



**The City That Soars!**

## REQUEST FOR PLANNING COMMISSION ACTION

<b>Meeting Date</b>	October 23, 2012
<b>Agenda Item</b>	Workshop
<b>Title</b>	Special Event Ordinance (Continued)
<b>Submitted By</b>	Deborah Jones, Staff Liaison

<b>Description</b>	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. The consensus of the Commission is to develop a draft and seek input from residents at the public hearing stage.
<b>Background</b>	<p>Three food service related businesses – Stout’s Pub, The Coffee Grounds, and Dino’s Gyros – are interested in hosting occasional outdoor special events, a use that is not provided for in the Falcon Heights City Code. At the request of the City Council, the Planning Commission has been studying the possibility of creating an ordinance to allow such events by special permit. All three businesses were represented at a September 25 workshop, when they outlined their proposals in detail for the Commission. Commissioners’ consensus was to move forward with a draft ordinance and take input from the community at the hearing stage.</p> <p>Sample ordinances from other cities have been reviewed in the course of this study. A selection of those will be provided to serve as models of the elements that will be needed to craft a special events ordinance appropriate for Falcon Heights.</p>
<b>Budget Impact</b>	None at this time
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• Sample ordinances for special events and uses by special administrative permit: City of Medina, City of North St. Paul, City of Plymouth, City of Roseville</li> <li>• Staff recommends that Commissioners bring the materials that have been distributed in earlier workshop packets on this topic for reference. Please let staff know if new paper copies are needed.</li> </ul>
<b>Action(s) Requested</b>	<p>Identify the specific elements needed in an ordinance defining the new type of special event uses proposed. These may include (but are not limited to):</p> <ul style="list-style-type: none"> <li>• Creating a provision for uses by special administrative permit – a category not now used in Falcon Heights code</li> <li>• Stating the purpose of the ordinance</li> <li>• Defining the events that will be covered and excluded</li> <li>• Specifying zones where the defined special events will be allowed</li> <li>• Defining requirements and limitations for the events to be covered</li> <li>• Defining requirements for obtaining a permit</li> </ul>

## **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.

**CHAPTER 2****ADMINISTRATION****230. SPECIAL EVENTS**

**230.01. Purpose.** It is the purpose of the city council to regulate the time, place and manner of special events when the event's impact upon the health, sanitary, fire, police, transportation and utility services exceeds those regularly provided to that property. This section is enacted in order to promote the health, safety and welfare of all residents and visitors of the city by ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health or property, disrupt traffic or threaten or damage private or public property. It is not the intent of the city council by enacting this section to regulate in any manner the content of speech or infringe upon the right to assemble, except for regulating the time, place and manner of speech and assembly and this section should not be interpreted or construed otherwise.

**230.03. Definitions.** For the purposes of this ordinance, the following terms shall have the meanings given to them unless the context clearly indicates another meaning:

Subdivision 1. "Special Event" means any concert, parade, fair, show, festival, carnival, rally, party, filming of a movie, video or television show, motorcade, run, street dance, bike-a-thon, race, walk or athletic event or other attended entertainment or celebration that is to be held in whole or in part upon publicly owned property or public right-of-way, or, if held wholly upon private property, will require the use of Special Services; and

Subd. 2. "Special Services" means the exclusive allocation of city resources, including, but not limited to, city personnel, equipment, rights-of-way, property or facilities for use in conjunction with a specific event or activity, as requested by the host or sponsor of the event, or as requested by or on behalf of any person attending the event, or deemed necessary by city staff in order to maintain public safety. Special Services shall include, but not be limited to, any of the following: street closures; requiring police officers to stop or reroute traffic; special police protection; stationing emergency vehicles at or in the immediate vicinity of the event; exclusive use of city streets as a staging area or for event parking; additional street cleaning and garbage removal services; special signage, such as temporary no parking signs; the use of any city building, equipment or other property for any purpose other than the normal daily operations of the city; or the city otherwise providing exclusive services.

**230.05. Permit Required; Exceptions.**

Subd. 1. Any person or organization desiring to hold a Special Event in the city must first obtain a Special Event permit from the city in addition to any other permits required for the event by state law or city ordinance.

Subd. 2. The following are exempt from the permit requirements:

- a) Wedding ceremonies and receptions, funeral ceremonies and funeral processions;
- b) Any event attended by fewer than 200 persons at one time which does not require any Special Services and does not involve the sale of alcohol;
- c) Any event that is otherwise regulated by the city through the use of another regulatory manner, such as an interim use permit or conditional use permit; and
- d) The use of traditional public forums as alternative channels of communication by the public, provided that such use is for the free exercise of constitutionally protected activities and does not disrupt or interfere with traffic on public streets or the use of public places by other members of the public.

**230.07. Permit application.**

Subd. 1. Form. Application for a permit to hold a Special Event must be made in writing and must contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and must be signed and sworn to or affirmed by the individual making application in the case of a corporation, by all partners in the case of a partnership, or by all officers of an unincorporated association, society or group, or, if there are no officers, by all members of such association, society, or group. The application must contain and disclose the following:

- a) Applicant name, address, phone number;
- b) Date of proposed Special Event;
- c) Address of proposed Special Event;
- d) Name of property owner, if different from applicant;
- e) Type and description of the Special Event and a list of all activities to take place at the Special Event;
- f) Estimated number of persons to attend;
- g) Duration of the Special Event, including beginning and ending times;
- h) Any public health plans, including supplying water to the site, solid waste collection and provision of toilet facilities, if applicable;
- i) Any fire prevention and emergency medical services plans, if applicable;
- j) Any security plans, if applicable;

- k) The admission fee, donation or other consideration to be charged or requested for admission, if applicable;
- l) Whether food or alcohol will be served or sold at the event;
- m) A detailed description of all public rights-of-way and private streets for which the applicant requests the city to restrict or alter normal parking, vehicular traffic or pedestrian traffic patterns, the nature of such restrictions or alterations, and the basis;
- n) A description of any services, city personnel, city equipment and city property which the applicant requests the city to provide, including the applicant's estimate of the number and type needed, and the basis on which the estimate is made;
- o) Whether any sound amplification or public address system will be used or if there will be any playing of any music or musical instruments;
- p) A statement signed by the applicant either agreeing to pay all fees and meet all other requirements of this section, or representing to the city that the applicant is duly authorized to make such agreement on behalf of the person or organization holding or sponsoring the Special Event;
- q) Applicant signature and property owner's signature, if different from applicant; and
- r) Any other information requested by the city, acting through its city administrator or chief of police deemed reasonably necessary in order to determine the nature of the Special Event and the extent of any Special Services required.

Subd. 2. Time for filing. A Special Event permit application must be filed with the city at least 30 days in advance of the date in which the Special Event is to occur.

Subd. 3. Permit fee. An applicant for a Special Event permit must pay a nonrefundable permit fee in the amount established from time to time by the city's fee ordinance.

### **230.09. Permit Review.**

Subd. 1. Upon receipt of a Special Event permit application, the city administrator shall be responsible for promptly processing the application, including conferring with department heads and the applicant as necessary to implement the provisions of this section, and, when required by this section, forwarding the processed application to the city council with a recommendation to approve, approve with conditions or modifications, or deny the special event permit application.

Subd. 2. Special Services. The city administrator shall promptly distribute copies of the application for review by the head of each department in cases where Special Services

are requested or will be necessary. Each such department head shall review the application and evaluate the Special Services and shall report to the city administrator, with a recommendation that application and the requested Special Services be approved, approved with conditions or modifications, or denied. Each department head shall also provide the city administrator with a cost estimate for the Special Services associated with his or her department.

Subd. 3. Review. When a Special Event will not require any Special Services or does not require a significant amount of Special Services, the city administrator may review the permit application administratively. In cases where a Special Event requires a significant amount of Special Services, the application will be presented to the city council for review. The city council may hold a public hearing on the permit application. It may also refer the permit application to the planning commission for its review and recommendation.

Subd. 4. Permit Denial. The city may deny an application for a Special Event permit if it determines from a consideration of the application or other pertinent information, that:

- a) The information contained in the application or supplemental information requested from the applicant is false or nonexistent in any material detail;
- b) The applicant fails to supplement the application after having been notified by the city of additional information or documents needed;
- c) The applicant fails to agree to abide or comply with all of the conditions and terms of the Special Event permit, including payment of all costs and expenses;
- d) The Special Event would substantially or unnecessarily interfere with traffic in the city, would interfere with access to the fire station or fire hydrants, or would interfere with access to businesses or residences in the immediate vicinity of the event and there are not sufficient city resources available at the time of the event to mitigate the disruption;
- e) The Special Event is of the size or nature that requires the diversion of so many law enforcement officers to properly police the event, site and contiguous areas that allowing the Special Event would unreasonably deny law enforcement protection to the remainder of the city and its residents;
- f) The proposed date and time of the Special Event conflicts with a previously scheduled event and there are not available at the time of the proposed Special Event sufficient city resources to provide services for both events without substantially or unnecessarily interfering with police, fire, water, public works or other services to the city as a whole;
- g) The location of the Special Event will substantially interfere with any construction or maintenance work scheduled to take place upon or along public



property or right-of-way;

- h) The Special Event would likely endanger the public safety or health;
- i) The Special Event would substantially or unnecessarily interfere with police, fire, water, public works or other services to the city as a whole and there are not available at the time of the proposed event sufficient city resources to mitigate the disruption;
- j) The applicant fails to comply with the liability insurance requirements or the applicant's insurance lapses or is canceled;
- k) The Special Event would likely create or constitute a public nuisance;
- l) The Special Event would be likely to cause significant damage to public property or facilities;
- m) The Special Event would engage in or encourage participants to engage in illegal acts; or
- n) The applicant, responsible party or the person on whose behalf the application is submitted has on prior occasions made material misrepresentations regarding the nature and extent of Special Services required for a Special Event in the city, or has violated the terms of a prior Special Event permit.

Subd. 5. Appeal. If the city administrator denies an application for a Special Event permit, the applicant may appeal the city administrator's decision to the city council. An appeal must be filed with the city administrator in writing no later than 10 days from the date of the city administrator's decision.

### **230.11. Permit Issuance.**

Subd. 1. Permitted areas. Because of the predominantly residential character of the city and the relatively small size of the commercially zoned areas resulting in the potential for conflicting uses, Special Events will be permitted within the city only after a finding by the city that the character of the proposed Special Event is compatible with the character of the surrounding neighborhood considering the possible creation of problems including noise, lighting, traffic, sanitation, congestion and other factors affecting the public health, safety and welfare of such areas in addition to compliance with all ordinances of this city and applicable statutes and regulations.

Subd. 2. Permit Conditions. The city may condition the issuance of a Special Event permit by imposing reasonable conditions concerning the time, place and manner of the Special Event, and such conditions as are necessary to protect the safety of persons and property, and the control of traffic; provided that such conditions shall not unreasonably restrict the right of free speech. The city may inspect the property upon which the Special Event is

to be held prior to the event in order to make certain there is compliance with all permit conditions. Such conditions may include, but are not limited to:

- a) Alteration of the date(s), time(s), route(s) or location of the Special Event proposed;
- b) Elimination of an activity at the Special Event which cannot be mitigated to a point as to ensure public safety and welfare, or which causes liability to the city;
- c) Requirements concerning the area of assembly and disbanding of a parade or other events occurring along a route;
- d) Requirements concerning the accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of the street or right-of-way;
- e) Requirements for the use of Special Services;
- f) Requirements for the use of traffic cones or barricades;
- g) Requirements for the provision of first aid or sanitary facilities;
- h) Requirements for the use of Special Event monitors and the providing notice of the Special Event's permit's conditions to the event's participants;
- i) Requirements on the number and type of vehicles, animals or structures to be allowed at the Special Event and the inspection and approval of floats, structures and decorated vehicles by the city for safety purposes;
- j) Compliance with animal protection ordinances and laws;
- k) Requirements for the use of garbage containers and the cleanup and restoration of any public property;
- l) Restrictions on the use of amplified sound, public address systems and the playing of music and musical instruments and compliance with noise ordinances, regulations and laws;
- m) Limitations on the maximum attendance;
- n) Requiring notice of the Special Event to be provided to surrounding property owners; and
- o) Restrictions on the sale or consumption of food or alcohol.

Subd. 3. Permit Issuance. When a Special Event will not require any Special Services or does not require a significant amount of Special Services, the city administrator may

issue the Special Event permit administratively. In cases where a Special Event requires a significant amount of Special Services, the application will be presented to the city council for approval.

### **230.13 Special Services Fees.**

Subd. 1. Special Services Fee Deposit. If any Special Services are to be used during the Special Event, the applicant may be required to pay a Special Services fee deposit at least five days before the Special Event. The Special Services fee deposit amount shall be determined by the city administrator. It shall be based upon an estimate of Special Services that are necessary as determined by the city's department heads.

Subd. 2. User Fee. Upon completion of the Special Event, the city may prepare a detailed account of all Special Services provided for the Special Event and in such cases, will set the final user fee using the rates, fees and charges established as provided in this section. The city will then provide the authorized and responsible person identified in the Special Event permit application with a copy of the detailed account of the Special Services and an invoice for the user fee, less the fee deposit. The balance of the user fee will then become due and payable immediately upon its receipt. The city may certify to the county any unpaid user fees relating to the property upon which the Special Event was held or, if the Special Event was held on public property, the applicant's property, which shall then be collected together with the property taxes levied against the property.

Subd. 3. Special Services Rates. The rates charged for the use of city personnel, equipment, facilities and rights-of-way shall be set by the city's fee ordinance.

**230.15. Indemnification Agreement.** If the Special Event requires Special Services, prior to the issuance of a Special Event permit, the permit applicant and authorizing officer of the sponsoring organization, if any, must sign an agreement to indemnify, defend and hold the city, its officials, employees, and agents harmless from any claim that arises in whole or in part out of the Special Event, except any claims arising solely out of the negligent acts or omissions of the city, its officials, employees and agents.

### **230.17. Insurance Requirements.**

Subd. 1. Liability Insurance Required. The applicant or sponsor of a Special Event must possess or obtain liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the Special Event. A certificate of insurance must be filed with the city prior to issuance of the Special Event permit. The certificate of insurance must name the city, its officials, employees and agents as additional insureds. Insurance coverage must be maintained for the duration of the Special Event.

Subd. 2. Minimum Limits. Insurance coverage must be a commercial general liability policy. The minimum limits must be at least \$1,000,000. If alcoholic beverages are to be sold or distributed at the Special Event, the policy must also include an endorsement for

liquor liability. The city may require additional endorsements depending upon the type of Special Event and the proposed activities.

Subd. 3. Waiver or Reduction of Required Limits. The city may waive or reduce insurance requirements of this section under the following circumstances:

- a) The applicant or officer of the sponsoring organization signs a verified statement that it believes that the Special Event's purpose is First Amendment expression and that the cost of obtaining the insurance is so financially burdensome that it would constitute an unreasonable burden on the right of First Amendment expression;
- b) The applicant or officer of the sponsoring organization signs a verified statement that the insurance coverage required by this section is impossible to obtain; or
- c) The city determines that the insurance requirements are in excess of the reasonable risk presented by the proposed Special Event.

**230.19. Compliance with permit.**

Subd. 1. Unlawful to Sponsor a Special Event without a Permit. It is unlawful for any person to sponsor or conduct a Special Event requiring a permit pursuant to this section unless a valid Special Event permit has been issued for the event.

Subd. 2. Unlawful to exceed the Scope of the Permit. The Special Event permit authorizes the Special Event permittee or sponsor to conduct only such a Special Event as is described in the permit, and in accordance with the terms and conditions of the permit. It is unlawful for the permittee or sponsor to willfully violate the terms and conditions of the permit.

**230.21. Revocation.** A Special Event permit may be revoked by the city at any time for failure to comply with the provisions of this section and conditions of the permit.

**230.23. Enforcement.**

Subd. 1. Injunction. The provisions of this section may be enforced by injunction in any court of competent jurisdiction.

Subd. 2. Public nuisance. The holding of a Special Event in violation of any provision or condition contained in this section will be deemed a public nuisance and may be abated as such. Issuance of a Special Event permit by the city does not preclude the right of an individual to pursue a private nuisance action against the applicant.

Subd. 3. Towing authorized. If a Special Event is held on private property and members of a Special Event have parked automobiles in violation of any provision or condition contained in this section, violators' automobiles may be tagged and towed at violators'

expense.

Subd. 4. Noise. The Special Event must be in compliance with the city's noise ordinance at all times.

Subd. 5. Misdemeanor. Violation of any provision of this section is a misdemeanor. Violators shall be subject to a fine or imprisonment as specified by state statute. Each day in which a violation continues to occur shall constitute a separate offense. Violation of any provision of this section shall also be grounds for revocation of the Special Event Permit.

**230.25. Modifications.** The city may modify or waive any of the requirements of this section after a finding that the waiver or modification of the requirements, including, but not limited to the required fee and deadline for application filing, will not endanger the public health, safety and welfare of the community and that enforcement of the requirements would impose a unique hardship upon the applicant.

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**Amendment History of this Section**

*Adopted July 15, 2008 (Ord. 448).*

## North Saint Paul, MN Code of Ordinances

**CHAPTER 122: SPECIAL EVENT PERMITS**

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## Section

- 122.01 Purpose and intent
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**§ 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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**Roseville City Code**  
**Chapter 1011 Property Performance Standards**  
**Section 1011.12: Additional Standards for Specific Uses in All Districts**

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**G. Accessory Uses and Structures:**

...

2. Temporary Uses and Structures: The following temporary uses and structures shall be permitted in all zoning districts unless specified otherwise, provided such use or structure complies with the regulations of the zoning district in which it is located and all other applicable provisions of this Title:

...

- f. Temporary Event: A temporary event permit shall be required from the Community Development Department to allow the temporary sale of merchandise or temporary event/activity. These uses may include the sales of fireworks, rugs, and other similar merchandise and events utilizing search lights or tents for employee/customer appreciation. The Community Development Department shall review a site plan and specifics of the proposed event area/use and may issue the permit, subject to (but not limited to) the following requirements:
- i. Any single or recurring temporary event shall be limited 30 total days per calendar year.
  - ii. The event area shall be located within the parking lot in a location so as not to disrupt the safety and flow of customer traffic.
  - iii. The event area shall not eliminate parking spaces to an amount that is detrimental to primary use or function of the site.
  - iv. The event area shall not obstruct existing pedestrian access on the site, whether from parking areas to the building entrance or from the public street to the building entrance.
  - v. Accessory structures (e.g. stands, booths, and/or tents) used in conjunction with the seasonal event shall meet all applicable fire codes and parking lot setback requirements.
  - vi. Tents 200 square feet and over in size and/or canopies 400 square feet and over require a review and inspection by the Fire Marshal.
  - vii. Signage shall be regulated by Chapter 1010 of this Title.

(Ord. 1403, 12-13-2010)