



Request for City Council Committee Action from the Department of

Date: August 18, 2005

To: Transportation and Public Works Committee
Referral to

Subject: Appeal by Mercado Central concerning a Business District Block Event on 09/15/2005 that was denied by Licenses and Consumer Services.

Recommendation

Uphold the denial, based on event restrictions as stated in Ordinance 455.35.

Prepared or Submitted by David Moore, Administrative Analyst I, 612-673-5859

Approved by:

Henry Reimer, Director, Regulatory Services

Ricardo Cervantes, Deputy Director, Licenses and Consumer Services

[Permanent Review Committee](#) Approval _____ Not Applicable _____

Policy Review Group (PRG) Approval _____ Date of Approval _____ Not Applicable _____

Note: The Policy Review Group is a committee co-chaired by the City Clerk and the City Coordinator that must review all requests related to establishing or changing enterprise policies.

Presenters in Committee: Ricardo Cervantes, Deputy Director of Licenses

Financial Impact (Check those that apply)

No financial impact - or - Action is within current department budget.

Background/Supporting Information Attached

The Department of Regulatory Services received an application by mail on August 11, 2005 from Cooperative Mercado Central Inc. This organization applied for a Business District Block Event for East Lake Street between 15th Ave S and Bloomington Ave S, on September 15th, from 7:00 PM to 11:30 PM. This event was discussed at an Events committee meeting on August 15th, which includes representatives of Police, Public Works and Regulatory

Services, and it was determined that the application should be denied, since Business District block events cannot go past 10:30 PM as stated in ordinance (chapter 455). Patricia Brown of Mercado Central was notified about the denial. Patricia Brown of Cooperative Mercado Central has appealed the denial. Ordinance 455.20 (g), states

"(1) *Appeal to city council.* If the application is not approved by the officials indicated above within five (5) days of its filing (excluding Saturdays, Sundays and holidays) or if the application is denied by any of the officials, or the official's designee, the director of public works, for residential permits, or the director of regulatory services, for business district permits, shall upon request by applicant thereupon refer the application to the appropriate committee which shall make its recommendations concerning the application to the full city council. The city council shall have the authority to consider any application which lacks approval of the director of public works, director of regulatory services or the chief of police, or which has not been timely filed

According to information provided by Mercado Central, the event is an important cultural observance for the Mexican community celebrating the call for the Independence of Mexico. This event would include main stage live performances, food and retail vendors, and a large screen for viewing a historical film and a simulcast of Univision's coverage of the event from Mexico City.