

**SAGINAW CHARTER TOWNSHIP  
CODE OF ORDINANCES - CARNIVALS AND OUTDOOR AMUSEMENTS  
CHAPTER 18**

**ARTICLE III. CARNIVALS AND OUTDOOR AMUSEMENTS\***

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\*State law references: Carnival-Amusement Safety Act of 1966, MCL 408.651 et seq.

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**Sec. 18-71. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Carnival* means amusement activities, rides, merry-go-rounds, ferris wheels, booths for the conduct of games of skill, sideshows, and food dispensing facilities directly connected with the foregoing activities.

*Outdoor amusements* means all other amusement activities such as miniature golf courses, golf driving ranges, permanent amusement parks with carnival-type activities, and similar outdoor recreational activities.

(Code 1986, § 3-07.02)

**Cross references:** Definitions generally, § 1-2.

**Sec. 18-72. License.**

It shall be unlawful to conduct or operate within the township any carnival, circus, or outdoor amusement which is open to the public without first securing a license therefor 22 days prior to operation. The applicant shall secure a business license from the township clerk as required by article II of this chapter.

(Code 1986, § 3-07.03.01)

**Sec. 18-73. State permits.**

(a) *Overall operation.* In addition to other requirements set forth in this article, the applicant shall furnish a currently effective permit to operate from the state.

(b) *Ride operation.* No ride shall be placed in operation for public use until the ride has a current permit to operate from the state.

(Code 1986, § 3-07.03.02)

**Sec. 18-74. Certificate of insurance.**

(a) No license shall be issued for conducting a carnival or outdoor amusement until the applicant therefor has placed on file with the township clerk a certificate of insurance indicating that there is in effect public liability insurance covering any damages arising out of the use and operation of any and all devices and facilities operated in connection with such carnival or amusement.

(b) Such insurance shall be in the minimum amount of \$300,000.00 for each person and \$500,000.00 for each accident.

(c) Such insurance shall also name the township as an additional insured.

(Code 1986, § 3-07.03.03)

### **Sec. 18-75. Zoning; duration.**

Carnivals and outdoor amusements are allowed only in those areas commercially zoned for not more than ten days.

(Code 1986, § 3-07.03.04)

**Cross references:** Zoning, app. A.

### **Sec. 18-76. License.**

(a) Except for that one exception, to be used only in exceptional circumstances and for very short periods of time, no outdoor amusement or carnival shall be located within 300 feet of any residential use, including motels, hotels, and any structure being used for the overnight sleeping of persons, other than a retail business for the sale of merchandise with attached living quarters.

(b) The township board, for good cause shown, and after making a finding of facts to be recorded in the minutes of the meetings, may waive the requirements of this section as to location of a carnival or outdoor amusement distance from adjoining residential uses. Any such waiver shall set forth the period of time for which it applies.

(Code 1986, §§ 3-07.05.01, 3-07.06)

### **Sec. 18-77. Lights.**

All lights on the carnival or amusement site shall be shaded so as not to shine directly onto any adjoining or nearby residential use and not to create any traffic dangers by shining into the eyes of motorists on adjacent or nearby roads.

(Code 1986, § 3-07.05.03)

### **Sec. 18-78. Site maintenance.**

(a) *Clean and free of debris.* The applicant for a license under this article shall maintain order and keep the site clean and free of papers, trash, and other debris.

(b) *Trash containers provided.* Trash containers in adequate number shall be placed in convenient locations for the use of the public.

(Code 1986, § 3-07.05.04)

### **Sec. 18-79. Equipment safeguards.**

Adequate safeguards shall be placed to protect both operators and the general public from inadvertently coming into contact with moving parts, belts, motor gears, electrical switches, and other possible or potential hazards, meeting standards required by the state.

(Code 1986, § 3-07.05.05)

### **Sec. 18-80. Rights retained.**

(a) Nothing contained in this article shall in any way abrogate or restrict the right of any private individual to maintain an action for nuisance or other damage or injunction against an amusement or carnival.

(b) Nothing in this article restricts the right of the township board to revoke the permit for violation of the provisions of this article or to seek an injunction if an amusement or carnival becomes a nuisance.

(Code 1986, § 3-07.07)

### **Secs. 18-81--18-110. Reserved.**