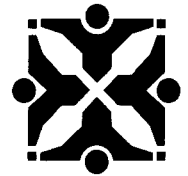


City of Columbia

701 East Broadway, Columbia, Missouri 65201



Agenda Item Number: R 150-14

Department Source: City Manager

To: City Council

From: City Manager & Staff

Council Meeting Date: August 18, 2014

Re: Waiver of the Open Container Ordinance and Approval/Denial of a Street Closure - The Block Party on the evening prior to a home football game

Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

Supporting documentation includes: Diagrams (construction, route, etc.), Special Event Permit Application, Appeal Request, Special Event Ordinance noting reasons for denial

Executive Summary

Staff has prepared for Council consideration a resolution granting a waiver of the open container ordinance. In addition, the resolution would grant/deny an appeal to the City Event Committee recommendation to deny closure of certain streets for The Block Party.

Discussion

Jori Rose, Woodruff Sweitzer, is exercising her right to file an appeal to Council for approval of the closure of Fay St, from Wilkes to Hinkson, and Hinkson from College Avenue to Nichols St. on Friday, October 10th and Friday, October 31st, from 12:00 p.m. until 11:59 p.m. The City Event Committee does not support the mid-block closures as shown on the map nor has the City Event Committee had the opportunity to thoroughly review the applications.

She is also requesting a waiver of the open container ordinance on October 10th and October 31st, from 4:00 p.m. until 11:00 p.m.

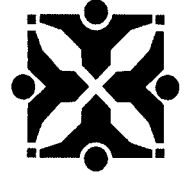
The City Special Event Committee denied the request for the following reasons:

- Applications for special event permits shall be submitted ninety (90) days prior of the first day of the event. Ms. Rose failed to meet the 90 day requirement.

- Pursuant to Sec 24-73: (...) the City Event Committee shall not approve closing any area as set out in the subsection(s) above for any of the following: (1) The day before, or the day of, any scheduled University of Missouri home football game. The two events proposed by Ms. Rose occur on the evening preceding University of Missouri home football games.

City of Columbia

701 East Broadway, Columbia, Missouri 65201



Fiscal Impact

Short-Term Impact: n/a

Long-Term Impact: n/a

Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Arts and Culture, Community Character, Community Pride and Human Relations

Strategic Plan Impact: Health, Safety and Wellbeing

Comprehensive Plan Impact: Livable & Sustainable Communities

Suggested Council Action

If Council agrees, approval of the resolution is recommended.

Legislative History

n/a

Department Approved

City Manager Approved

Introduced by _____ Council Bill No. R 150-14

A RESOLUTION

authorizing the temporary closures of portions of Fay Street between Wilkes Boulevard and Hinkson Avenue, and Hinkson Avenue between College Avenue and Nichols Street; granting temporary waivers from the requirements of Section 16-185 of the City Code to allow possession and consumption of alcoholic beverages for The Block Party event.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Council hereby authorizes Woodlog LLC to temporarily close portions of Fay Street between Wilkes Boulevard and Hinkson Avenue, and Hinkson Avenue between College Avenue and Nichols Street between the hours of 12:00 p.m. and 11:59 p.m. for The Block Party events on the following dates:

1. October 10, 2014
2. October 31, 2014

SECTION 2. The City Council hereby grants temporary waivers from the requirements of Section 16-185 of the City Code so that the possession of an open container of alcohol and consumption of an alcoholic beverage shall be allowed from 4:00 p.m. until 11:00 p.m. during The Block Party events on the following dates:

1. October 10, 2014
2. October 31, 2014

ADOPTED this _____ day of _____, 2014.

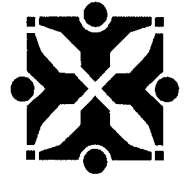
ATTEST:

City Clerk

Mayor and Presiding Officer

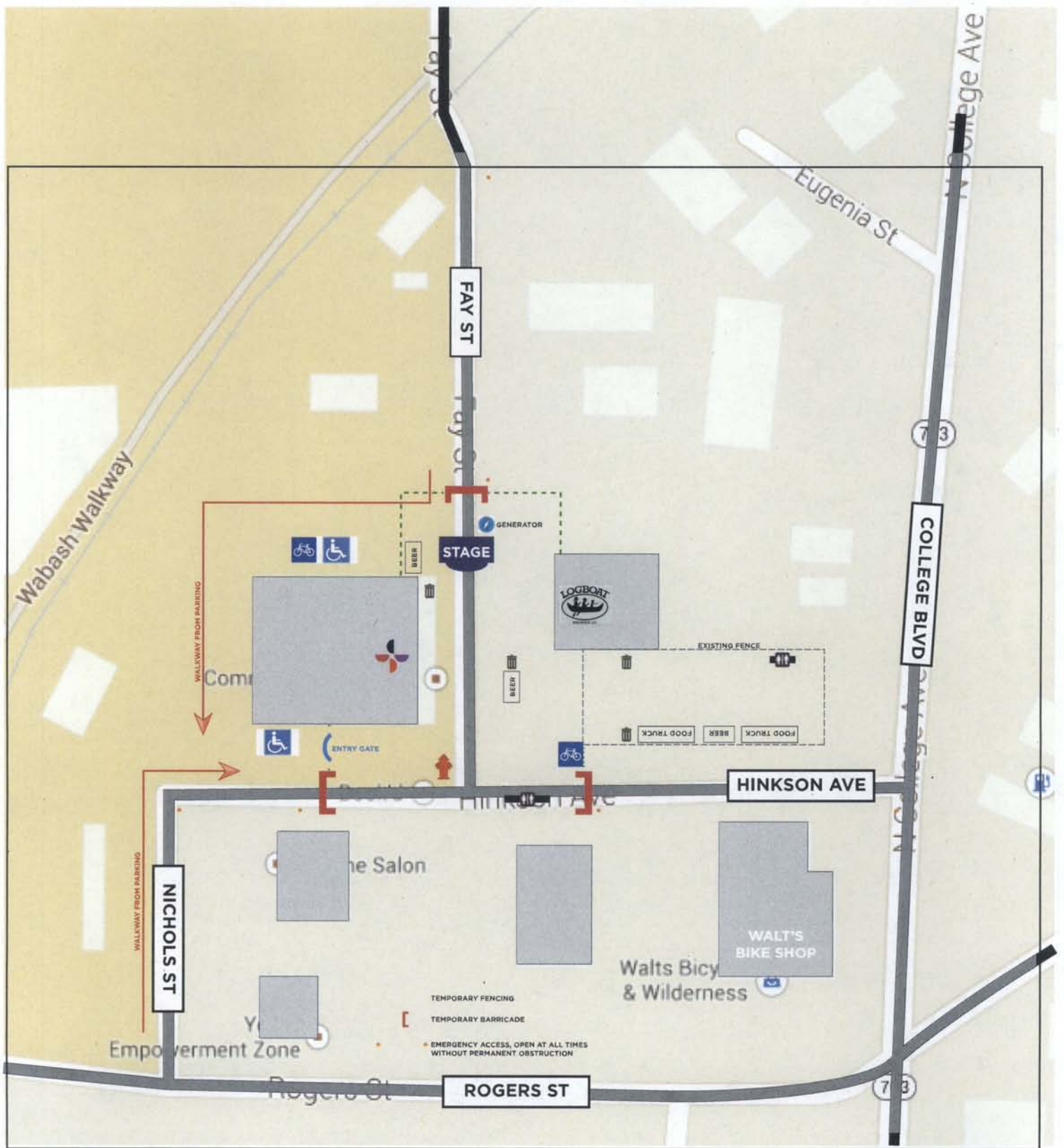
APPROVED AS TO FORM:

City Counselor



SUPPORTING DOCUMENTS INCLUDED WITH THIS AGENDA ITEM ARE AS FOLLOWS:

Diagrams (construction, route, etc.), Special Event Permit Application, Appeal Request, Special Event Ordinance noting reasons for denial



City of Columbia Special Use Permit and Application

Completing a Special Use Permit Application is a 5 step process and can be completed in multiple sessions. Complete and submit the form and application fee to the City Manager's office ninety (90) days prior to the first day of the event with the exception of parades and block parties (10 days). Incomplete or illegible applications will not be accepted.

* Indicates a required field.

11:00 AM - 11:00 AM 8/4/2014

Application Status:

Date/Time Received: 8-4-2014 4:57 pm

Disapproved: Per email from Carol Rhodes, Assistant City Manager: your event has been denied on the following criteria. "Pursuant to Sec. 24-73 of the special event permits ordinance the cec event committee shall not approve closing any area as set out in the subsection (s) above for any of the following: (1) The day before, or the day of, any scheduled University of Missouri home football game. In addition, your application was not submitted 90 days prior to the event date. I am notifying you of the following: Any person aggrieved by a denial of a permit by the city event committee may file an appeal within five days following such denial with the city council to be acted upon at the next regular council meeting after said appeal is filed." Please advise if you would like to file an appeal to Council. - Megan

Payment Received

Virtual Merchant Transaction:

Date: 08/04/2014 04:59:02 PM

Permit No: 1018

Approval Code: 69028C

Payment Status: APPROVAL

Log on to Virtual Merchant

Are you the applicant organizing this event on behalf of another organization?			
Yes No Organization name: Woodlog LLC			
APPLICANT CONTACT:	Name: Jori Rose	Phone: 573-875-7917	Cell:
	E-mail Address: jrose@woodruffswaitzer.com		
MAILING ADDRESS:	Street Address: 501 Fay St. #110		
	City: Columbia	State: MO	Zip: 65201
SECONDARY CONTACT:	Name:	Phone:	Cell:
	E-mail Address:		
ON SITE CONTACT (if different than applicant):	Name: Jori Rose		Phone: 314-570-3359

EVENT NAME: The Block Party		
EVENT CATEGORY:	Procession/March Concert/Performance Farmers/Outdoor Market Festival/Fair/Carnival Competitive Athletic Event	Non-Competitive Athletic Event Neighborhood Block Party Parade Other
Public or Residential Streets & Sidewalks: Will your event be utilizing and requesting the closure of any streets? Note: Choose "No" for rolling closures such as parades. Yes No Print the Street Closure Petition and obtain signatures of property owners/tenants inside and abutting the closure area. You will be prompted to attach the street closure petition at a later time. A link to the ordinance can be found here .		
Downtown Event: Will this event be held "downtown"? Yes No		
Admission/Entry Procedure: How will your event be attended? Registration Fee \$ 5.00 Tickets for Purchase By Invitation Only Open to Public Other **Note: A permittee shall post a sign at each entrance and exit to the closure area visible to all patrons entering the area that includes the amount of the entry fee, if any, and the rules of access to the closure area. A permittee must post the sign required under this section during the time the entry fee is in effect**		
Columbia Parks and Trails: Does your event include the use of Columbia Parks or Trails? Yes No		
Alcohol: * If your event includes the sale of alcohol, are you requesting a waiver of the open container ordinance? Yes No		

EVENT DATES: (Indicate dates OPEN to attendees)						HOURS: (Indicate hours OPEN to attendees)		EXPECTED ATTENDANCE: (Daily Attendance)	
Day	Date:	Start Time:	End Time:	Attendees:	Staff/Volunteers:				
1	10/10/2014	4:00pm	11:00pm	1000	50				
2	10/31/2014	4:00pm	11:00pm	1000	50				
Day	Date:	Start Time:	End Time:	Attendees:	Staff/Volunteers:				

3			
ALTERNATIVE (Date and Time):	Date:	Times:	
EVENT SETUP BEGINS (Date and Time):	Date: 10/10/2014	Times: Noon	
EVENT DISMANTLE (Date and Time):	Date: 10/10/2014	Times: Midnight	
EVENT DESCRIPTION:	<p>Music and food festival featuring local beer. Open to the public, the event will be held Friday evenings before select MU football games. \$5.00 entry fee gains admission to the sound stage area as well as the Logboat Brewery Shipyard and tasting room. All ages event. 12 and under are free. Must be 21 to purchase and drink alcohol. Valid ID required. Must present ID for wristband. Must have wristband to purchase alcohol. Local food vendors will remain on premises the entirety of the night. Gates open at 4. Music to end by 10:30 p.m. Attendees must vacate streets by 11 p.m. and the Logboat premises by 1 a.m. Rain or shine event. No pets allowed.</p>		
EVENT LOCATION: Describe in detail, include addresses and ATTACH REQUIRED MAP	<p>The event will take place at the South end of Fay St in between 501 and 504 Fay St, and a portion of Hinkson at the intersection of Fay. Per the map, the music stage will be placed on Fay St. between Logboat Brewing Co.(504) and Wright Mule Barn (501). The street closures will not affect businesses in the area - all parking and building access will remain intact for the businesses not involved.</p>		
Has this event been produced before? Yes No Is this an annual event? Yes No			
Barricades: Describe any temporary barricades and/or fencing that will be utilized for this event: Temporary barricades (able to be quickly removed for emergency situations) will be placed on the East and West ends of Hinkson. Additionally, a barricade will be placed just North of the 501 Fay St. Parking Lot entrance off Fay St behind the stage.			

****Note: In accordance with MUTCD standards, barricades for street closures must be obtained from the City of Columbia Street Department (573-874-6289)****

1. *Chlorophyll a* (Chl *a*)

Please provide a map of the event. Be sure to include the following:

Boundaries of the activity with square footage and entryway widths or route for mobile event;

Electrical – locations of generators and electrical connections;

Emergency access (20 feet clear for fire truck and public safety access;

Equipment (stages, booths and tents, fencing, bike racks, risers, by type and size);

Accessible Routes;

Food vendor locations;

Recycle and trash receptacles;

Hydrant connection locations;

Alcoholic beverage service locations;

Sanitation facilities;

Portable toilets, including accessible provisions;

Parking provisions, including accessible parking;

Location for barricade delivery; and/or

Other:

Merchandise Sales:

Does your event include the sale of (non-food) goods?

Yes No

Food Vendors:

Does your Event include the sale of food?

Yes No

Alcohol:

Does your event include the sale of alcohol?

Yes No An application for Caterer's permit can be found **here**. Please include completed application in step 3.

Are you requesting a waiver of the open container ordinance?

Yes No

Beginning Time: 4:00pm

End Time:

11:00pm

Cooking, Grilling, Combustibles, Open Flames:

Does your event include cooking or open flame on the premises?

Yes No

All Grey water (waste water, mop water, hand sink water, dish water, wash out stations) must be placed in the sanity sewer, arrangements can be made to have a grey water dump site installed by the Water and Light Department at 573-874-7325.

Cooking oil and grease traps must be disposed of at grease disposal tanks located through the city of Columbia. These tanks are located in the downtown area at a variety of locations, to find the nearest location to your event, contact the Public Works Department at (573) 874-7250.

Tents and Canopies:

Does your Event include the set-up of tents or canopies? (Tents above 100 square feet (20ft x 20ft) require a temporary structure permit.)

Yes No

In your event's plan for trash removal/recycling (i.e. dumpsters/trash bins);

Are you requesting the use of City services (i.e. Trash/recycling receptacles; removal)?

Yes

No Trash will be removed by applicant.

Will your event use portable toilets? (Refer to ADA guidelines on the City of Columbia's special events website.)

Yes No

Describe:

Yes, porta

****Note: A permittee may not place a portable toilet within 25 feet of an entryway to an adjacent business or residence, unless the adjacent property owner or tenant approves a distance less than 25 feet****

Will your event require the use of City utilities?

Yes No

Will your event include the use of generators?

Yes No

Describe:

Yes, a generator will be used to power the stage audio.

Describe the plan for ADA accessible Routes:

For more information relating to ADA accessibility, please click [here](#)

2-3 bands per event. Singer/Songwriter or Folk Rock Music are the anticipated music genre.

Yes No

In an emergency situation the volunteers and security would help to clear the roadways for access. The temporary barricades at the East and West ends of Hinkson as well as the temporary barricade South of the Railroad Tracks on Fay St. will be able to be removed for emergency vehicle access. Emergency access is also available through the 501 Fay St. parking lot via the entrance off Hinkson.

Emergency Access

Will your event have on-site medical personnel?

Yes No

Emergency Access

Parking:

Describe the plan for parking:

Public parking is recommended for all attendees.

Do you plan to use metered parking spaces outside of the event footprint?

Yes No

Transportation:

Does your event plan to utilize shuttles or transportation services?

Yes No

Traffic Flow - Pedestrian and Vehicular:

Describe your plan for traffic and pedestrian flow and control:

All neighboring business parking lots will remain open during the event. Walking and cycling are encouraged means of transportation to the event - entering through the designated entrance on the West end of Hinkson. The portions of Fay and Hinkson that will be closed will remain accessible for pedestrians. Per the map, bicycle parking will be available on the North side of the Wright Mule Barn and in front of the Logboat parking lot. Vehicles entering Hinkson Ave from College Blvd will have exit/turn around access in Walt's Bike Shop parking lot. Vehicles entering from Nichols Street onto Hinkson will be directed (once parking is full) to find additional public parking elsewhere.

Attachments:

Map

Street Closure Petition

Additional Information

Property Owner/Tenant Petition for Street Closure

We, the undersigned, hereby request the closure of (street name): Portions of Hinkson: Fay

Between (street name): Fay • Wilkes • Hinkson • College And (street name): Hinkson Nichols

Closure Hours: Noon - 12am Start: 4am End: 12am

Property Owner/Tenant Information

Name	Address	Phone	Yes/No - comments
Print Travis Smith	501 Fay St. Ste 112		<input checked="" type="radio"/> Yes/No
Sign <i>Travis Smith</i>	Columbia, MO		Do it! ;)
Print Scott Schutte	501 Fay St Suite 102		<input checked="" type="radio"/> Yes/No
Sign <i>Scott Schutte</i>	Columbia, MO		
Print Scott Schnelle	" "		<input checked="" type="radio"/> Yes/No
Sign <i>Scott Schnelle</i>	# 106		
Print Kevin Schweikert	506 Nichols St		<input checked="" type="radio"/> Yes/No
Sign <i>Kevin Schweikert</i>	Columbia, MO		
Print Sarah Ashman	Ward's Bk Shop		<input checked="" type="radio"/> Yes/No
Sign <i>Sarah Ashman</i>			
Print Rick Gusella	501 Fay St Suite 203		<input checked="" type="radio"/> Yes/No
Sign <i>Rick Gusella</i>	LS 201		
Print Roxanne Fischer	501 Fay St. Ste. 206		<input checked="" type="radio"/> Yes/No
Sign <i>Roxanne Fischer</i>	210		
Print <i>[Signature]</i>			<input checked="" type="radio"/> Yes/No
Sign <i>[Signature]</i>	110 and building Wright		
Print Richard Mayes	501 Nichols St. Suite C		<input checked="" type="radio"/> Yes/No
Sign <i>Richard Mayes</i>	WJC		
Print			Yes/No

Dates:
10-10
0-31



**CITY OF COLUMBIA
APPLICATION FOR TEMPORARY
CATERERS (LIQUOR) PERMIT
\$15.00**

I, Tyson Hunt, being the holder of Alcoholic Beverage
Managing Officer/Liquor License Holder Type of License
 License _____, license number 15-30061, d/b/a Logboat Brewing Co.
 at 504 Fay Street, issued by the City of Columbia on
 _____ Address of Business
30 day of May, 20 2014 do hereby make application for a temporary caterers
 permit to furnish provisions and service for The Block Party
 _____ Type of Function

at a location other than the licensed premises which is as follows:
 Name and address corner of Hinkson and Fay Streets between 501 and 504 Fay Street
 Room/Suite _____ Indoor Event _____ Outdoor Event X *(If outdoor, see below)
 during the time period from 4:00 PM a.m./p.m. October 10th, 2014 to
11:00 PM a.m./p.m. on October 10th, 2014
To sell/serve alcohol until 1:00 a.m., you must obtain the permit for two (2) days
 Number of expected attendees: 1,000 Occupancy Load: _____
 Not to exceed one hundred twenty (120) consecutive hours.

A caterers permit from MO Division of Alcohol and Tobacco Control must also be obtained.

I understand that all provisions of the liquor control law rules and regulations and city ordinances shall extend to such premises and shall be in force and enforceable during the time the permittee, agent, servants, employees or stock are in such premises. Applicant further agrees that inspections may be made at all times by the Supervisor of Liquor Control and his agents in accordance with Regulation 70-2.140, Rules and Regulations of the Supervisor of Liquor Control.

Tyson Hunt Signature of Managing Officer or Owner SS800 Signature of Partner
 Contact Phone Number 573-673-4961 Email Address tyson@logboatbrewing.com

***Additional Requirements for Outdoor Event:**

- _____ Detailed diagram of area where alcohol will be sold/consumed which includes accurate dimensions and how the defined area will be enclosed (4 ft. snow fencing is required), etc.
- _____ Permission of property owner
- _____ If tents and/or signage are involved, contact the Building and Site Development Division, 3rd Floor, 701 E. Broadway, or call 573-874-7474.
- _____ Security plan at entrances/exits
- _____ Statement of confirmation of ADA compliance
- _____ Statement concerning disposal of trash
- _____ Signs must be placed at each exit point which state "Open containers are not allowed beyond this point. Violators may be subject to arrest under City Ordinance 16-185"

Approved: _____

Business Services Manager _____

Date _____

ALLOW 7 TO 10 DAYS FOR APPROVAL



Block

Re: Special Use Permit Payment Receipt

Erin Pries <epries@woodruffswitzer.com>

Thu, Aug 7, 2014 at 3:25 PM

To: Carol Rhodes <car@gocolumbiamo.com>

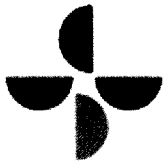
Cc: Megan Gotcher <mrgotche@gocolumbiamo.com>, Jori Rose <jrose@woodruffswitzer.com>, Shelley Thompson <sthompson@woodruffswitzer.com>, Scott Kington <skington@woodruffswitzer.com>

Good afternoon Carol,

We wish to exercise our right to appeal to Council. We have completed and submitted the separate application for the 10/31 event (permit no. 1024).

Please let us know you need anything else from us to help move the appeal forward.

Thank you,
Erin



Woodruff Switzer

Erin Pries

Account Executive

301 E. 1st Street, Suite 110
Columbia, Missouri 65201
825.300.7455 / 573.875.7917

woodruffswitzer.com



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[@WSunexpected](https://twitter.com/WSunexpected)

Woodruff Switzer is a next generation agency delivering unexpected ideas, nurtured in fresh air. Fueled by an entrepreneurial spirit, Woodruff Switzer is able to propel clients and brands further, faster. With offices in Kansas City, Missouri; Calgary, Alberta; and Columbia, Missouri, Woodruff Switzer has been the trusted partner of clients in the U.S. and Canada for more than 20 years.

[Quoted text hidden]

021948

Introduced by McDavid

First Reading 12-16-13

Second Reading 1-6-14

Ordinance No. 021948

Council Bill No. B 385-13 A

AN ORDINANCE

amending Chapter 24 of the City Code as it relates to special event permits; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 24 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 24-71. Required; application; conditions for issuance.

(a) Whenever any person shall desire to temporarily block a portion of any public street or sidewalk ~~that is not outside of the downtown area as described in section 24-73,~~ and is for any purpose other than the collection of signatures on a petition or the dissemination of information, or work under a permit issued by the director of public works under article II, division 2 for a closing not exceeding thirty (30) days, such person shall make application on a form to be supplied by the city to the city manager not less than ten (10) days prior to the next city council meeting preceding the date the person shall desire to use such street or sidewalk. A twenty-five dollar (\$25.00) processing fee will be required with the application. The city manager may issue a permit with conditions to such person to use a portion of such street or sidewalk to such extent and for such time as the city manager shall find to be reasonably necessary, provided that the city manager shall find that the following conditions exist:

- (1) No safety hazard will be created as determined by the director of public works or his designate, and
- (2) No obstruction will be created that would unreasonably interfere with police, fire or health protection of the city, and
- (3) No unreasonable interference with the normal uses of the abutting property will be created.

(b) The person making an application to the city manager shall, as a part of the application, present evidence that all users or owners or occupants of property abutting the area to be used have been notified of the use, the dates and time of such use and their right to protest under this section.

...

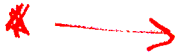
Sec. 24-73. Special event ~~Downtown street use~~ permits.

(a) The city manager shall designate a city event committee to assist with the issuance of special event permits. The city event committee is authorized to close any public street, sidewalk or public place as follows:

- (1) Any event in the downtown area;
- (2) For any event that is ticketed, has entry fees, for-profit or otherwise excludes the general public;
- (3) For any event at a city park if submitted by the director of the parks and recreation department; and
- (4) For any event in other public places if submitted by the city manager.

~~City council authorization is required to close any street in the downtown area. For purposes of this article, "downtown area" means the area bound on the north by Park Avenue, on the east by College Avenue, on the south by Elm Street and on the west by Providence Road. Issuance of a special event permit does not obligate or require the city to provide services, equipment or personnel in support of an event. The city manager may cancel or postpone a special event permit if the manager thinks that any denial condition listed in this section exists, or is likely to exist, or to otherwise protect people and property in the city. The city event committee may promulgate forms and regulations to assist applicants that are not inconsistent with this section. The city event committee may request detailed plans, evidence, maps or other documentation to evaluate the application.~~

(b) The city event committee shall not approve closing any area as set out in subsection (a) above for any of the following:

- 
- (1) The day before, or the day of, any scheduled University of Missouri home football game; and
 - (2) Any event that requires city services, equipment or support that is outside the ordinary course of business of the city.

Any closures of this kind shall require an agreement negotiated by the city manager with the event organizer and the agreement must be approved by the city council. ~~Any person~~

wishing to have the city council close a street in the downtown area for a special event may file a written application for a street closure and street use permit with the city manager on a form supplied by the city manager's office. The application must be filed at least ten (10) days before the regularly scheduled city council meeting at which the request will be considered.

(c) Applications for a special event permit shall be considered in the order that the application is received. Multiple applications shall be given an order of priority by the applicant if submitted by one applicant, or shall be selected at random if it cannot determine the order in which applications have been received. Applications for special event permits shall be submitted ninety (90) days prior to the first day of the event. A one hundred dollar (\$100.00) processing fee will be required with the application. As part of the application, the applicant shall present evidence that all owners or occupants of property abutting the street to be closed have been notified of the proposed street closure and over fifty percent (50%) must give consent for an application to be considered their right to address the city council in opposition to the street closure. Upon request by the city event committee, applicants shall submit detailed plans, evidence or maps to be used to evaluate the application and to address any denial condition concerns. The city event committee shall approve or deny the application as soon as possible but no later than forty-five (45) days before the first day of the event. Any person aggrieved by a denial of a permit by the city event committee may file an appeal within five (5) days following such denial with the city council to be acted upon at the next regular council meeting after said appeal is filed.

(d) The city event committee shall grant a special event permit unless it is determined that one or more of the denial conditions listed in subsection (d)(1) or (d)(2) below requires denial. The city event committee shall accept timely written comments from the downtown community improvement district board as to any of the denial conditions listed below if the event is in the community improvement district area.

- (1) The city event committee shall deny a special event permit to an applicant who fails to:
- a. Provide a completed and signed application; or
 - b. Meets the requirements for submitting an application for a special event permit; or
 - c. Provide a sufficient traffic control plan; or
 - d. Provide a plan or evidence of sufficient monitors, event staff, volunteers or security for crowd control and safety; or
 - e. Provide a plan or evidence of sufficient sanitation or portable sanitation equipment, services or facilities that are reasonably necessary to

ensure that the event will be conducted with due regard for safety, health and the public welfare; or

f. Provide a plan or evidence of sufficient waste management services; or

g. Provide sufficient off-site parking or shuttle service, or both, when required to minimize any substantial adverse impacts on general parking and traffic circulation in the vicinity of the event as determined by the city event committee; or

h. Obtain the written approval of any other public agency within whose jurisdiction the special event or portion of the special event will occur; or

i. Provide a sufficient public safety plan based on event risk factors including but not limited to, on-site medical personnel, emergency preparedness for adverse weather conditions, temperature, fire, or other potential health and public safety concerns; or

j. Obtain all other required city permits; or

k. Provide insurance to protect the city against loss from liability imposed by law for damages on account of bodily injury and property damage arising from the special event that impacts or occurs on city property. The amount, if the insurance is required, shall be determined by the city and the insurance shall name the city as an additional insured and must be maintained for the duration of the special event. The city manager may waive or require a substitute to the insurance requirement only if the event organizer demonstrates that it is impossible or impractical to obtain insurance coverage.

(2) The city event committee shall deny a special event permit if it determines that:

a. The event will violate any local, state or federal law or regulation; or

b. The resources required to ensure public safety within the special event venue or district will prevent the police, fire or emergency medical service departments from providing reasonable protections to the remainder of the city; or

c. The concentrations of persons, animals, or vehicles within the special event venue or district will unduly interfere with the movement of police, fire, ambulance or other emergency vehicles; or

d. The event will substantially interfere with any other special event for which a permit has been granted, or the combination of events, although they do not interfere, diminishes public safety resources to unacceptable levels in the determination of the city; or

e. The event will interfere with scheduled and unscheduled government functions, including, but not limited to, construction of buildings (public and private), road and utility work, street closures, or any other reason to protect safety, health and the public welfare in the city; or

f. The event organizer demonstrates an inability or an unwillingness to conduct an event in compliance with the requirements of this chapter, or to comply with a condition to a permit issued under this chapter; or

g. The event organizer conducted a prior special event in a manner that failed to substantially comply with city code requirements.

(e) The city council shall not close a street or sidewalk and issue a street special use permit when an applicant appeals the denial of a permit or in approving an agreement unless it determines that:

- (1) No safety hazard will be created, and
- (2) No obstruction will be created that would unreasonably interfere with police, fire or health protection of the city, and
- (3) No unreasonable interference with the normal uses of the abutting property will be created.

~~(e) The city council normally shall not close a street and issue a street use permit when the street requested to be closed is within seven hundred fifty (750) feet of a street that the council has previously closed for the same time, unless the holder of the earlier street use permit has been notified and consents to the subsequent street closure.~~

~~(f) The holder of a street use permit must obtain all other required city licenses and permits. The special event committee appointed by the city manager will advise the permit holder of additional licenses and permits that are required based upon information provided by the permit holder. The following restrictions and obligations apply after a street or sidewalk closure has been granted as part of a special use permit:~~

- (1) No vendors may operate within the closed street without the permission of the special event permit holder. This subsection shall not prevent the owners of businesses adjacent to the closed street from selling items on the sidewalk as otherwise permitted by law.

(2) No peddler shall conduct peddling within seven hundred fifty (750) feet of a street closed under this section without the written permission of the city manager. The manager shall not give such written permission without first consulting with the special event permit holder to determine whether such peddling will interfere with the special event to be held on the closed street.

(3) No unreasonable interference with the normal uses of the abutting property will be created. Access to businesses that abut the street closure shall be maintained during the normal business hours of the affected business. No entry fee shall be charged to a person who resides or operates a business in the closed street area or to a customer of or person making delivery to a business or residence in the closed street area.

~~(g) No vendors may operate within the closed street without the permission of the street use permit holder. This subsection shall not prevent the owners of businesses adjacent to the closed street from selling items on the sidewalk as otherwise permitted by law.~~

~~(h) No peddler shall conduct peddling within seven hundred fifty (750) feet of a street closed under this section without the written permission of the city manager. The manager shall not give such written permission without first consulting with the street use permit holder to determine whether such peddling will interfere with the special event to be held on the closed street.~~

~~(i) Access to businesses that abut the street closure shall be maintained during the normal business hours of the affected business.~~

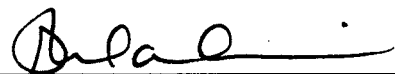
~~(j) No street use permit holder or other person shall block off a street in a manner that prevents the free movement of pedestrians into and out of the closed street area.~~

~~(k) No entry fee shall be charged to a person who resides or operates a business in the closed street area or to a customer of or person making delivery to a business or residence in the closed street area.~~


SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this 6th day of January, 2014.

ATTEST:




City Clerk



Mayor and Presiding Officer

APPROVED AS TO FORM:



City Counselor



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Saturday, October 25, 2014 at [time TBA]
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