

# CITY OF STILLWATER EVENT POLICIES

May 3, 2022

## 1. PURPOSE

The City of Stillwater wishes to promote and encourage public events in the community as well as a vibrant local economy and maintain and protect the quality of life, public health, safety and welfare for citizens and the surrounding community through policies and procedures to ensure a safe and well-run event.

## 2. EVENT PERMIT REQUIRED

Every event held within the City of Stillwater that meets the definitions and standards found in this policy is required to obtain an event permit from the City prior to holding the event.

## 3. DEFINITIONS – The following definitions apply to this event policy

**3.1 Event** – For purposes of this policy, an event is any planned public gathering including but not limited to celebrations, dances, forums, performances, rallies, social gatherings, concerts, fundraisers, races, walks, rides and parades which are appropriate and compliant in accordance with this policy.

**3.2 Event Application Procedures** – Every applicant must follow the Event Application Procedures when submitting an event application. The Event Application Procedures provides information on how to apply, submittal requirements and review process.

**3.3 Events on Private Property** – Events held in part or wholly outdoors on private property located within the CBD Zoning District require an event permit that must be reviewed and approved by the City Council

**3.4 Event Threshold** – Events held on public property (whether open to the public or not) are subcategorized as “Events”, “Special Events” and “Special Events with Contract” as defined below:

<b>Event</b>	<b>Special Event</b>	<b>Special Event With Contract</b>
<b><i>A gathering is considered an event when <u>any one</u> of the following thresholds applies:</i></b>	<b><i>A gathering is considered a special event when <u>any one</u> of the following thresholds applies:</i></b>	<b><i>A special event requires a contract with the city when <u>any one</u> of the following thresholds applies:</i></b>
<b><i>1) <u>Closure of street</u></i> <i>One block of a residential street is closed for up to 5 hours; or any portion of a commercial street is closed for up to 2 hours.</i></b>	<b><i>1) <u>Closure of street</u></i> <i>One block of a residential street is closed for more than 5 hours; or more than one block of a residential street is closed for any length of time; or any portion of a commercial street is closed for 2 hours or more.</i></b>	<b><i>1) <u>Closure of street</u></i> <i>Substantially disruptive to traffic flow requiring uniform traffic control.</i></b>

2) <b><u>Public parking lot use</u></b> 1 to 9 spaces in a public parking lot are reserved.	2) <b><u>Public parking lot use</u></b> 10 or more spaces in a public parking lot are reserved.	
3) <b><u>Street use (including sidewalks and trails)</u></b> The event has a route on a public street(s), sidewalks or trails, such as races, walks, or parades that don't require traffic control and obeys all traffic rules.	3) <b><u>Street use (including sidewalks and trails)</u></b> The event has a route on a public street(s), sidewalks or trails, (such as a race, walk or parade) that requires street closure, traffic control, street sweeping, or the use of "no parking signs" along the route, or is substantially disruptive to traffic flow requiring uniform traffic control.	
4) <b><u>Number of people in a park or City facility</u></b> 250-1000 people including spectators, vendors, performers and volunteers are expected at a time in a public park. <sup>1</sup>	4) <b><u>Number of people in a park or City facility</u></b> 1000-2500 people including spectators, vendors, performers and volunteers are expected in a public park. <sup>1</sup>	<b><u>Number of people in a park or City facility</u></b> 2500 or more people including spectators, vendors, performers and volunteers are expected in a public park. <sup>1</sup>
<b><u>Selling alcohol during the event on (public or private property)</u></b>		The event occurs on multiple days, OR extra-ordinary city employee support or city materials are necessary, OR any out-of-pocket expenses <sup>2</sup> are incurred by the city, OR cost of City Services is over \$1,000.

<sup>1</sup>Any organized athletic event that has a park reservation approved by the City's park reservation staff is not subject to this threshold. City parks include: Future Aiple, Future Bridgeview, Brown's Creek, future Chestnut Street Pedestrian Mall, Liberty Square, Lily Lake, Lily Lake Ice Rink, Lowell, Northland, Parking Ramp, Pioneer, St. Croix Recreation Center, Sunrise and Washington Square.

<sup>2</sup>Out-of-pocket expenses include such things as overtime pay for city employees, equipment that the city would need to rent for the event, office supplies, billables (e.g. postage), and any contracted services.

**3.5 Event Coordinator** – The primary City contact will be the City Administrator or the person designated as Event Coordinator.

**3.6 Event Organizer** – The individual representing the organization applying for the Event and having the authority to bind the organization to agreements made with the City. The email address, cell phone number and mailing address of this representative must be provided to the City at least 30 days prior to the event. The Event Organizer must be on site during the event.

#### 4. EVENT STANDARDS

**4.1 Advertising** – It is a violation of this policy to advertise the location of any event requiring a reservation of city property when the organizer has not requested a reservation of city

property, has been informed that the reservation is not available, or has been denied. Preliminary approval allowing the applicant to advertise the event may be given upon request, with final details to be determined upon submission of event application.

**4.2 Alcohol** – Alcohol permit(s) are required for any events at which alcohol will be consumed. Refer to the current city fee schedule for permit costs.

**a. Temporary Liquor License** is required if the event is on city property or on private property and is selling alcohol in the course of the event. To apply for a Temporary Liquor License an applicant must be a non-profit, religious, or charitable organization or club that been in existence for at least three years; a political organization registered under state law or a state university. The Temporary Liquor License application and fee must be submitted 60 days before the date of the event. Contact the City Clerk to obtain a Liquor License application packet. There are two types of Temporary Liquor Licenses:

- 3.2 beer Temporary Liquor License: A club or charitable, religious or non-profit organization may be issued a temporary 3.2 beer license subject to the Terms (below) set by the City.
- On-sale spirits, wine and beer Temporary Liquor License: A club or charitable, religious or other non-profit organization in existence for at least three years may be issued a temporary license for the on-sale of intoxicating liquor in connection with a social event within the city/county sponsored by the licensee. The license may not be for more than four (04) consecutive days. This permit must be approved by the City Council 30 days before the event and staff will submit to the Minnesota AGED.

**b. Terms**

- A temporary liquor license application must be submitted 60 days prior to event and approved by the City Council and the State of Minnesota Alcohol & Gambling Control Division 30 days prior to the event.
- Liquor will be confined to the event venue area and the Organizer must provide delineation and signage stating “No Alcohol Beyond This Point” between the event and non-event space to discourage taking alcohol outside the event venue space. Police Officer(s) as determined by the Police Department will need to be present at the event during service of alcohol. All entry/exit gates to the dispensing area, or event venue area, must be controlled by security personnel while alcohol is being served to ensure that no beer or liquor enter or leave the dispensing or event venue area.
- Signage will be prominently displayed at each entry/exit point to notify guests that no liquor or beer will be allowed in or out of the dispensing area, or event venue area.
- The Organizer will provide at no charge liquor identification bracelets at location(s) as required by Public Safety Staff. The Organizer will permit no one to consume Liquor unless they are wearing an identification bracelet and will be responsible for the issuance of bracelets and that the bracelets are given only to those who are legally entitled to consume liquor/beer.

- Any service of liquor will require server training by either the Stillwater Police Department or an affiliation recommended by the Stillwater Police Department. Certification of Server Training is required prior to receiving the temporary liquor license (3.2 or on-sale).
- Liquor liability insurance for the day of the event are required. See section regarding Insurance for further details.
- The Organizer acknowledges that as a liquor license holder for the Event, it is subject to Stillwater City Code §43–8, which authorizes that all premises from which intoxicating Liquor is offered at on–sale, are subject to inspection for alcohol compliance by any police officer, health officer, or other designated officer or employee of the City during all hours the Area is open for the serving of alcohol.

**4.3 Cancellation** – Cancellations of events by the event organizer received in writing will receive full refund of deposits and the following refund of event fees (excluding application fee):

- 20 days prior to event will receive a full refund of event fees.
- 19 to 11 days prior to event will forfeit 50% of event fees.
- 10 days or less of the event will forfeit all event fees.

The City reserves the right to deny an event should one or more of the following occur:

- Failure to submit an application within the time periods as outlined above.
- Requirements of the Event Policy and Procedures are not met.
- The applicant owes the City of Stillwater, money from another event, services provided or as a result of damages to city property.
- The use or the event would conflict with previously planned programs organized and conducted by the city or non-governmental agencies previously scheduled for the same time and/or place.
- The applicant does not comply with all applicable city ordinances, traffic rules, park rules and regulations, state health laws, fire codes and/or liquor licensing regulations.
- The use or event proposed by the applicant would present an unreasonable danger to the health or safety of the public.
- The applicant cannot comply with applicable local, state and federal license requirements for all or part of the planned event.
- The use or event is prohibited by law.
- The application contains material misrepresentation or fraudulent information.

**4.4 Changes to Event** – Major changes made to an event after being approved by any Commission or City Council are not permitted without additional approval. Any event that is impacted with an emergency situation such as river flooding, weather issues, etc. will be resolved by Public Safety and Public Works staff at such time a City Council meeting is not available.

**4.5 Cleanup of Event** – Organizers agrees to remove all items pertaining to the event at the conclusion of the event to the satisfaction of the City. The City of Stillwater is not responsible for any items belonging to the Organizer or patrons of event that are remaining after the event. Organizers will reimburse City for any costs incurred should the City find it necessary in its sole opinion to complete further cleanup, removal or repairs to

return the area to its original condition if the site is not repaired within 24 hours of event or as agreed upon. City staff may choose to do a walk-through of venue with Organizer to identify and document any damage before event. Both parties will sign off and reevaluate after the event.

- 4.6 Crowd Management** – Organizers will provide, at no cost to the city, privately paid professional uniformed security officers equipped with radios as determined by the Stillwater Police Chief, and privately paid professional EMS personnel equipped with radios as determined by the Stillwater Fire Chief. All security officers and EMS personnel will be suitably identifiable and the number and deployment of the security force and EMS personnel must be approved in writing by the Stillwater Police Chief and Fire Chief.
- 4.7 Emergency Action Plan** – Organizer must provide a plan of action for emergency preparedness during event, on-site contact information and a communication plan at the time of application. Organizer must notify EMS and Fire Department about event and coordinate a safety plan for the event.
- 4.8 Fees** – The City has established an event permit fee schedule in order to recover costs incurred by the city for the operation of events. Charges for event permit fees, city materials costs and city staff costs are included in the current city fee schedule.
- 4.9 Insurance** – The Organizer must provide to the City satisfactory proof that it has obtained liability insurance that names the Event and the City as an additional insured, as loss payees, in an amount of at least \$1,500,000 combined single limit, for loss sustained by either acts or occurrences that arise from or grow out of both Event and Liquor Liability coverage as described in Minn. Stat. §340A.409, evidenced at a minimum, the coverage described in Minn. Stat. §340A.409, subd. 1 with regard to the Event.

**Liquor Liability Insurance** – In addition, the City requires any function that is open to the public and sells/serve alcohol through a temporary liquor license must provide liquor liability insurance for the days of the event. This insurance is required to protect the City's and Organizer's interest. A Certificate of Insurance submitted to the City of Stillwater which must include listing the City of Stillwater as an additional insurer must provide the following minimums:

- \$50,000 of coverage because of bodily injury to any one person in any one occurrence,
- \$100,000 because of bodily injury to two or more persons in any one occurrence,
- \$10,000 because of injury to or destruction of property of others in any one occurrence,
- \$50,000 for loss of means of support of any one person in any one occurrence,
- \$100,000 for loss of means of support of two or more persons in any one occurrence,
- \$50,000 for other pecuniary loss of any one person in any one occurrence, and
- \$100,000 for other pecuniary loss of two or more persons in any one occurrence.

- 4.10 Materials** – Event organizers are encouraged to contract for services and materials as long as the equipment and services are appropriate for the event and the event can be run safely in the estimation of city staff, Based upon review of the application, city staff will determine whether city equipment and materials will be required for the event.

- a. **Electrical** – Public Works Department will open existing electrical boxes on day of event and access allowed according to the current City Fee Schedule. Organizer is responsible to have their own extensions cords. All temporary electrical wiring for events must be performed by a licensed electrical contractor. This requirement also applies to portable generators.
- b. **Portable Restrooms and Handwashing Stations** – The Organizer is responsible to furnish portable restrooms and handwashing stations to facilitate expected crowds. The number of portable restrooms and handwashing stations required is solely determined by the Public Works Superintendent. If applicable to the event, City public restrooms will remain open during the Event and the City will supply and equip restrooms, however, the Organizer may be responsible for maintaining, cleaning, staffing and security and supervision for restrooms. If the Organizer elects not to provide these services it must notify the City at least two weeks prior to the event, and in that event, the Organizer will bear the City costs associated with this work.
- c. **Trash Service** – Dumpsters or roll-off boxes must be furnished according to a plan approved by Public Works Superintendent in sufficient quantity to contain the accumulation of trash generated by the Event and must ensure that all trash or garbage is collected and hauled away daily in the Event area(s). The Event Coordinator may amend the plan and require additional dumpsters or trash receptacles if the need arises. The City reserves the right to require additional receptacles should the Organizer not remove excess garbage from the Event. If possible, Organizer will provide recycling and organics containers for the Event.
- d. **Traffic Control Signs and/or Barricades** – To ensure traffic and pedestrian safety control the Organizer must place standard reflective barricades according to a plan approved by the Public Works Director, Police Chief or their designees. Traffic control items may be supplied by the Organizer, or by the City. The City may place additional barriers to protect public safety at City expense based upon a plan developed by the Public Works Director and Police Chief or their designees.
- e. **Water (Hydrants)** – If access to water main or hydrants is required, the Organizer must make arrangements with the Pubic Works Department and pay related water fees and water shut off key deposit. Organizer must ensure all potable water sources are from an approved source (private well water is not an approved source).

**4.11 Musical Entertainment** – Organizer must provide to the City a complete list of all musical acts along with an estimate crowd size for each act. The City reserves the right to disapprove any musical entertainment that has a history of public safety threats or violations in other venues.

**4.12 Neighborhood Meeting** – A gathering that meets the threshold for a “Special Event with Contract” and is a new special event, will be required to hold a public meeting to receive input from the surrounding neighborhood. This meeting must be held **three weeks prior** to the event. Notices for the neighborhood meeting will be prepared and mailed by the

City to the immediately adjacent property owners at the organizer's expense.

- 4.13 Noise Control** – The Organizer is responsible to control the noise emanating from the Event at a level that will not interfere with the peace and repose of the residential area surrounding the Event area. Noise control and regulation described in City ordinance Sec. 38-3 prohibits noise between the hours of 10:00 pm and 8:00 am. Any waivers to these hours must be reviewed and approved by City Council.
- 4.14 Notification Flyer** – A gathering determined to be a “Special Event” that does not occur completely within a public park or a gathering determined to be a “Special Event with Contract” must submit a flyer to be distributed as a public notification to all properties immediately adjacent to the event location. The flyer must be submitted with the Event application. City staff will review and approve the flyer submitted with the event application. When approved by City staff, the event organizer shall distribute the flyer at least seven days prior to the event to all households and businesses immediately adjacent to the event venue at their own cost. The event flyer should contain: name of event, location of venue, date of event, time of event, list any closure of streets (including times) and contact information for questions. .
- 4.15 Other Agencies** – Organizer is responsible for obtaining all agreements and permits with agencies (e.g. MnDOT, MN State Patrol, Washington County Public Health and Environment, Washington County Sheriff, MN Department of Natural Resources, Lakeview EMS, other local communities and any other agencies requiring permits for the event) and must submit copies of permits to the City from other agencies prior to obtaining an event permit.
- 4.16 Out-of-pocket Expenses** – Event permit fees for city services will be limited to the city's out-of-pocket expenses attributable to the event. Out-of-pocket expenses include such items as overtime pay for city employees, equipment that the city would need to rent for the event, office supplies, any contracted services and extraordinary use of city equipment for the event.
- 4.17 Park Usage** – Standard park reservation and facility use fees will be required. All groups, including not-for-profit groups and educational institutions must pay deposits and rental of amenities when holding an event. The Organizer shall ensure that no vehicles drive on the City's park property. In the event that damages occur to the City's property, the Organizer shall pay for restoration of the park as determined by the City. The bicycle and pedestrian trail from Laurel Street to Nelson Street must remain open and unobstructed (no vehicles, trailers etc.) for the public during the Event. The Organizer shall pay for any restoration of the trail caused by the Event, as determined by the City. New events and Events with Contracts will be reviewed by the City Council.
- 4.18 Parking Lots and On-Street Parking** – Use of City parking lots or on-street parking spaces for an event will be reviewed by the City. Use of downtown public parking lots will be approved only as an alternate or if sufficient space does not exist in Lowell Park to accommodate event activities. If in the opinion of the City, public parking lots will be

needed, then the preferred lots for use would be Lots 4, 5, 9, 10 and 11. Only Stillwater Police Department can post parking lot closures and any no-parking signs. Signs will be posted 24 hours in advance of closure. Charges to reserve/use city parking lots and/or parking spaces are set forth in the current city fee schedule.

**4.19 Police Services** – The Stillwater Police Department will determine the number of Police Department employees and/or Police reserves needed for an event. With regard to Event, the City reserves the right to order a shutdown of the Area in the event the Chief of Police determines, in his sole discretion, that the public safety is threatened or any condition of these Policies is violated. In that event, the Organizer must assist the police in the clearing of the Event.

**4.20 Route Events** – Organizer must provide a detailed map of the route and area affected by the event. Traffic can only be stopped by Law Enforcement. Volunteers may assist to guide participants through the route but shall not direct vehicle traffic. All event volunteers working in roadways must wear a "Class 2" safety vest. Location of any required Law Enforcement will be determined by the Stillwater Police Department upon review of route. The category "Events" are exempt from having law enforcement since the event doesn't require traffic control and participants obey all traffic rules. To decrease impact on neighborhoods, city services and facilities, the city has set preferred running and bike routes within the City. Please refer to map for potential preferred routes. Any route using State Highway or Washington County roads within the City of Stillwater must provide a copy of their respective permits to the City of Stillwater two weeks prior to the event.

**4.21 Sales Tax** – If applicable, the Organizer must obtain a State Tax Payer Identification Number and collect any sales or use taxes that are due according to law.

**4.22 Signs** – Temporary signage for an event (except for permissible banners across Main Street) will be allowed only on the day of the event. The number, size and location of signs must be approved during the event application review process. Only the Stillwater Police Department can post parking lot closures signs and no-parking signs. Permanent signage including but not limited to speed limit signs, directional signs, shall not be removed or covered with event signage. The use of spray paint on roadways, telephone poles, traffic signs, and sidewalks/trails is prohibited with the exception of temporary chalk-based materials. All signs must conform to all the following standards:

- Signs may not exceed four (4) square feet in area.
- Signs may not be more than three (3) feet in heights above grade.
- Property owners must grant permission for placement of signs on their property.
- Signs may not be placed upon any right-of-way, in parks or on public property in a manner that creates a nuisance to adjacent owners, creates a safety hazard or blocks the view of entrances to streets or intersections.
- Signs may not be placed on any telephone poles, light poles, traffic signs, etc.

**4.23 Site Plan** – An overall site plan for the Event drawn to scale or showing all dimensions that depicts the location of fencing, vendors and any areas within the City, such as parks,



parking lots or routes that are proposed for use for the Event, must be submitted with application. Additional items such as traffic control plans, locations of first aid, volunteer locations, water stations, spacing of vendors, barricade placement, portable restroom locations, trash location, electrical boxes needed, alcohol service area, tent locations, enter/exiting, etc. must be included on site plan.

**4.24 Tents** – Several city parks are maintained by a buried irrigation system. Therefore, stakes or posts longer than 12 inches and more than a quarter inch in diameter may not be used. No staking is allowed on city parking lots or streets. Stillwater Public Works will provide irrigation locates in areas where tents will be staked according to approved site plan prior to event at no additional cost.

**4.25 Camping** – No camping in tents, trailers or campers is allowed by vendors during the events. Organizer must arrange to have Stillwater Fire Department inspect large tents before use.

**4.26 Vendors** – The Event Organizer is responsible for overseeing the requirements of all vendors. Below is a list of the Event Organizers responsibilities.

- The Organizer agrees to inform any vendors that there is no camping permitted in any park or any City parking lots.
- The Organizer agrees that any vendor using cooking facilities including propane tanks, generators, electrical hookups, etc. will be inspected for safety by the Stillwater Fire Department and Washington County Public Health and Environment and Minnesota electrical inspector (if required). Inspection costs (if any) shall be paid for by the Event Organizer directly to the agency/person doing the inspection.
- The Organizer agrees to ensure that all vendors' waste water be discharged into a holding tank approved by Washington County Public Health and Environment. Vendors without an approved holding tank shall discharge into grey water barrels provided by the Organizer. Disposal costs are the responsibility of the Organizer. For no reason shall grey water barrels or holding tanks be disposed into the City's sanitary or storm systems.
- The Organizer is required to obtain proof of license for all food vendors, this includes vendors that are sampling, merchandising, or marketing food (e.g. salsa, jams, honey) and submit copies to Washington County Public Health and Environment as well as make sure all vendors have submitted their Washington County special event license.
- Organizer must submit a list of food vendors and site map, showing distance between food vendors to Stillwater Fire Department and Washington County Public Health and Environment two weeks prior to the event.
- Private parties on City property having a food truck must be inspected by Stillwater Fire Department.