

Walker Planning Commission Agenda Item

Planning Commission Meeting Date: December 30th, 2019

Agenda Item No. 10: Review and discussion on Temporary off-site Sign Ordinance.

Information: Proposed Ordinance language for Community Special Event was submitted by Erin Haefele.

The proposed ordinance would regulate the signage through a Community Special Events permit.

- Regulates events on private and public property.
- It would allow for a total of 10 signs per event day.
- It allows for signs to be displayed two days prior to the event and one day after the event.
- The fee structure for the Community event is \$25 or if it requires limited city services it is \$75.
- It would allow waivers for time periods to be granted.
- Requires detailed parking plan

Staff Review:

1. Can the City regulate events on private property? The City can regulate events held on City property as well as on City Right of Ways. Minnesota Avenue and 10th Street is also regulated by MNDot Right of Ways.
2. Is 10 signs too many? Three events on one day could accumulate up to 30 signs in the City limits.
3. Does the duration of temporary off site signage seem too long? Should it be 24 hours prior and signs removed immediately following said event?
4. What is the fee structure based on? We require a \$25 fee for the current application for temporary signs. What are limited city services? The application for something on this scale would probably entail a number of hours of staff time amongst compliance checking to make sure that the size, number and placement of the signs are within the allotment stated in the application.
5. Allowing waivers for time periods could be perceived as arbitrary. Allowing some events to place signs for longer than others could indicate discrimination.
6. Does the City want a detailed parking plan on private property?
7. The proposed ordinance does not reference the placement/location of where the temporary off-site signs would be placed.

Remember best practices cities should adopt sign ordinances based on time, place and manner concerns, not content. Refrain from favoring commercial speech over noncommercial speech. General limitations on the number and size of signs have withstood constitutional challenges and they further governmental interests in protecting property values, preventing distractions for drivers and avoiding clutter.

Attachment:

Proposed Community Special Event Ordinance

COMMUNITY SPECIAL EVENT ORDINANCE PURPOSE & SCOPE; To allow for community oriented special events by permit. To allow for special event signage. To establish fees and application for special events. To find approval by the City of Walker.

COMMUNITY SPECIAL EVENT; A special event or activity that is open to the general public. A special event is educational, cultural or recreational in function. This may include festivals, concerts, parades, public performance, public gathering to be held on a public street, right-of-way or public property. Events in which the public is invited on private property which may affect public safety, health or welfare by their impact on surrounding public or private property may be deemed a community event. A private, invitation-only event such as weddings or private parties would not constitute a community event and would not require a permit unless it would affect public safety, health or welfare. Such events shall be coordinated through the City of Walker.

(A) A community special event; as defined in **(see definition above)** shall be limited to a maximum of 4 off-site promotional signs and 6 directional signs. These signs are considered temporary signs, and a temporary sign permit is required before installation. A temporary sign permit may be obtained from the city administrator or designee. The application and permit fees, as determined by council, are included in the fee schedule available from the City of Walker. On-site community activity signage to be used only for the duration of the event.

- (1) The event must be open to the public and be non-discriminatory. Free admission is not a requirement.
- (2) Special Event promotional signage shall not contain any commercial advertising. If an organization is sponsoring the event, the title of the organization may be used on signage.
- (3) Promotional signs may not exceed six square feet in area and three feet in height.
- (4) No more than three colors shall be included on such sign(s), including black and white.
- (5) Such signs shall not be illuminated.
- (6) Promotional signs shall not be displayed more than 48 hours immediately preceding the event and shall be removed no later than 24 hours following the conclusion of the event.
- (7) Directional signs may not exceed four square feet in area and two feet in height.
- (8) Directional signs shall be installed no more than 24 hours immediately preceding the event and shall be removed within 24 hours following the conclusion of the event.
- (9) No more than three colors shall be included on such signs(s), including black and white.
- (10) Such signs shall not be illuminated.
- (11) Special Event signs are only allowed for events to be held within the city limits of Walker.

Additional Notes about Community Special Events.

In an effort to simplify the application procedures for community event organizers, the City of Walker has prepared this guide. The Walker City staff is available to answer your questions to ensure a successful event.

Please note that the event organizer is responsible for fees and wages for all City services and staff as determined by the City Council. The event organizer may also be charged a use fee for city facilities and an additional fee for damaged to city property. All current park applications, street closure permits and fees will apply.

Application. Every individual or organization who intends to hold a Community Special Event must submit an Application to the City of Walker at least 60 days prior to the scheduled event, unless exempt by law. Events that are held on City property that intend to serve alcohol must submit their initial application 90 days in advance. Waivers to required time periods may be granted. Food, beverage and alcohol vendors must adhere to all current Minnesota State Laws and Permits.

Criteria for denial of a Community Special Event Permit

- The conduct of the event will substantially interrupt the safe and orderly movement of other traffic contiguous to its route.
- The conduct of the event or the number of events scheduled during the time period will require the diversion of so great a number of other City employees, such as Police, Parks or Streets & Utilities staff, that adequate staff would not be available to complete City assignments.
- The concentration of persons, equipment, vehicles or animals at the event or assembly sites will substantially interfere with adequate fire and police protection of, or emergency medical service to, areas near such sites.
- The conduct of the event may result in violence to persons or property, causing serious harm to the public.
- The date or location of the event is in direct conflict with an existing event.
- Any proposed use of public property, right-of-way, or facilities will unreasonably interfere with the normal use of the property, right-of-way, or facility by the City or the general public.
- The event is a violation of city ordinance and/or state laws.
- The event will not have a net positive benefit or impact on the Walker community.

Revocation of permit

- A Community Special Event Permit may be revoked before or during an event at the discretion of the Walker Police when the health or safety of the public is threatened by an emergency, disorder or other unforeseen condition that has arisen.
- If a Community Special Event Permit is revoked, the event must be canceled and activities must be terminated immediately.
- No refunds of fees paid prior to the event will be refunded. Events will be responsible for paying fees on any services incurred.

Appeal Process

- All appeals must be presented in writing to the City of Walker.

Enforcement of other laws

- Nothing contained in this document shall prohibit the authority of any officer to arrest a person engaged in any act or activity granted under this policy, if the conduct of such person violates the laws of the state, provision of this Code, or ordinances of the City, or unreasonably obstructs the public streets and sidewalks of the City, or if such person engaged in acts that cause or would tend to cause a breach of the peace.
- The granting of any Community Special Event Permit required by this policy shall not eliminate the requirements for any business license or any other permits which may be prescribed by any other federal, state or local statutes, ordinances, rules or regulations; or compliance with any other applicable federal, state or local statutes ordinances, rules or regulations.

Resources and Fees

If the event organizer requests City services and/or equipment or if the Park Board has determined that City services are necessary to hold a safe and successful event in the City of Walker, the event organizer will be invoiced for those services at the conclusion of the event.

Application Fee Structure for Community Special Events

Event	Definition	2020 Fee
Tier 1	Any event that does not require city services nor warrants a meeting with the City Council but requires a permit to comply with the city code or ordinances.	\$25
Tier 2	Any event that requires limited city services.	\$75

Insurance, Indemnity & Permission

Event organizers will be responsible for any and all damages caused by or related to the event. If the event is held on any property not owned by the City of Walker or the sponsoring organization, the organization must submit proof of permission for use of the property.

The sponsoring organization, permit holder or host establishment may be required to obtain a comprehensive general liability insurance policy. It may also be waived when it is necessary to comply with any federal, state or local law, statute, regulation or constitutional provision.

Events Held in City of Walker Park

Events to be held in the City of Walker Park may be required to additionally apply and pay additional application and use fees as set by the Park Advisory Board.

First Aid and Emergency Services

The event organizer is responsible for making arrangements for first aid and emergency services to be provided on-site.

Security and Safety Services

Events should have a plan in case of extreme weather or other threats. Events are encouraged to share these plans with both Police and Fire departments.

Traffic Control and Road Closures

Use of City streets, sidewalks and parking lots for events must follow all current traffic control and road closure ordinances.

- The event organizer is responsible for maintaining a minimum 12-foot wide fire and emergency lane through all areas.
- If roads are to be closed or access to certain residents or businesses is restricted, the event organizer is responsible for preparing, printing and distributing a notification letter to all affected residents and businesses 15 to 30 days prior to the event.

Parking

Event planners are required to provide a detailed parking plan that will accommodate the number of guests expected. Events using private lots must obtain and provide the City with written permission from the owner of the lot. If a shuttle will be used, the application must indicate the route and pick-up/drop-off points.

- Approval for vehicles to park or drive on sidewalks, bike paths or City-owned property will be included in the permit process.
- If parking in an area not lined for parking, the Event must ensure there is adequate access for safety and fire vehicular access.

Signage

The use of signage for events is regulated by the sign ordinance. Event applications must include location and description of all off-site signage.

- Events shall be entitled to a maximum of four off-site promotional signs and 6 directional signs.
- On-site event signage is to be used for the duration of the event and during permitted setup and tear-down times.
- Off-site signage shall not contain any commercial advertising. If an organization is sponsoring the event, the name only (no logos) of the organization may be used on promotional signage.
- Off-site promotional and directional signs may not exceed six square feet in area and three feet in height.
- Off-site promotional signs shall not be displayed more than 48 hours immediately preceding the event and shall be removed no later than 24 hours following the conclusion of the event.
- Directional signs shall be installed no more than 24 hours immediately preceding the event and shall be removed within 24 hours following the conclusion of the event.
- Directional signs may not exceed four square feet in area and two feet in height.
- No more than three colors shall be included on off-site signs(s), including black and white.
- Off-site signs shall not be illuminated.

- Prohibited sign locations include any public right of way; any location where the view of approaching and intersecting traffic would be obstructed; any private property sites without prior written authorization granted by the property owner.
- Special Event signs are only allowed for events to be held within the city limits of Walker.
- All City ordinances and state laws apply.

Walker City Community Special Event Application

Event Name:

Date(s) of Event:

Time of Event:

Location of Event:

Event Website:

Organization presenting event:

Please note the mailing address below is that of the:

The organization

The contact's residence

Event Contact:

Contact's Address:

Email

Phone Number

Is this a new event in Walker?

Brief Event Description- including purpose, target audience, and description:

Day/Dates/Times of Set Up:

Days/Dates/Times of Tear Down:

Days/Dates/Times/Location of Rain Event:

If you charge an admission or participation fee, please list fees.

If this is a charitable/fundraising event please list the benefiting non-profit organization(s) and the percentage of the net proceeds they will receive.

Anticipated number of spectators?

Anticipated number of participants?

Will you request Walker Police for event Security?

Describe your internal security procedures (e.g. are you hiring a private security firm?):

Will you request Walker Police for traffic control?

Will there be a command post at your event?

If yes, please describe the location.

Will you have an on-site provider of primary first aid?

If yes, please list the on-site provider?

Please briefly describe your medical emergency plan:

Please briefly describe your weather evacuation plan:

Please describe your traffic, parking, and overflow plan:

Will you request that any City of Walker street(s) be closed?

If Yes, please list street(s), dates, and times:

Will your event require Barricades?

Will your event require "No Parking" Signs from the City of Walker?

Please describe your signage plans below, both directional and promotional:

Describe your clean-up plans during and after event:

If renting dumpsters, please provide the following information (Company, Drop-off/Pick Up Date, Contact Name, Contact Phone, Locations and # of units):

If renting portable restrooms, please provide the following information (Company, Drop-off/Pick Up Date, Contact Name, Contact Phone, Locations and # of units):

Will you use Generators (Electrical Permit may be required based on size)?

If Yes, please specify size:

Will other temporary structures be used (e.g. bleachers, stages, etc.)?

Will you have music or other amplified sound?

If Yes, please list times and type of music (e.g. DJ, Live Band, etc.):

Will food be sold at your event?

If Yes, please describe type of food and names/contact info of vendors.

Will alcohol be sold or served at your event?

If Yes, please list name/contact info for alcohol vendors.

Will you using the City of Walker facility/park for your event?

If Yes, please provide map set up. If the event is in a park, will you have any animals at the event? If yes, please describe.

If the event is in a park, will you sell any items or services? If yes, please describe.

Please attach your Certificate of Insurance (naming City of Walker as additionally insured) below:

Please attach your resident notification letter (if needed):