



The City That Soars!

REQUEST FOR PLANNING COMMISSION ACTION

Meeting Date	May 22, 2012
Agenda Item	Workshop
Title	Consideration of a possible ordinance to provide for "special" or limited events in Falcon Heights
Submitted By	Deborah Jones, Staff Liaison

Description	In response to inquiries received from local businesses, the City Council has requested that Planning Commission provide a recommendation regarding the adoption of an ordinance regulating special events in the City.
Background	<p>The City has been approached by three food service related businesses – Stout’s Pub, The Coffee Grounds, and Dino’s Gyros – inquiring whether these businesses would be allowed to host some variation of tented event, such as a “beer garden”, on a limited basis. That is, they are interested in doing this as a one-time or occasional or annual event.</p> <p>The city code does not make any provision for this type of event. The city attorney confirms that it is not allowed. Many cities have special event ordinances to allow events under special permits. The City Council has asked the Planning Commission to study the issue and make a recommendation.</p> <p>At a preliminary informational workshop in April, Planning Commissioners asked staff to prepare a matrix or worksheet to list issues related to special events and provide space for Commissioners to organize their thoughts. A worksheet was distributed early in May and is included in this packet.</p>
Budget Impact	Unknown
Attachment(s)	<ul style="list-style-type: none"> • Matrix worksheet on special event issues and topics to be considered • City of Plymouth special event ordinance • City of North St. Paul special event ordinance • Special event permit application for North St. Paul <p>(Commissioners were previously provided with portions of the Falcon Heights City Code that already address some elements of the sample ordinances above.)</p>
Action(s) Requested	<ul style="list-style-type: none"> • Discuss, with the following goals: <ul style="list-style-type: none"> ○ Consensus on whether or not to proceed with drafting a special event ordinance for Falcon Heights ○ Direction to staff for additional research, if needed ○ Direction to the city attorney to prepare a draft ordinance

Special Event Issues

It is assumed that the City will take an “allow by administrative permit” approach. Please use the blank rows to insert related questions.

Issues	Recommendations & Comments
WHAT	
What kinds of events does this ordinance address? Examples	
What kinds of events does this ordinance address? Descriptive	
What kinds of events does this ordinance NOT include?	
What kinds of events shall be exempt from having to get a permit under this ordinance	
“Legal and moral” clause? “are of such a nature as to be acceptable to the general public with regard to morals, safety features and the conduct of event participants” (Farmington Hills, MI)	
WHEN	
Date restrictions? (e.g. no State Fair, etc.)	
Restrictions on hours of operations?	
Hours with alcohol?	
Hours for outdoor music?	
How many events can a property owner have per year?	
How close together can separate events be held (if >1 allowed)?	
Duration of a single permitted event in days?	

WHERE	
Restrictions by Zone? Include residential?	
Include public land? Apply to events in parks?	
Include parks events under certain conditions? What conditions? (bouncy castle, etc)	
WHO	
Property owner/regular tenant only? Or allow “outside” temporary occupant, “hosted” by owner or not?	
Distinction between open to public/not open to public?	
Age restrictions in general?	
HOW	
Site Plan for outdoor component(s) of event?	
Temporary structures rules?	
Event security plan?	
Impose parking restrictions in ordinance? Or by individual permit?	
Require parking plan?	
Traffic control plan?	
Emergency vehicle access plan?	
Sanitation facilities/porta potties?	
Event security?	
Temporary outdoor lighting?	
Spotlights?	

City of Plymouth – Event Ordinance (Administrative Permit)

21455.11. USES BY ADMINISTRATIVE PERMIT: Subject to applicable provisions of this Section, performance standards established by this Chapter, and processing requirements of Section 21025, the following are uses allowed in the C-1 District by administrative permit as may be issued by the Zoning Administrator:

Subd. 8. Temporary events and outdoor sales subject to the following criteria:

(a) Special Promotional Events (except Carnivals).

(1) Such activity is directed towards the general public and includes grand openings, business events, craft shows, flea markets, mechanical and animal rides, and outdoor display of materials.

(2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed three (3) consecutive calendar days per event.

(3) There shall be no more than two (2) special events per calendar year per property. However, each tenant in a multi-tenant building shall be permitted one (1) special event per year. Multi-tenant buildings with less than five (5) lease-spaces shall be considered as a single property for purposes of this provision.

(b) Carnivals.

(1) The applicant must submit an amusement license application as required by Section 1100 of the City Code.

(2) The event shall not exceed the period specified in the administrative permit and in no case shall exceed seven (7) consecutive calendar days per event.

(3) There shall be no more than one (1) carnival per calendar year per property.

(c) Outdoor Sales, including but not limited to transient merchants and transient produce merchants (excluding Christmas Tree Sales):

(1) Such activity is directed towards the general public and includes warehouse sales, sidewalk sales, inventory reduction or liquidation sales, distressed merchandise sales, sales of fireworks, seasonal merchandise sales (except Christmas trees), and transient merchant and transient produce merchant sales.

(2) The following specific standards shall apply to all proposed temporary outdoor sales activities allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for temporary outdoor sales activities shall be the period specified in the administrative permit and, in no case, shall exceed ninety (90) days per calendar year per property.

b. There shall be no more sales activities than those specified in the administrative permit and, in no case, shall there be more than ten (10) sales activities per year per property

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Temporary sales on unpaved landscaped areas is prohibited.

d. Sales of fireworks shall also be regulated by Section 1110 of the City Code.

(d) Outdoor Christmas Tree Sales.

(1) Such activity is directed towards the general public and consists of the outdoor sales of cut evergreen trees, boughs, wreaths and other natural holiday decorations and related products.

(2) The following specific standards shall apply to all proposed outdoor Christmas tree sales allowed by this paragraph and by City Code business licensing provisions in addition to other applicable building and safety code requirements as determined by the Zoning Administrator.

a. The maximum total time for sales activities shall be the period specified in the administrative permit and, in no case, shall exceed forty-five (45) days per calendar year per property.

b. There shall be no more than one (1) sales activity per year per property, which shall be in addition to any special events or other outdoor sales permitted on the property.

c. Sales activities may be conducted within a required yard provided the area is paved and the activity does not interfere with parking, traffic circulation or emergency vehicle access. Sales on unpaved landscaped areas is prohibited.

(e) General Standards applying to all temporary events and outdoor sales.

(1) The event or sale shall be accessory to or promoting the permitted or conditional use approved for the site.)

(2) Tents, stands, and other similar temporary structures may be used, provided they are clearly identified on the submitted plan and provided that it is determined by the Zoning Administrator that they will not impair the parking capacity, emergency access, or the safe and efficient movement of pedestrian and vehicular traffic on or off the site.

(3) The submitted plan shall clearly demonstrate that adequate off-street parking for the proposed event can and will be provided for the duration of the event. Determination of compliance with this requirement shall be made by the Zoning Administrator who shall consider the nature of the event and the applicable parking requirements of Section 21155. Consideration shall be given to the parking needs and requirements of other occupants in the case of multi-tenant buildings. Parking on public right-of-way and streets is prohibited; except that parking on local streets may be allowed on Saturday and Sunday only, provided that the petitioner arranges for traffic control by authorized enforcement officers, as approved in writing by the Police Chief, at the petitioner's expense.

(4) Signage related to the event or sale shall be in compliance with the temporary sign standards of Section 21155 and shall be allowed for the duration of the event. The Zoning Administrator may authorize special signage for purposes of traffic direction and control; the erection and removal of such signage shall be the responsibility of the applicant.

(5) The approved permit shall be displayed on the premises for the duration of the event.

(6) All activity related to the event or sale must take place within the time permitted in the administrative permit. No buildings, equipment or materials may be erected or displayed prior to the start date identified in the permit application and all structures, equipment and displays must be removed by the end date identified in the administrative permit.

(7) Not more than one (1) such event or sale shall be allowed per property at any given time.

North Saint Paul, MN Code of Ordinances

CHAPTER 122: SPECIAL EVENT PERMITS

Section

- 122.01 Purpose and intent
- 122.02 Definitions
- 122.03 Permit required
- 122.04 Requirements for issuance of a permit
- 122.05 Application procedures
- 122.06 Fees
- 122.07 Granting a permit
- 122.08 Denial of permit
- 122.09 Transferability
- 122.10 Enforcement and penalties
- 122.11 Revocation of permit
- 122.12 Special event vendors

§ 122.01 PURPOSE AND INTENT.

The purpose of this chapter is to promote the orderly, compatible and safe use of property for temporary special events and to assure adequate provision of parking, traffic, sanitary facilities, utilities, peace and tranquility of residential neighborhoods and safety services.

(Ord. 668, passed 5-6-08)

§ 122.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

APPLICANT. Any individual, partnership, corporation, association, society or group seeking and/or receiving a special event permit from the city.

OUTDOOR. Activity conducted outside of a permanent structure or building.

PERMIT. A permit issued by the city to allow a special event.

PERSON. Any person, association, partnership, firm, business trust, corporation or company.

SPECIAL EVENT. Any temporary, outdoor privately-sponsored event open to the general public and held on public or privately owned property. **SPECIAL EVENT** shall not apply to the following:

(1) Any permanent place of worship, stadium, athletic field, arena, theatre, auditorium, or fairs conducted pursuant to M.S. Chapter 38.

(2) Special events or activities permitted or permitted by other state laws or regulations of the City of North St. Paul, including publicly-sponsored activities in the local park system and any other established special event operating prior to adoption of this chapter.

(3) Family gatherings, including family reunions, graduation parties, baptisms, confirmations, weddings, and the like.

(4) Garage sales.

(5) Events such as but not limited to National Night-Out established through the City of North St. Paul.

(Ord. 668, passed 5-6-08)

§ 122.03 PERMIT REQUIRED.

No person on or after the effective date of this chapter shall conduct or allow to be conducted any special event as defined in this chapter without first obtaining a special event permit.

(Ord. 668, passed 5-6-08)

§ 122.04 REQUIREMENTS FOR ISSUANCE OF A PERMIT.

The following standards shall apply to all special events:

(A) *Maximum number of people.* The permittee shall not sell tickets to nor permit attendance at the permit location of more than the maximum number of people stated in the special event permit.

(B) *Sound equipment.* Sound producing equipment, including but not limited to public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operation on the premises of the special event so as to be unreasonably loud or be a nuisance or disturbance to the peace and tranquility of the citizens of North St. Paul.

(C) *Sanitary facilities.* In accordance with Minnesota State Board of Health regulations and standards and local specifications, adequate sanitary facilities must be provided which are sufficient to accommodate the projected number of person expected to attend the event.

(D) *Security.* The permittee shall employ at his or her own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of persons in attendance at the special event and for the preservation of order and protection of property in and around the event site. No permit shall be issued unless the city's Chief of Police is satisfied that such necessary and sufficient security personnel will be provided by the permittee for the duration of the event.

(E) *Food service.* If food service is made available on the premises, it shall be delivered only through concessions permitted by the Ramsey County Health Department.

(F) *Fire protection.* The permittee shall, at his or her own expense, take adequate steps to insure fire protection as determined by the City of North St. Paul Fire Chief.

(G) *Duration of special event.* The permittee shall operate the special event only on those days and during the hours specified on the permit.

(H) *Cleanup plan.* The special event applicant is responsible for clean up. Any clean up required by the city may be charged to the applicant. Any city service that requires overtime will be at the expense of the applicant.

(I) *Waiver.* The City Council may grant a waiver from the requirements of this chapter in any particular case where the applicant can show that strict compliance with this chapter would cause exceptional and undue hardship by reason of the nature of the special event or by reason of the fact that the circumstances make the requirement of this chapter unnecessary. Such waiver must be granted without detriment to the public health, safety or welfare and without impairing the intent and purpose of these regulations.

(J) *Insurance.* Before the issuance of a permit, the permittee shall obtain public liability insurance and property damage insurance with limits determined by the City Manager. Such insurance shall remain in full force and effect in the specified amounts for the duration of the permit. Evidence of insurance shall include an endorsement to the effect that the insurance company will notify the City Clerk in writing at least ten days before the expiration or cancellation of the insurance.

(K) *Miscellaneous.* Prior to the issuance of a permit, the City Council may impose any other conditions reasonably calculated to protect the health, safety and welfare of persons attendant or of the citizens of the City of North St. Paul.

(Ord. 668, passed 5-6-08)

§ 122.05 APPLICATION PROCEDURES.

A written application for a special event permit shall be filed on forms provided by the city with the City Manager not less than 30 days before the date proposed for holding the special event. The written application shall be signed by the person, persons, or parties conducting the event and shall be accompanied by the fee payable hereunder. Upon submission of an application for a special event permit, City Staff will review the request and advise the applicant of the need for additional information, if any.

(Ord. 668, passed 5-6-08)

§ 122.06 FEES.

The fee for a special event license shall be as established by the City Council.

(Ord. 668, passed 5-6-08)

§ 122.07 GRANTING A PERMIT.

The City Council, in its sole discretion, reserves the right to review and determine whether or not a request for a special event and/or street closing is acceptable. It is the stated purpose of the City Council that all such special events and/or street closing shall be for family-friendly activities only. Special event activities must be inclusive of events and activities for both adults and children. In the event the City Council determines the activity does not meet these criteria, such application shall be denied.

(Ord. 668, passed 5-6-08)

§ 122.08 DENIAL OF PERMIT.

The City Council shall have the right to deny the permit if, in the judgment of the City Council, the granting of a license would adversely affect the safety, health and welfare of the citizens of North St. Paul. The applicant shall be notified of such denial and may appear before the City Council to appeal such denial.

(Ord. 668, passed 5-6-08)

§ 122.09 TRANSFERABILITY.

No permit granted under this chapter shall be transferred to any other person or place without consent of the City Council, upon written application made therefore.

(Ord. 668, passed 5-6-08)

§ 122.10 ENFORCEMENT AND PENALTIES.

(A) The Police Department and other such officers, employees, or agents as the City Council or City Manager may designate, shall enforce the provisions of this chapter.

(B) The holding of a special event in violation of any provision of this chapter shall be deemed a public nuisance and may be abated as such.

(C) Any person violation any provision of this chapter is guilty of a misdemeanor and upon conviction shall be subject to the penalties set forth in Minnesota Statutes.

(Ord. 668, passed 5-6-08)

§ 122.11 REVOCATION OF PERMIT.

The permit for a special event may be revoked by the City Council at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with or if any of the provisions of this chapter are violated.

(Ord. 668, passed 5-6-08)

§ 122.12 SPECIAL EVENT VENDORS.

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

VENDORS. A person who temporarily sets up business on public or private property for purposes of selling or delivering goods in conjunction with a City approved Special Event.

(B) *License.* All special event vendors shall be licensed by the city.

(C) *Process.* The City Manager shall determine appropriate requirements to safeguard the health, safety and welfare of the community and its inhabitants. Forms shall be determined by the City Manager to gather the necessary information to assure safety.

(D) *Fees.* All special event vendors shall pay an inspection fee to the city as determined by the City Council. Exception to the fee following shall be exempt from the city fee:

- (1) All public charities as defined by IRS Code 501C(3);
- (2) Any governmental institution; and
- (3) Any business headquartered in the City of North St. Paul.

(E) *Umbrella fee.* Any special event conducted by a public charity as defined by IRS Code 501C(3) is subject to one special event vendor fee for all vendors conducting business at the special event.

(Ord. 668, passed 5-6-08)

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Return To: Teri Werner – Community Development Dept.
2400 Margaret Street
 Phone: 651-747-2460 Fax: 651-747-2435

SPECIAL EVENT PERMIT APPLICATION – 2012

Important Notice: Certificate of Liability Insurance (if applicable) and any required attachments (maps, diagrams, etc.) must be submitted with this application. Failure to include these items will mean an automatic rejection of the application.

I. TITLE AND BRIEF DESCRIPTION OF EVENT:

II. APPLICANT INFORMATION: *The Applicant will be responsible for answering all questions, including inquiries from the media and citizens.*

Applicant:		
Title:		
Address:		
Business/Organization Name:		
Daytime Phone:	Evening Phone:	Emergency Phone:
E-Mail Address: _____		

III. EVENT TIMETABLE:

Requested day and date:		
Requested hours of operation, from	a.m./p.m. to	a.m./p.m.
Set-up beginning day and date	time	a.m./p.m.
Dismantle by day and date	time	a.m./p.m.
E. Anticipated number of participants	and spectators	

IV. INSURANCE:

Attach to this application a certificate of liability insurance, including the policy number and showing liability amounts. The policy must state that any outside area to be used for an event is covered and must also show evidence that the requested event is not excluded from insurance liability. If the event is to be held on public property, the City of North St. Paul must be listed as the Certificate Holder.

V. REQUESTED CITY SERVICES - (CHECK ALL THAT APPLY):

	Use of Community Center (check with Nate Ehalt at 747-2595);
	Trash containers (indicate number/location below)
	Portable toilet facilities (indicate number/location below)
	Electricity (The cost of the electrical hook-up is the applicant's responsibility. Payment must be made to the City of North Saint Paul. Please contact Brian Frandle at 747-2472.)
	Police Officers / Reservists
	Fire Department Personnel / Vehicles
	Barricades
	Recycling Containers
	Other - Please describe:

VI. CHECK ALL ITEMS WHICH APPLY TO YOUR EVENT:

	Event participant and/or spectator parking areas (describe):
	Entertainment or stage locations (provide to-scale drawing)
	Construction/erection of temporary structure(s) (may need permit, check with Community Development) – indicate location.
	Trash containers (indicate number/location)
	Portable toilet facilities (indicate number/location)
	Barricades (indicate number/location)
	First aid facilities (indicate who is providing)
	Parade and/or parade floats (may need permit, check with Fire Department)
	Fireworks or pyrotechnics site (may need permit, check with Fire Department)
	Cooking facilities, open flame, or vehicle fuels (may need permit, check with Fire Department)
	Other - Please describe:

VII. CHARITABLE GAMBLING (CHECK IF APPLIES):

Charitable Gambling - Please contact the Chief of Police at 651-747-2406 for forms and details. All charitable gambling requires a city permit application and some may also require a State permit application. This will be given separate consideration for approval by the City Council.

VIII. VENDORS OR CONCESSIONAIRES:

List what vendors/concessionaires you will have at your event:

Note: Vendors/concessionaires setting up on public property (streets, sidewalks, public parking lots) must have a Special Event Vendors License from the City of North St. Paul. Applications are available on our website at www.northstpaul.net or by calling 651-747-2407.

IX. FOOD, NON-ALCOHOLIC BEVERAGES AND/OR ENTERTAINMENT:

Will food and/or non-alcoholic beverages be served? Yes No

If yes, describe sanitation measures and food handling procedures:

If food will be served outside of a licensed establishment; a Temporary Food Service Establishment license may be required. Contact the Ramsey County Department of Health at 651.266.1199 for requirement and licensing information.

If your event includes music, live entertainment, sound amplification or any other noise impact, please describe, including the intended hours of the music, sound or noise.

If you intend to cook food in the event area, describe your area layout, including fuel or electrical sources to be used:

X. ALCOHOLIC BEVERAGES:

Will alcoholic beverages be served? Yes No

If Yes Name of Liquor Establishment:

For service of alcohol outside a licensed premise, include a diagram showing the defined area of the alcohol concession service and attach a copy of your certificate of liquor liability insurance covering the limits of the alcohol service area.

If serving alcohol, describe how you will ensure that alcoholic beverages will be possessed and consumed only by those persons 21 years or older. Describe all security measures in place:

If you are a licensed establishment requesting an extension to your liquor license premises, you must complete an application for an extension with the Chief of Police. This will be given separate approval by the City Council.

*Title XI, Chapter 117, Section 117.120(B)(2)

If you are a licensed establishment requesting a temporary permit you must submit a completed Temporary Liquor License Application and all required documentation to the Chief of Police. This will be given separate approval by the City Council.

*Title XI, Chapter 117, Section 117.120(I)(1-9)

Have you submitted the required documentation to the Chief of Police? Yes No

XI. SECURITY AND SAFETY PROCEDURES:

Describe your proposed procedures for security and crowd control:

If the event is to occur at night, describe how you are going to light the event area in order to increase the safety of participants and spectators coming to and leaving the event:

XII. CLEAN-UP:

List persons responsible for clean-up duties:	

XIII. MITIGATION OF THE IMPACT ON OTHERS:

Describe how you intend to mitigate the impact of the special event on businesses, churches, neighbors, motorists, and others:

NOTE: Any condition which causes adverse impacts may be cause to revoke the Special Event Permit.

Acknowledgement and Signature: The undersigned hereby applies for a Special Event as described above and states the information submitted is true and correct.

Applicant Signature: _____ Date of Application: _____

FOR OFFICE USE ONLY

Received		
By		
Date		
Mail		
Fax		
In Person		

Documentation	Required	Received
Certificate of Insurance		
Entertainment / Stage Location		
Temporary Tent Permit		
Fireworks/Pyrotechnics Permit		
Cooking Facilities Permit		
Alcohol Service Diagram		

City Services	Requested	Approved
Police Reserves		
Fire Department Personnel/Equip		
Trash Cans		
Barricades		
Portable Toilets		
Recycling Containers		
Electricity		
Use of Community Center		
Other:		