

## **City of Northfield Policy for Community Events**

The City of Northfield recognizes the value of community events in building a vibrant and healthy community. The City promotes regular and active use of public property and encourages a wide variety of community events.

The purpose of the community events policy and permitting process is to provide guidance to event organizers to ensure a safe and successful event. The Policy was also created to ensure that:

- Decisions regarding in-kind grant support, and approval or denial for Community Events permit applications are considered using an open, inclusive, and transparent method based on uniform criteria.
- Insurances and licenses appropriate for Community Events are obtained, and the City's risk exposure is properly evaluated.
- Adequate protection of public health, safety and welfare of citizens is provided for all Community Events.
- Adequate staffing levels are in place to provide for Community Events.

The criteria listed below will be used in evaluating in-kind grant support. Please note that not all criteria apply to every event.

- Event has wider community benefit beyond supporting organization.
- Event is marketed beyond Northfield with the potential to attract visitors from a broader region that will contribute to the local economy.
- Event is presented by proven organization and supported with sufficient volunteers.
- Event will build/enhance community.
- Grant encourages a new event which has potential to grow.
- The event meets Public Purpose expenditure guidelines:
  - 1) promotes the health, safety, and welfare of the city, and
  - 2) does not have as its primary objective the benefit of a private interest.
- Events that have previously received in-kind grant support, will be required to provide a recap of the previous event to include estimated attendance, marketing and economic benefit.

Community Events can often exceed the City's capacity to provide usual city services. Regulations are necessary to ensure that such events are conducted with sufficient consideration given to public safety issues, including, among other considerations, the impact of such events on parking and vehicular traffic within the City, and expenditure of city funds. All events are subject to applicable local ordinances and state law requirements whether expressly stated in the policy or not.

### **Definitions.**

For purposes of this policy, the following terms shall have the meaning given to them:

- a. "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.
- b. "Community Events" is defined as an outdoor gathering of at least 25 individuals on public property, assembled with a common purpose. Community 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, or the use of any

location in the City as a location for a commercial video or film production regardless of the number of individuals involved in the project. Community Events do not include non-commercial events that are:

- Held on private property (Note: private events on private property requesting public services will be billed directly.)
  - Private events held in public parks such as weddings, graduation parties or social parties.
  - Block parties
  - Special Events sponsored and managed by the City of Northfield
- c. "Small event" is defined as an event where no City support is necessary and there are only low risk/exposure activities involved
- d. "Large Event" is defined as an event where city support is necessary, in-kind grant support is requested, the event consists of multiple components, or the event has activities in the moderate or high risk/exposure categories as defined in the Insurance Section on page 3.
- e. Vendor is defined as someone who offers or sells goods or services.

### Types of events

- **Non-Profit Events:** The City may provide in kind grant assistance to assist Community Events operated by non-profit organizations. These events must meet the other requirements of the Policy, and must reimburse the City for any City costs in excess of the support level.
- **For-Profit Events:** The City will allow other Community Events operated by for-profit sponsors who are beneficial to the City and the public. The organizers of these events will be required to pay 100% of all City costs related to the event. These events must meet the other requirements of the Policy.
- **Commercial filming/ video projects:** Organizations which request any location in the City as a location for a commercial video or film production shall be required to coordinate the production with the City Administrator's Office. The City Administrator's Office shall have the authority to grant permission for commercial video or film production in the City and to allow use of City facilities for this purpose. All commercial video or film productions shall be required to pay 100% of all costs. Further there shall be a 25% administrative fee placed on the final billing for such productions. In addition, rent may be charged for the use of public areas such as parks and streets. The rent shall be set by the City Administration based on the overall impact of the production on the public areas being used.

### Permit required

A permit is required to hold a Community Event within the City. The event sponsor will be required to enter into a cooperative license agreement with the City.

### Application for Permit/Fees.

- A complete application must be submitted at least **45** days in advance of the event. Application forms are available at the City Clerk's office. The fee for a small event is \$20.00. The fee for a large event is \$100.00. The fee must be submitted to the City with the completed application. A refundable damage deposit may be required. In addition to the fee and refundable damage deposit, the applicant shall pay all additional costs incurred by the City as a direct result of the community event. Staff will provide estimated costs to the applicant. Failure to provide a complete application or to pay the fees is sufficient reason to deny the Community Event permit. Any waiver of costs and/or award of in kind grant support must be approved by the City Council. The event must meet Public Purpose expenditure guidelines for any waiver of costs or in kind grant support. These guidelines are as follows:

- 1) promotes the health, safety, and welfare of the city, and
- 2) does not have as its primary objective the benefit of a private interest.

### **Maintenance of public property**

The applicant shall keep the premises in a sanitary condition; remove all trash during and after the event; and provide adequate portable toilets if needed. Applicant shall instruct all vendors about recycling requirements and shall provide receptacles for collection of recyclables. Applicant shall be responsible for repair of any damages.

### **Use of alcohol**

There shall be no sale, service or consumption of alcoholic beverages without obtaining a temporary liquor license. Applications for a temporary liquor license are available from the City Clerk. In addition to all other applicable state and local liquor regulations and laws, additional conditions and insurance requirements shall apply to events involving the use of alcohol. This information will be included with the temporary liquor license and license agreement.

### **Use of electricity**

If electricity is needed for an event, the State Electrical Inspector must be contacted prior to event setup to determine if an electrical inspection is needed. The State Electrical Inspector for Northfield is Randy Edel. Phone number 507-334-3748. Call between 7:00 a.m. – 8:00 a.m. Monday – Friday.

### **Costs**

The applicant will be responsible for all costs related to the event. These include, but may not be limited to:

- Electricity
- Water
- Use of city equipment
- Staff time for: street closures, posting of no parking signs, assistance with crowd control, delivery, set up and tear down of equipment, etc.
- Repair and restoration for any damage to city property
- Additional police and/or fire protection or other city services

Applicant will be provided with estimates of the costs related to the event. The City Council must approve any waiver of fees or associated costs including award of in kind grant support.

### **Maintenance of Animals**

Applicant will be permitted to allow cattle, horses, and other animals on the premises for the purposes of regularly scheduled events for a reasonable period before and after the particular show or event. The animals shall be maintained in a humane and orderly fashion so as to not cause a disturbance to the public. Applicant shall clean up the premises of any animal waste or feed immediately after the conclusion of the event.

### **Insurance**

Insurance for all vendors operating on public property is required. The City shall collect one insurance certificate from the event sponsor/licensee. A certificate of insurance shall be submitted with the

application (or a minimum of 45 days prior to the event). Certificates shall name the City of Northfield as an additional insured. An example insurance certificate is attached.

The Event Sponsor /Licensee is responsible for requiring that all vendors, operators and/or participants have the appropriate insurance

All events proposed by the event sponsor shall be covered events. If any event is not fully covered and/or excluded by the vendors' insurance policy, the City will require that event sponsor/licensee provide insurance for the event at limits greater or equal than those required by the City. In addition, the licensee will indemnify and hold harmless the city for any and all events sponsored.

The City has established a risk/exposure control guide. The City reserves the right to require higher levels of insurance based on risk factors and past experience. The insurance coverage amounts required are dependent on the risk/exposure level of the activity as noted below. The Risk Manager will review each Community Event Application and assess the potential liability risk/exposure to the City of Northfield according to the following risk categories:

**Class I - Low risk/exposure:** Involves no physical activity by participants and no severe exposure to spectators. Examples of events in this category include, but are not limited to: meetings, seminars, social gatherings, theatrical performances, community band performances, plant sales, etc. It shall be the policy of the City to not routinely require insurance coverage for events classified as Class 1 - Low Hazard. This waiver of the insurance requirement is meant to cover small gatherings or ceremonies, are limited to passive participation by the public, require no use of electricity, and require no City services. All other events are required to provide insurance as outlined in this policy.

**Class II - Moderate risk/exposure:** Involves moderate physical activity by participants and no severe exposure to spectators. Events in this category include, but are not limited to: amateur team sports, dances, marathons, races, political rallies, flea markets, art fairs, food vendors/food activities, and events that involve the use of electricity. It shall be the policy of the City to require insurance coverage amounts of at least \$1,000,000/occurrence and \$2,000,000/aggregate or the limits of the event sponsor/licensee policy, whichever is greater.

**Class III - High risk/exposure:** Involves major participation by participants and/or moderate/severe exposure to spectators. Events in this category include, but are not limited to: parades with floats, circus/carnivals, and semi-pro team sporting events, rock concerts, alcoholic beverage sales, vehicle races, demolition derbies, fireworks displays, carving events/competitions, professional sporting events, dunk tanks, tractor pulls, and rodeos. Events involving motor vehicle races, stunts, demolition derbies, mechanically operated amusement devices, rodeos, tractor pulls, dunk tanks, and fireworks displays require specialized insurance, indemnification, waivers, and/or inspection reports thereby requiring special handling, review and authorization. It shall be the policy of the City to require insurance coverage amounts of at least \$2,000,000/occurrence and \$4,000,000/aggregate or the limits of the event sponsor/licensee policy, whichever is greater.

The insurance shall cover all losses related to the events in which the insured is involved, including set-up and takedown.

The League of Minnesota Cities offers a program that provides private individuals and groups with access to low-cost liability coverage for special events held at city facilities. Information regarding this program is attached. This is for informational purposes only. There is no requirement to use this program.

### **Waivers**

Applicant shall collect from all participants prior to each event, signed participant waivers by the participants in: runs, walks, bike rides, and any other events occurring on city property. No one shall be allowed to participate in such events without signing a waiver. Waivers must be retained by the event sponsor/licensee at the end of the event. An example waiver/indemnification form is attached. In most instances, waivers will be required for Class II and III activities.

### **Issuance, Conditions License Agreement.**

Permit applications shall be submitted to the City Clerk. The City Clerk will forward applications received to applicable departments for review of the proposed event. Departments shall submit their reports, recommendations and estimated costs.

Certain Community Event permits will require City Council approval. These events include, but may not be limited to:

- Events involving extensive use of public property (may include more than one area and/or significantly limit use by the general public).
- Events that are held for more than one day.
- Events involving the sale, consumption or service of alcohol.
- Events where the applicant is requesting in kind community grant support
- Events where staff has recommended denial, if the applicant chooses to appeal the staff decision.

The City may attach such reasonable conditions to the permit as are deemed necessary to protect the public health, safety and welfare, including, but not limited to the following:

- Location and hours during which the event may be held.
- Sanitation/availability of potable water.
- Security/crowd management.
- Parking and traffic issues.
- Emergency and medical services.
- Clean-up of premises and surrounding area/trash disposal.
- Insurance.
- Lighting.
- Fire service/safety.
- Temporary construction, barricades/fencing.
- Removal of advertising/promotional materials
- Noise levels.
- Alcohol consumption
- Notification of surrounding businesses/property owners regarding street closures and event related restrictions.
- Any other conditions, which the City deems necessary.

A license agreement will be required between the event sponsor and the City of Northfield for all community events. This agreement must be signed by the applicant prior to Council approval. An example agreement is attached.

**Exceptions to the Permit.**

The permit requirement contained in this policy does not apply to the following:

- Community Events sponsored and managed by the City of Northfield.
- 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.
- Block parties.
- Non-commercial events held on private property or in public parks such as weddings, graduation parties or other social parties.

**Grounds for denial or revocation.**

Staff and/or council shall have the discretion to consider, in granting, denying or revoking a permit, any reasonable facts or circumstances relating to public health, safety and welfare including, but not limited to, the following:

- The location of the Community Event would cause undue hardship for adjacent businesses or residents.
- Another Community Event has already been approved at the same time requested by the applicant or so close in time as to cause undue traffic congestion, or to create a situation where the city is unable to meet the needs to provide for law enforcement and other city services for both community events.
- The Community Event is of a size or nature that requires the diversion of too many law enforcement officers to properly police the event site and contiguous areas, and/or that allowing the community event would unreasonably deny law enforcement protection to the remainder of the city and its residents.
- The time, route, hours, location or size of the Community Event could cause a threat to public safety, interference with normal traffic flow, congestion, or inconvenience to the public.
- The location of the Community Event will interfere with previously scheduled construction or maintenance work.
- Failure to provide a completed application, fees, or providing false or misleading information.
- The applicant fails to comply with the liability insurance requirements or the applicant's insurance lapses or is canceled.
- The applicant fails to agree to abide or comply with all of the conditions and terms of the Community Event Permit.
- The Community Event would seriously inconvenience the general public's use of public property, services, or facilities.
- The Community Event would create or constitute a public nuisance.
- The Community Event could cause significant damage to public property or facilities.
- The Community Event would engage in or encourage participants to engage in illegal acts.
- The applicant is a minor at the time of the event.
- The applicant hosted a previous event that violated the Community Events Policy.
- The applicant has delinquent fees, charges or other outstanding financial claims with the City.

**Process for denial or revocation.**

Failure of any person to comply with any of the ordinances of the city or the laws of the state shall be grounds for denying or revoking a permit granted under this article. If a permit is denied or revoked by the City Council, the city will notify the applicant with the reason(s). The applicant will be allowed an opportunity to appeal a staff decision to deny an event to the City Council.

Any permit issued may be revoked by the Chief of Police or designee at any time when, by reason of violation of city code, state law, disaster, public calamity, riot or other emergency, the Chief of Police or designee determines that the safety of the public or property requires such revocation.

