

LOCAL LAW # _____ OF 2025 AMENDING
AND REPLACING SWEDEN TOWN CODE CHAPTER 55
CONCERNING OUTDOOR PUBLIC ASSEMBLIES

Be it enacted by the Sweden Town Board, County of Monroe, State of New York
(hereinafter referred to as the Board), that Sweden Town Code Chapter 55 shall be deleted in its
entirety and replaced with the following:

TITLE (§55-1)

This Local Law shall be referred to as "Local Law # _____ of 2025 Amending and
Replacing Sweden Town Code Chapter 55 Concerning Outdoor Public Assemblies".

AUTHORIZATION (§55-2)

This Local Law is adopted pursuant to the legislative authority in Town Law §130 and
Municipal Home Rule Law §10.

PURPOSE AND INTENT (§55-3)

In order to promote proper government and ensure the public, health, welfare, safety,
peace and tranquility of persons and property within the Town of Sweden (hereinafter referred to
as Sweden) the Board finds that it is in the public interest to amend and replace this Chapter in

order to regulate outdoor public assembly (hereinafter referred to as public assembly) where such assembly exceeds two hundred (200) persons at any place within Sweden.

DEFINITIONS (§55-4)

As used in this Chapter the following terms shall have the meanings indicated hereinbelow:

1. APPLICANT. Any fraternal organization, civic organization, civic organization, non-profit organization, religious organization, individual(s) "doing business as", partnership, any corporation, limited liability company, limited liability partnership, association, political subdivision, government agency and/or municipality

2. APPLICATION. The written application and form Sweden requires for a public assembly.

3. ASSEMBLY. The gathering, collecting or congregating of persons at any place within Sweden, with or without the levy of an admission fee, for a common purpose, including, but not limited to, sporting events, circuses, carnivals, festivals, music festivals and religious observances which are likely more than two hundred (200) people or more at any one time.

4. DRINKING WATER. Water provided for human consumption, food preparation or for lavatory, bathing or laundry purposes.

5. PERMIT. A written approval by Sweden for a public assembly.

6. PERMIT HOLDER. The applicant who is granted a permit.

7. PERSON. Any individual, firm, company, association, society, corporation or group.

8. REFUSE. All solid waste, garbage, rubbish, ashes, incinerator residue, street cleanup, dead animals and solid commercial waste.

9. SEWAGE. Excretion and/or waste from a toilet, bath, sink, lavatory, dishwashing or laundry machine, or the water carried away from any other fixture, equipment or machine.

10. STRUCTURE. A combination of materials to form a construction that is safe and stable including, among other things, open air pavilions, stadiums, stages, prop forms, radio towers, sheds, storage bins, tents, billboards, space signs, bleachers, ramps and seats.

PERMIT REQUIRED (§55-5)

A. No applicant shall use, allow, let or allow to be used property for public assembly of more than two hundred (200) persons nor shall any applicant use, allow, let or permit to be used property for any part or portion of such public assembly of persons, which total public assembly involves more than two hundred (200) persons, unless upon written permit authorizing same issued by the Board through the Sweden Town Clerk.

B. The provisions contained in this Chapter are not applicable to use for any outdoor public assembly at property owned by Sweden and such usage is to be governed by a separate application/process by and through the Sweden Clarkson Community Center.

C. No applicant or person shall hold or promote by advertising, or otherwise, a public assembly unless a permit has been first issued by the Sweden Town Clerk. No applicant

or person shall use, allow, lease or otherwise permit to be used property for a public assembly unless the Sweden Town Clerk first issues a permit.

D. The application for a permit shall be submitted on a form(s) furnished by Sweden and shall be submitted to the Sweden Town Clerk at least ninety (90) days prior to the date of any public assembly. Sweden shall not accept any application more than six (6) months prior to any proposed public assembly.

E. The Board shall, in writing, approve or deny any application within thirty (30) days after same is submitted to the Sweden Town Clerk.

F. A separate permit shall be required for each public assembly. A separate permit shall be required for any public assembly which is scheduled to take place more than forty eight (48) hours after a previous public assembly. However, an application may be made for more than one (1) permit within a twelve (12) month period provided the applicant submits an application for each proposed public assembly.

G. A permit issued for a public assembly shall be kept on file with the Sweden Town Clerk and also posted by the permit holder in a prominent place at the public assembly.

PERMIT APPLICATION (§55-6)

Any application for a public assembly permit must include the following information:

A. APPLICANT.

(1) Individual. If the applicant is an individual, the name, address and all contact information, a copy of a valid driver's license, prior history of any public assembly in Sweden or at any other location(s) and, if any, history of misdemeanor or felony convictions.

(2) Other Entities. If the applicant is a partnership, DBA, any corporation, association, religious organization or a limited liability company, the names, addresses, titles and contact information for the following:

(a) Each individual named in such an entity, including all corporate officers and/or member(s).

(b) Copies of all limited liability company formation documents, corporate documents, certificates of incorporation, DBA certificates and entity resolutions authorizing an application to be made shall be attached to said application.

(c) Employer identification number for the entity.

B. The location and description of the property where the public assembly is proposed, including all land to be used directly, indirectly or incidental to same. If the interest in the property is contained in a contract, leasehold or other writing, a copy of such contract, lease or writing shall be attached to the application.

C. The dates and the hours during which the public assembly is proposed to take place.

D. The plans for the proposed public assembly shall include, but not necessarily be limited to, the following:

(1) A detailed plan for parking facilities off public roadways able to serve all reasonably anticipated requirements at a volume of up to one hundred (100) passenger cars

per acre or thirty (30) buses per acre. Additionally, the applicant must get permission from the property owner to utilize that owner's property for such purpose.

(2) A detailed plan for transportation arrangements from noncontiguous parking facilities to the public assembly. The applicant shall obtain approval of any such plan from the Town of Sweden Highway Department, law enforcement, the New York State Police and/or the Monroe County Sheriff's Department. Additionally, the applicant must get written permission from the property owner to utilize that owner's property for such purpose.

(3) An outline map of the area to an appropriate scale showing the location of all areas of assemblage, including separate overnight camping areas for sleeping, adequate interior roads for emergency access and egress with a representation accompanying the outline map that the interior roads will be kept clear and locations for food services.

(4) The total number of persons anticipated to be present at the public assembly, including performers, staff members and audience, to be determined by providing a net assembly area as more specifically set forth in the New York State Fire Code. Parking areas which are contiguous with the public assembly site may be included in such square footage calculation.

(5) A detailed plan for controlling unauthorized admittance describing the methods of entering the public assembly, number and location of ticket booths (if applicable) at entrances and a plan for keeping non-ticket holders (if applicable) out of the public assembly.

(6) A detailed plan for the use of signs to locate the public assembly and to locate all facilities and roads within the public assembly.

(7) A statement from the fire department having jurisdiction over the public assembly stating the facilities available to the public assembly are suitable to provide adequate fire safety and stating a willingness to respond to emergencies.

(8) A detailed plan for emergency situations, including:

(a) The location for medical services, description of medical supplies, number of qualified EMT's in attendance and arrangements made with hospitals and ambulances in the areas, including names and locations.

(b) An evacuation plan.

(c) Emergency access and egress roads.

(d) A written statement from the Monroe County Director of Emergency Preparedness that the Director has reviewed and approved the plan for emergency preparedness if the event anticipates an attendance greater than five thousand (5,000) people.

(9) A command post in a specific location to be used, if necessary, by on-site security personnel, law enforcement, the Monroe County Sheriff, the New York State Police, the Department of Health and/or the Sweden Town Clerk. The command post shall be equipped with a communication system satisfactory to Sweden.

(10) A detailed plan for security enforcement, including external and internal crowd control, the number of qualified personnel for crowd control, security enforcement and prevention of the unlawful use of alcohol, narcotics and dangerous drugs at the public assembly.

(11) A detailed plan for providing food services, drinking water, lavatories, disposal of sewage, bathing and laundry facilities.

(12) A detailed plan for internal storage and collection of refuse, including provisions for disposal and cleaning the site utilized for the public assembly and surrounding properties within seventy two (72) hours after the public assembly.

(13) A detailed plan for amplifying equipment designed to control the noise level at the perimeter of the public assembly, in conjunction in the Sweden Town Code Chapter 135.

(14) A detailed plan for lighting designed to illuminate the areas of the public assembly demonstrating that the said lighting will not reflect on any area beyond the boundary of the public assembly when same is planned to occur after daylight hours.

(15) A detailed plan showing that the public assembly shall be adequately buffered by fencing or other crowd control devices from neighboring homes within five hundred (500) feet of the boundaries of the public assembly.

(16) A representation that the applicant has submitted the application to the Monroe County Health Department which includes including authorization by the Monroe County Health Department to inspect the public assembly site prior the public assembly date.

(17) A detailed plan for the supervision by the applicant of children under sixteen (16) years of age attending the public assembly without adult supervision.

(18) A resume' for each of the administration staff which the applicant plans to use to supervise the public assembly.

(19) A detailed plan for the construction of temporary structures for use at the public assembly which must be submitted to and approved by the Code Enforcement Officer for Sweden.

(20) A detailed plan for the removal of any temporary structures erected for use during the public assembly within seventy two (72) hours after the time specified in the application at the end of the public assembly.

MISCELLANEOUS REQUIREMENTS FOR
A PUBLIC ASSEMBLY (§55-7)

A. The applicant and/or permit holder of a public assembly shall prohibit flammable or volatile liquids or materials in or adjacent to the public assembly.

B. The applicant and/or permit holder shall comply with all requirements of the New York State Building Code including Section 2902.1 and Section 2902.2 and/or the 2020 Fire Code of the State of New York, said compliance to be determined by and in the discretion of the Code Enforcement Officer. Additionally the applicant and/or permit holder shall comply with all local laws and with all provisions set forth in the permit.

C. Any conflict between the local laws and the aforesaid New York State Building Code and 2020 Fire Code of New York State shall be resolved in favor of the New York State Building Code and 2020 Fire Code of New York State.

D. The applicant and/or permit holder shall allow the Code Enforcement Officer for Sweden and/or any representative designated by the Code Enforcement Officer for Sweden, to enter the public assembly to ascertain compliance in a timely fashion and no later than twenty four to forty eight (24-48) hours prior to commencement of the public assembly.

E. The applicant and/or permit holder shall not sell, offer for sale or allow any other person to sell or offer for sale any cannabis products at the public assembly unless otherwise allowed by the New York State Office of Cannabis Management. The applicant

and/or permit holder shall not sell, offer for sale or allow any other person to sell or offer for sale any alcoholic beverages at the public assembly unless otherwise permitted and allowed by the New York State Liquor Authority.

INSURANCE REQUIREMENTS (§55-8)

No permit shall be issued unless the applicant shall furnish Sweden at the time of application with a comprehensive liability insurance policy insuring Sweden against liability for damage to a person or property with limits of not less than \$1,000,000.00/\$2,000,000.00 for bodily injury or death and with limits of not less than \$1,000,000.00 for property damage to save Sweden harmless from any and all liability or cause of action which might arise by reason of the granting of a permit, which policy shall be cancelable only after ten (10) days prior written notice to Sweden. This insurance policy shall be in effect during the public assembly, during set up and during take down. Failure to keep the insurance policy in effect, as set forth herein, shall result in automatic revocation of any permit.

FEES (§55-9)

A. An application for a public assembly permit shall be accompanied by a fee as per Sweden's fee schedule adopted annually.

REVOCATION OF PERMIT (§55-10)

Any permit issued may be revoked by the Board through the Sweden Town Clerk if it should be determined that the applicant has failed to provide the facilities as specified in the application or that the setting up of facilities provided for in the application cannot be reasonably accomplished within the time or date set for the public assembly.

ENFORCEMENT AND PENALTIES (§55-11)

A. Any person who shall use, allow, let or permit to be used property for a public assembly involving more than two hundred (200) persons or shall use, allow, let or permit to be used property for any part or portion of such public assembly, which total public assembly is in excess of two hundred (200) persons, or any person who shall cause the gathering, collecting, congregating of more than two hundred (200) persons at any place within Sweden without first obtaining a written permit in accordance with the provisions of this Chapter shall be deemed to have violated this Chapter and deemed to have committed a misdemeanor against this Chapter and shall be liable for the penalties provided.

B. For each violation of the provisions of this Chapter, the person violating the same shall be subject to a fine of not more than \$1,000.00 nor less than \$100.00, subject to imprisonment not to exceed one (1) year, or to both such fine and imprisonment for each day of a violation.

C. In addition to the above provided penalties, the Board may maintain an action or proceeding in the name of Sweden in a Court of competent jurisdiction to compel compliance with, or to restrain by injunction, any violation of this Chapter.

SEVERABILITY AND/OR VALIDITY (§55-12)

If any clause, sentence, paragraph, subdivision, section or part of this Local Law, or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudged by a Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, firm or corporation, or circumstance, directly involved in the controversy in which said order or judgment shall be rendered.

EFFECTIVE DATE (§55-13)

This Local Law shall take effect upon the date it is filed in the Office of the New York State Secretary of State in accordance with the Municipal Home Rule Law §27.

Dated: Brockport, New York
, 2025