEREFORE; PROVIDING PENALTIES FOR VIOLATION THEREOF AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

THE VILLAGE OF MARTIN ORDAINS:

SECTION 1. Definitions.

"Person" shall mean an individual, company, corporation, co-partnership or organization.

"Circus" shall mean a group of several traveling acts performing under one or more tents, either with or without sideshows and menagerie, and giving not more than two performances and those on the same day, and making a charge for entrance admission.

"Menagerie" shall mean a group of animals which, if not in captivity and confined in cages would customarily be referred to as dangerous, for the viewing of which admission is charged.

"Carnival" shall mean an aggregation of riding devices, sideshows, games of chance and other types of amusement for which separate admission fees are charged.

"Theater" shall mean a building, or hall, chiefly used for portraying motion pictures or live plays and for which an admission is charged.

"Concert" shall mean vocal or instrumental music, or a combination of both, given by a group of people for the entertainment of an audience who have been charged an admission fee to hear same.

SECTION 2. No person shall exhibit within the corporation limits of the Village any circus, menagerie, carnival, concert, theatrical production or other public entertainment or exhibition without first having obtained a license to do so from the Village Commission and paying the license fee therefor in advance, as hereinafter set forth, to the Village Clerk. The Village Commission may refuse to grant a license if, in its opinion, the entertainment for which a license is sought, may constitute a fire hazard, endanger the lives of patrons in attendance thereat, or is indecent in character.

SECTION 3. The license fees to be paid to the Village Clerk for each day or part thereof for which the license is granted shall be as follows:

- (1) For each circus or menagerie, or circus and menagerie, the sum of \$10 per day, \$50 maximum.
- (2) For each side show, in connection with a circus, the sum of \_\_\_\_\_
- (3) For each carnival, the sum of \$5 per day, \$25 maximum.
- (4) For each concert, minstrel show or theatrical performance held in a theater or hall, the sum of \$10 per day, \$50 maximum.
- Theaters or music halls may obtain an annual license, if approved by the Village Commission, by payment to the Village Clerk the sum of \$50.00.

SECTION 4. All forms of entertainment or exhibitions given under the auspices of any public school, benevolent or charitable organization, including veterans organization, and where the proceeds from such events are to be used wholly for the benefit and purposes of said organizations, shall be exempt from the payment of any license fee.

SECTION 5. Any person who shall violate any of the provisions of this ordinance, upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment in the Allegan County jail for a period of not to exceed ninety (90) days, or by both such fine and imprisonment in the discretion of the court.

SECTION 6. Should any phrase, sentence, clause or section of this ordinance be declared invalid by any court of competent jurisdiction, such invalidity shall not be deemed to invalidate any other part or section of this ordinance, which shall continue in full force and effect.

SECTION 7. All ordinances, or parts of ordinances now in effect and in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall take effect and be in force 20 days after its passage and approval.

Approved and adopted this 22 day of January, 1963.

Signed Ernie J. Salisbury  
Village Clerk

Approved A. H. Lett  
Village President

This is to certify that on the 26th day of January, 1963, a copy of this ordinance was posted at the Martin State Bank, the Martin Post Office, and Geib's Service Station.

Ernie J. Salisbury

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