

ORDINANCE NO. XXV
LARGE GATHERING ORDINANCE

The City Council of the City of Rice, Minnesota, hereby ordains as follows:

Purpose & Findings:

The purpose of this section is to protect the health, safety and welfare of the citizens of Rice by regulating the time, place and manner of conduct of Special Events and by establishing permit requirements for conducting Special Events often exceeds the city's capacity to provide usual city services. Such services include, but are not limited to sanitary, fire, police, and utility services. The Rice 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:

"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.

"Outdoor Event" means any gathering of two hundred fifty (250) people or more in one outdoor location where sound amplification is used to listen to a concert or some type of entertainment.

"Special Event" is defined as a gathering of at least (250) people or more on public property. Such events require a permit and applications for such permits must be made at least 30 days in advance of the event. No permit will be required for special events sponsored or managed by the City of Rice, funerals and funeral processions or events held on ground of any school, playground, place of worship, etc.

Permit Required:

No person shall hold, conduct or participate in a Special Event within the City of Rice, without first obtaining a permit from the City of Rice. Written application for the Special Event permit must be made at least 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 and the City has received the fee in the amount set by the City's fee schedule. Failure to provide a complete application or to pay the fee as herein required shall result in the denial of the application.

The Council may issue a Special Event Permit and may attach such reasonable conditions to the permit as are deemed necessary to protect the health, safety, and welfare of the community. 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/barricades/fencing
- l) Noise level
- m) Alcohol consumption
- n) Deposit in such amount as the Council establishes
- o) Any other condition which the Council deems necessary

Upon Council approval the City Clerk 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.

All permits granted under the provisions of this article shall be signed by the City Clerk and attested by the seal of the City. No license under this article shall be transferred to any other person or place without the consent of the City Council, upon written application therefore made, as in the case of an original license.

Exceptions to the Permit:

The permit requirements contained in this ordinance does not apply to the following:

- 1) Special Events sponsored and managed by the City of Rice
- 2) Funerals and funeral processions
- 3) The grounds of any school, playground, place of worship, hotel, conference center, stadium, athletic fields, arena, auditorium, or similar permanent places of assembly when used for regularly established assembly purpose as long as there is no concessions, no amplified sound, and/or no alcohol.

Authorization Required:

Persons or organizations are prohibited from operating a concession or selling products or services on public property within a defined fair, festival, or celebration area without

authorization from the non-profit association sponsoring the event. The entity sponsoring the event shall submit a description of the defined festival area in the permit application to the City Council for approval.

Hours:

No outdoor event shall commence before eight o'clock (8:00 a.m.) nor continue after ten o'clock (10:00 p.m.), Sunday through Friday. The outdoor event application should clearly identify the hours requested for the event. Events held on a Friday or Saturday may, at the discretion of the City Council be extended until 12:30 a.m. In determining whether to extend the event held on a Friday or Saturday until 12:30 a.m., the City Council may consider circumstances including but not limited to the location of the property relative to residential property, type of amplification equipment used, noise mitigation efforts to be undertaken, presence of on-site police personnel, previous experience with applicant, and the extent to which the event is designed to appeal to all or a large percentage of City residents.

Cleanup:

All applicants must cleanup the outdoor event area and the immediate surrounding area as soon as possible after the outdoor event has concluded. (Cleanup includes picking up and disposal of all plastic cups, glasses, plates, napkins, garbage and other incidentals). The City officials inspecting the outdoor event site shall check the outdoor event area and immediate surrounding area to determine compliance with the cleanup requirements. The City officials inspecting the outdoor event site will advise the City Council that the cleanup requirement has been met or assign a cleanup crew. If a cleanup crew is assigned the cleanup cost incurred by the City in connection with the event shall be deducted from applicant's deposit.

Security:

The applicant shall hire security personnel and shall provide such hired security personnel with proper attire so as to be immediately identified as event security by all present at the outdoor event. The number of security personnel shall be determined by the Police Chief of the City of Rice. It is the responsibility of the sponsors of the event to maintain security as defined in the Ordinance.

Future Events:

Any person who has previously been licensed pursuant to the provisions of this section may be denied a license for a subsequent outdoor event if violations of the provisions of this section occurred at previous outdoor events sponsored or held by the same person(s). The City Council may approve the license with modifications and conditions as he deems appropriate to protect the health, safety, or welfare of the public.

Penalty for Violations, Enforcement:

Any person who violates any condition of a Special Event permit or any provision of this ordinance shall be guilty of a petty misdemeanor, punishable as prescribed by State law. Enforcement of this ordinance may, at the Police Chief or City Council's discretion, take one or more of the following forms:

1. Citation/criminal prosecution as a petty misdemeanor;
2. Injunctions, declaratory judgments, or other civil remedies;
3. Permit revocation; and/or
4. Dispersion of persons gathered.

A violation of the ordinance may also result in revocation of the permit and/or dispersion of persons gathered. In addition, such violations may result in the denial of future permits for the individual and/or group sponsoring the event.

Dated this xxth day of _____, 2009.

APPROVED:

Mayor

ATTEST:

City Clerk

Enforcement of this ordinance may, at the Police Chief or City Council's discretion, take one or more of the following forms:

5. Citation/criminal prosecution as a petty misdemeanor;
6. Injunctions, declaratory judgments, or other civil remedies;
7. Permit revocation; and/or
8. Dispersion of persons gathered.

Dated this 17th day of October, 2005.

APPROVED:

/s/ Nancy Anderson

Mayor

ATTEST:

/s/ Bonnie Scheel

City Clerk