

## CHAPTER 14. LICENSING; AMUSEMENTS AND ENTERTAINMENT

### ARTICLE VII. Special Events

#### Section 14-251. 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, sanitary facilities, utilities and safety services.

#### Section 14-252. Definitions.

- (a) Applicant means any individual, partnership, corporation, association, society or group seeking and/or receiving a Special Events License from the City.
- (b) City-Operated. A Special Event organized and conducted by the City and largely funded by the City.
- (c) City-Sponsored. A Special Event organized and conducted by a tax exempt non-profit organization under Section 501(c) (3) through (10) of the Internal Revenue Code that the City has elected to support through appropriation of funds within the City's budget. This is typically an annual recurring event. This is an event that the City has determined is of general interest to the public and advances the City's public image.
- (d) For Profit Sponsor. A Special Event organized and conducted by a person, organization or company that does not qualify as a tax-exempt non-profit organization under Section 501 (c) (3) through (10) of the Internal Revenue Code.
- (e) Gross Revenue. Total revenue received from the event, prior to any deductions or allowances. When calculating gross revenue, proceeds from entry fees, participation, alcohol sales, and free-will donations are included.
- (f) License or Special Event means a license issued by the City to allow a Special Event.
- (g) Licensed Location. The location or locations where the Special Event will be occurring.
- (h) Local Non-Profit. A tax-exempt non-profit organization under Section 501(c) (3) through (10) of the Internal Revenue Code based within the City or the Trade Area.
- (i) Non-Local Non-Profit Sponsor. A tax-exempt non-profit organization under Section 501 (c) (3) through (10) of the Internal Revenue Code not based within the City or the Trade Area.
- (j) Outdoor means activity conducted outside of a permanent structure or building.
- (k) Person means any person, association, partnership, firm, business trust, corporation or company.
- (l) Political Event Sponsor. A Special Event organized and conducted by a political party, political committee, candidates, or candidates representative, for

purposes of a political rally, fundraising, campaigning, or similarly related political activity.

- (m) Residential Block Party. A private outdoor party, not open to the general public, organized by residents for the purpose of interacting informally with surrounding neighbors and which requires small sections of a City street to be temporarily blocked off. Such residential streets shall be limited to streets where no transit routes, commercial facilities, police or fire stations exist. Said party(s) is limited to one (1) day only, during the hours of 9:00 a.m. – 10:00 p.m., including set-up and clean-up. Attendance shall be free. No fee for entrance or participation shall be required, including but not limited to, a cover charge or for the sale of food or beverages. Voluntary donations from invited guests may be accepted by the Sponsor to off-set the party expenses; however, no guest shall be required to make such donation as a condition of attendance.
- (n) Trade Area. The cities of Anoka, Andover, Champlin, Coon Rapids and Ramsey.
- (o) Annual Special Event means any event that has been approved by the City and held once each year with no lapse in the event occurring each year, and where there are no substantial changes in the event details. City staff is responsible to determining whether or not changes are considered substantial.
- (p) Special Event means 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 Minn. Stats. Chapter 38.
  - (2) Family gatherings, including family reunions, graduation parties, baptisms, confirmations, weddings, etc.
  - (3) Garage sales.
  - (4) Non-recurring auctions.
  - (5) National Night to Unite Events established through the Anoka Police Department.
  - (6) Funeral processions.
  - (7) Lawful picketing on sidewalks.
  - (8) Activities conducted by a governmental agency acting within the scope of its authority.
  - (9) Residential neighborhood block parties, as long as they meet the requirements of a Residential Block Party, as defined in Section 14-252.

**Section 14-253.**

**License Required.**

No person on or after the effective date of this Article shall conduct or allow to be conducted any Special Event as defined in this ordinance without first obtaining a Special Events License. A License is not required for an annual Special Event provided that the City Clerk is notified at least sixty (60) days prior to the annual Special Event and the annual Special Event has not changed substantially from the previous Special Event.

Special Events that have been approved by the City and held in the City the year preceding the adoption of this Article, as amended on June 6, 2016, are exempt from the licensing requirements as established in this Article .

**Section 14-254.**

**Requirements for Issuance of a License.**

- (a) The following standards shall apply to all Special Events:
- (1) Maximum Number of People. The Applicant shall not sell tickets to nor permit attendance at the License Location of more than the maximum number of people stated in the Special Event Application and/or Special Event License.
  - (2) Sound Equipment. Sound producing equipment, including but not limited to public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the Licensed Location 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 Anoka.
  - (3) Sanitary Facilities. Adequate sanitary facilities must be provided by the Applicant, which are sufficient to accommodate the projected number of persons expected to attend the Special Event.
  - (4) Security. The Applicant shall employ at their 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 Licensed Location. No License shall be issued unless the City's Chief of Police is satisfied that such necessary and sufficient security personnel will be provided by the Applicant for the duration of the Special Event.
  - (5) Food Service. If food service is made available on the Licensed Location, it shall be delivered only through concessions licensed and/or otherwise allowed by the Anoka County Environmental Services Department.
  - (6) Fire protection. The Applicant shall, at their own expense, take adequate steps to ensure adequate fire protection as determined by the City of Anoka Fire Chief.
  - (7) Duration of Special Event. The Applicant shall operate the Special Event only on those days and during the hours specified on the License.
  - (8) Cleanup Plan. The Special Event Applicant is responsible for clean-up costs. Any extraordinary clean up required as determined by the City will be charged to the Applicant, at the City's cost.
  - (9) Waiver. The City Council may grant a waiver from the requirements of this Article 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 may only be granted when there will be no detriment to the public health, safety or welfare and when such waiver will not impair the intent and purpose of these regulations.

(10) Miscellaneous. Prior to the issuance of a License, the City Council may impose any other conditions reasonably calculated to protect the health, safety and welfare of persons in attendance or of the citizens of the City of Anoka.

(b) The following additional standards shall apply to special events with an expected attendance of over 200 persons. Sufficiency of the requirements of these additional standards shall be determined by City staff.

(1) Crowd Control. A fence or barrier shall be constructed that completely encloses the Licensed Location and shall be of sufficient height and strength to prevent people in excess of the maximum permissible number from entering the event. The fence or barrier shall have sufficient entrances and exits to allow easy movement into and out of the Special Event and provide traffic control onto established public roads systems. This requirement may be waived if the City Council determines that a fence will not be necessary for crowd control.

(2) Solid Waste Disposal. A sanitary method of disposing of solid wastes, in compliance with State and local laws and regulations shall be provided and shall be sufficient to dispose of the solid waste production anticipated for the maximum number of people allowed by the License. Plans shall include a provision for holding and collecting all such waste at least once each day, sufficient trash containers and sufficient personnel to perform such tasks.

(3) Parking and Traffic Control. A parking and traffic control plan for the number of persons projected to attend the Special Event must be submitted. Such plan must be sufficient to ensure a free flow of traffic and make available rapid access for emergency vehicles. Further, the Applicant shall provide adequate off-street parking facilities on the site or within one thousand five hundred (1,500) feet thereof to accommodate the projected number of persons expected to attend the Special Event.

(4) Recycling Collection & Processing. Applicant will submit a plan to collect glass bottles, plastic bottles, and aluminum cans for the purpose of recycling. The plan shall include appropriate recycling containers to be placed next to each garbage container and marked for recycling, clearly distinguishing recyclable collection from garbage collection. The plan shall also provide details on separate containers for paper and corrugated cardboard recycling and include confirmation of personnel to perform all tasks involved in the coordination and follow through of recycling collection processing.

Documentation shall be submitted to evidence that recycling collection service will be performed and the materials will be recycled through a licensed recycling hauler/facility. The Applicant shall supply to the City, within one (1) week following the event, the tonnage information (or weight slip) provided from the recycling hauler/facility acknowledging that materials were properly recycled.

(5) Bonding. Before the issuance of a License, the Applicant shall obtain, from a corporate bonding company authorized to do business in Minnesota, a corporate surety bond in the amount of up to \$50,000, to be approved by the City Council. The exact amount shall be set by the City Council, conditioned upon the Applicant's faithful compliance

with all of the terms and provisions of this Chapter and all applicable provisions of state or local law, and which shall indemnify the City of Anoka, its agents, officer, and employees and the City Council against any and all loss, injury or damage whatsoever arising out of or in any way connected with the Licensed Location and for any costs attributable to cleaning up and/or removing debris, trash, or other waste resulting from the Special Event.

- (6) Insurance. Before the issuance of a License, the Applicant shall obtain public liability insurance with limits of not less than \$100,000/\$300,000 and property damage insurance with a limit of not less than \$50,000 from a company or companies approved by the State of Minnesota. Such insurance shall name the City of Anoka as an additional insured and shall remain in full force and effect in the specified amounts for the duration of the License. Evidence of insurance shall include an endorsement to the effect that the insurance company will notify the City Clerk in writing at least ten (10) days before the expiration or cancellation of said insurance.
- (7) Medical facilities. Medical or first aid facilities shall be provided which are sufficient to accommodate the projected number of persons to attend the Special Event.
- (8) Camping facilities. If the Special Event is to continue overnight, camping facilities in compliance with all state and local requirements may be provided in an amount sufficient to provide camping accommodations for the maximum number of people to be assembled for camping.
- (9) Lighting. The Applicant shall provide electrical illumination of all occupied areas sufficient to insure the safety and comfort of all attendees. The Applicant's lighting plan shall be pre-approved by City staff.
- (10) Potable water supply. Potable water, meeting all federal and state requirements for sanitary quality and sufficient to provide drinking water for the maximum number of people allowed at the Special Event, must be provided.

**Section 14-255.**

**Application Procedures.**

A City supplied written application for a Special Event License shall be filed with the City Clerk not less than sixty (60) days before the date proposed for holding the special event. The written application shall be signed by the Sponsor of the event, or their designee responsible for conducting the event and shall be accompanied by the applicable fee adopted in the City's Master Fee Schedule in effect at the time of submittal of the Application.

**Section 14-256.**

**Fees and Charges.**

- (a) The fee for a Special Events License shall be established by the City Council.
- (b) All Applicant's for Special Events licensed by this Article shall be required to pay for all costs incurred by the City to assist with the Special Event, including but not limited to equipment and materials costs, whether provided by the City or contracted by the City, over-time staff labor costs, security costs, electrical costs, etc. These costs are determined by City staff. Payment of these costs are due within thirty (30) days of the Special Event. Failure to pay these costs

within thirty (30) days of the Special Event may void an annual License and/or be cause for denial of a future Special Events License, as determined by the City Council.

- (c) The City Manager has the sole authority to determine which Special Events the City will provide financial, material, labor or other support to, and to what extent.
- (d) The Council may waive fees, recovery of costs or revenue sharing if the Special Event:
  - (1) Is free and open to the public, is non-political, serves a secular purpose.
  - (2) Enhances community pride and positive image, as determined by the City.
  - (3) Generates a positive economic impact for the City, as determined by the City.
  - (4) Generates positive media exposure and visibility for the City, as determined by the City.
  - (5) Demonstrates support for local charitable organizations.

**Section 14-257. Financial Reporting.**

All Special Events licensed by this Article shall be required to submit the following:

- (a) At time of application submittal, a proposed budget detailing projected operational expenditures and projected revenues for the Special Event.
  - (1) Administrative costs (i.e. wages/salaries) may not exceed 20%.
- (b) No more than thirty (30) days after the Special Event, a finalized detailed financial statement that documents all administrative costs, expenditures, revenues and donation payout(s), consistent with Section 14-258.

**Section 14-258. Revenue Sharing.**

All Special Events licensed under this Chapter must meet the following Revenue Sharing requirements:

- (a) No less than 80% of the gross revenue, after expenses, shall be donated to a local non-profit organization(s), approved by the City Council, through the approval of a Special Events License. Revenue Sharing includes entry and participation costs to the Special Event. Revenue derived from the sale of alcoholic beverages is considered part of the Revenue Sharing requirements. Revenue derived from the sale of food is not considered part of the Revenue Sharing requirements.

**Section 14-259. Operation.**

The following standards shall be required in operation of a Special Event:

- (a) The Applicant or their agent(s) shall maintain the Licensed Location and facilities in a clean, orderly and sanitary condition at all times.

- (b) No dogs, cats or other animals shall be permitted to run loose on the Licensed Location.
- (c) No fires of any kind shall be permitted on the Licensed Location or in facilities, except in grills or at locations designated for that purpose, or as approved by the City.
- (d) No person shall engage in any conduct that violates a state, county, or local law or ordinances.
- (e) Any Special Event that incorporates the sale or distribution of alcoholic beverages must contract the sale of alcoholic beverages to a non-profit, charitable, or religious organization, or a State Licensed manufacturer of malt liquor, so long as the manufacturer meets all requirements of Minn. Stat. § 340A.404, Subd. 10, as may be amended. Such non-profit, charitable, religious organization, or State Licensed manufacturer of malt liquor, must obtain a Temporary On-Sale 3.2 Malt Liquor License or Temporary On-Sale Intoxicating Liquor License from the City, and adhere to all City, County and State Laws relating to the sale and/or distribution of alcohol.
- (f) Alcoholic beverages that are sold or distributed in conjunction with a Special Event will be limited to the following:
  - 1. 3.2 Malt Liquor;
  - 2. Wine, Strong Beer, other Malt beverages, which may not exceed 24% ABV, and which must be sold, distributed, or served as a beverage premixed by the manufacturer, and sold, distributed, or served directly from the manufacturer's individualized packaging containers, which may not exceed 12 ozs.
- (g) Any Special Event that incorporates the sale or distribution of food and/or beverages must obtain the proper County and/or State license. The Sponsor of the event must submit with their Special Event License application, a copy of the Anoka County Food License, or a copy of the Anoka County Mobile & Itinerant Food Service Licensing Reciprocity Agreement, pertinent to the Special Events' food and beverage sales and/or distribution.

**Section 14-260.**

**Granting a license.**

The City Council, in its sole discretion, reserves the right to review and determine whether or not a request for a Special Event is acceptable. It is the stated purpose of the City Council that all such Special Events 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 may be denied.

Prior to Council consideration of the License, the City shall notify the Anoka Business & Landowners Association, providing them with the Special Event details.

**Section 14-261.**

**Denial of License.**

- (a) The City Council shall have the right to deny the License if, in the judgment of the City Council, granting of a License would adversely affect the safety, health or welfare of the citizens of Anoka. Such denial may also be based upon the following circumstances:

- (1) The Special Event would unreasonably inconvenience the general public.
  - (2) The Special Event would unreasonably infringe upon the rights of abutting properties.
  - (3) The Special Event would conflict with another proximate event or interfere with construction or maintenance work.
  - (4) There are not sufficient safety personnel or other necessary staff to accommodate the Special event.
  - (5) Other issues in the public interest as identified by the City Council.
- (b) The Applicant shall be notified of such denial and may appear before the City Council to appeal the denial.
- (c) After the initial Special Event has taken place, any aggrieved person may appeal to the City Council to express objection to future issuance of a License to the Applicant for the same type Special Event. Such appeal shall be conducted through a public hearing, after having given ten (10) days notice to the Applicant, the aggrieved person and a public notice.

**Section 14-262. Transferability.**

No transfer of a License shall be permitted from place to place, entity to entity, or person to person without complying with the requirements of an original Special Events License application.

**Section 14-263. Prohibited Special Event(s).**

No Special Events License shall be issued to a Political Event Sponsor, as defined in this Article.

**Section 14-264. 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 Article.
- (b) The holding of a Special Event in violation of any provision of this Article shall be deemed a public nuisance and may be abated as such.
- (c) Any person violating any provision of this Article is guilty of a misdemeanor and upon conviction shall be subject to the penalties set forth in Minnesota Statutes.

**Section 14-265. Revocation of License.**

The License 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 Article are violated.