

# **Ordinance Number 16**

## **Regulating Commercial Special Events**

**Purpose and Findings:** The purpose of this Section is to protect the health, safety and welfare of the citizens of Cohasset by regulating the time, place and manner of conduct of Special Events and by establishing permit requirements for conducting Special Events as such are herein defined. The Cohasset City Council finds that Special Events often exceed the City's capacity to provide usual city services. Such city services include, but are not limited to sanitary, fire, sheriff, and utility services. The Cohasset City Council also finds these regulations necessary to ensure that such events are conducted with sufficient consideration given to public safety issues, including, among other things, the impact of such events on parking and vehicular traffic within the City.

**Definitions:** For purposes of this Section, the following terms shall have the meaning given to them:

"Person" is defined as a natural person, association, organization, club, group formed for a common purpose, partnership of any kind, limited liability company, corporation or any other legal entity.

"Special Events" is defined as any commercial outdoor gathering of at least 25 individuals, whether on public or private property, assembled with a common purpose for a period of one hour or longer. Special Events include, but are not limited to concerts, fairs, carnivals, circuses, parades, flea markets, marathons, walkathons, festivals, races, bicycle events, celebrations or any other gathering or events of similar nature. Special Events do not include non-commercial events held on private property such as graduation parties or social parties.

"Special Events" is further defined to include any gathering where a caterer provides intoxicating liquor pursuant to a caterer's permit issued under M.S. Section 340A.404, subd. 12.

**Permit Required:** No person shall hold, conduct or participate in a commercial Special Event within the City, unless a permit has been issued for such event upon timely written application made to the City.

**Application for Permit:** Written application for Special Event permits must be made at least thirty (30) days in advance of the event's proposed date in a form prescribed by the City Council. This application period shall not begin to run until a complete application has been filed with the City. Application forms shall be made available in the Office of the City Administrator. A fee, determined annually by Council, shall be paid to the City along with the completed application form. In addition to the fee, the applicant shall pay all additional costs incurred by the City as a direct result of the special event. Failure to provide a complete application or to pay the fee, as herein required, is sufficient reason to deny the Special Event permit.

**Issuance of Permit, Conditions and Posting:** Special Event permits will be issued upon City Council approval. The Council may attach such reasonable conditions to the permit as are deemed necessary to protect the health, safety and welfare. Such conditions may pertain to any of the following:

- A. Location and hours during which the event may be held.

- B. Sanitation/availability of potable water.
- C. Security/crowd management.
- D. Parking and traffic issues.
- E. Emergency and medical services.
- F. Clean up of premises and surrounding area/trash disposal.
- G. Insurance.
- H. Lighting.
- I. Fire service/safety.
- J. Temporary construction, barricades/fencing.
- K. Removal of advertising/promotional materials.
- L. Noise levels.
- M. Alcohol consumption/sales.
- N. Any other conditions which the Council deem necessary.

Upon Council approval, the City Administrator shall issue a permit to the Person(s) named in the permit application. The permit shall clearly state the conditions, if any, imposed by the Council. Copies of the permit shall be posted in three (3) prominent locations during the Special Event.

**Exceptions to the Permit:** The permit requirement contained in this section does not apply to the following:

Special Events sponsored and managed by the City of Cohasset.

Funerals and funeral processions.

The grounds of any school, playground, place of worship, hotel conference center, stadium, athletic fields, arena, auditorium, or similar permanent place of assembly when used for regularly established assembly purposes.

Non-commercial events held on private property such as graduation parties or social parties.

**Penalty for Violations, Enforcement:** Any person who violates any condition of a Special Event permit of any provision of this section shall be guilty of a misdemeanor, punishable as prescribed by state law. Enforcement of this section may, at the council's discretion, take any of the following forms:

Citation/criminal prosecution.

Injunctions, declaratory judgements, or other civil remedies.

Permit revocation.

Disbursement of persons gathered.

Dated: February 23, 2010.

CITY OF COHASSET

BY:

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RON HARDY, MAYOR

This ordinance will take effect once published and posted.

Published: February 28, 2010

Posted: February 24, 2010

ATTEST:

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Susan M. Harper, City Administrator