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SUBJECT: ORDINANCE #2014-1 (AUTHORIZE SHERIFF TO POLICE PUBLIC EVENTS)

ADOPTED DATE: DECEMBER 1, 2014

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**ORDINANCE NO. 2014-1  
AN ORDINANCE TO AUTHORIZE THE SHERIFF TO POLICE PUBLIC EVENTS**

Purpose

The purpose of this Ordinance is to promote the safe enjoyment of public events throughout the county by authorizing the sheriff to police such events. This Ordinance supplements statutory authority granted to the Sheriff, such as in N.D.C.C. §53-02-08.

Definitions

“Car race” means a competition that is (1) used to determine which vehicle is fastest in covering a set course, and (2) held open to the public at a location having a capacity of at least one hundred people.

“Car show” means any public exhibition of vehicles at a location having a capacity of at least one hundred people.

“Person” means a natural person, firm, association, corporation, or limited liability company.

“Rodeo” means any sporting event that is (1) comprised of contests designed to test the skill of participants and involving horses, livestock, or both, and (2) held open to the public at a location having a capacity of at least one hundred people.

“Vehicle” includes every device in, upon or by which any person or property may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

General Provisions

The Sheriff in Cass County, and the chief peace officer of the city where the car race, car show or rodeo is being held within that city, may police the car race, car show or rodeo so that law and order are there maintained. The sheriff or the chief peace officer shall determine the number, if any, of deputy sheriffs, special officers, or licensed private security officers needed to police the car race, car show or rodeo properly. The person conducting the car race, car show or rodeo, before the car race, car show or rodeo is held, shall pay to the sheriff, peace officer, or licensed private security provider the expense of any deputy sheriff, special officer, or licensed private security officer required for the proper policing of the car race, car show or rodeo. No car race, car show or rodeo may be permitted to proceed unless the officer or officers are present and the fees are paid.

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The holding of a car race, car show or rodeo without giving notice of the car race, car show or rodeo to the sheriff or the peace officer of the city, and without making provisions for policing the car race, car show or rodeo, is unlawful. No person, directly or indirectly interested or concerned in the giving, holding, or conducting of a car race, car show or rodeo, or connected with the person conducting the same, is eligible to appointment under this section as a special officer.

Penalty

Any person holding a car race, car show or rodeo without giving notice of the public event to the sheriff, or without making provision for the necessary policing determined by the sheriff, is guilty of a class B misdemeanor.

APPROVED:

ss/Chad Peterson  
Chad Peterson, Chairman  
Board of Commissioners  
Cass County, North Dakota

ATTEST:

ss/Michael Montplaisir  
Michael Montplaisir  
Cass County Auditor

(SEAL)

First Reading: October 20, 2014  
Second Reading: November 17, 2014  
Third Reading: December 1, 2014  
Final Passage: December 1, 2014  
Publication: October 27, 2014

HISTORICAL REFERENCE DATE: OCTOBER 20, 2014