

**AN ORDINANCE
OF THE
CITY OF MINNEAPOLIS**

By Remington

**Amending Title 17, Chapter 439 of the Minneapolis Code of Ordinances
relating to Streets and Sidewalks: Nicollet Mall.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 439.20 of the above entitled ordinance be amended to read as follows:

439.20. Uses, activities permitted. The following uses or activities are permitted on the Mall:

- (a) Telephones installed in bus shelters.
- (b) Coin-operated newspaper vending devices which shall be attached to bus shelters. The construction of said devices shall be approved by the director of public works, shall be in accordance with said Nicollet Avenue Transit and Pedestrian Mall Surface Plan, and shall be in compliance with Chapter ~~454~~ 464 of this Code of Ordinances.
- (c) Decorations, banners, etc., when a part of an overall mall promotion or display, subject to compliance with Chapter 449 of this Code of Ordinances.
- (d) Transit vehicles, taxicabs, emergency vehicles and special permit vehicles as provided in an ordinance "Restricting the Use of and Establishing a Pedestrian Mall District on Nicollet Avenue from Washington Avenue to South Thirteenth Street in the City of Minneapolis, Minnesota" passed April 7, 1966, approved April 11, 1966, and amended by an ordinance passed December 18, 1975 [see section 439.15].
- (e) Public solicitations, subject to and in compliance with Chapter 333, Article II of this Code of Ordinances. The organization or persons conducting such solicitations shall use no mechanical, electrical apparatus or device, nor any other means, for the purposes of sound amplification.
- (f) Decorative waste containers, Christmas trees, bouquets, art works, underground facilities, subject to approval of the city and in compliance with all laws, ordinances and resolutions governing encroachments on the public right-of-way.
- (g) Sidewalk cafes or restaurants, when authorized by a special permit granted by the city council.

(h) Block parties as defined in section 455.10 of this Code where the block party is of a citywide nature and when authorized by special permit granted by the city council. To the extent authorized in any such special permit, the permittee may sell beer, food or food products and goods or merchandise on the public way or public highway notwithstanding the provisions of sections 186.40, 368.40 and 427.130 of this Code.

(i) There may be, at a designated location within the sidewalk area of Nicollet Mall, between Washington Avenue and Thirteenth Street South, a facility for the providing of information to the public, regarding the location of businesses, facilities and activities in the downtown area. The operation of such information service may be in conjunction with and incidental to the operation of a small stand or wagon within the public sidewalk area for the street sale of popcorn or flowers. The operation of such facility shall be subject to the obtaining of a permit or license therefor pursuant to section 439.60. In determining whether to grant an application for such license or permit, the city council shall consider and determine:

- (1) A suitable location, if any, where such facility may be placed;
- (2) Whether the safety and welfare of pedestrians and of vehicular travelers will be endangered or hampered;
- (3) Whether the flow and movement of pedestrian or vehicular traffic will be interfered with;
- (4) Whether the facility and its operation will be in harmony with the other facilities and amenities of the Nicollet Mall;
- (5) Whether such facility and its operation at the specified location would unreasonably interfere with other normal and legal activities on the Nicollet Mall;
- (6) The character, reputation, reliability and financial responsibility of the applicant.

If a permit or license is granted, it shall be by council action. The council action shall establish reasonable and prudent requirements for the furnishing by the applicant of evidence of the maintenance by the applicant of public liability insurance for the protection of the public and for the indemnification of the city by the applicant against all third-party claims. Such council action shall also establish a reasonable fee to be charged the licensee or permittee to defray the cost of administration, investigation, inspection and policing in connection with such license or permit, and the operation of such facility.

(j) Passenger automobiles may travel upon the Nicollet Mall roadway between 6:00 p.m. and 10:00 p.m. on Thanksgiving Day of every year. Such vehicles shall not travel at a speed greater than ten (10) miles per hour, and may not pass another vehicle or stop or park upon such part of Nicollet Avenue and must enter/exit only at Washington Avenue South or Grant Street.

(k) Sidewalk cart food vendors, when licensed and operated in accordance with Chapter 188 of this Code. The city council will also establish a reasonable fee, not to exceed two hundred fifty dollars (\$250.00) per year to be charged each sidewalk cart food vendor located in the Nicollet Mall, to defray the cost of mall cleanup and maintenance and other policing in connection with such license.

(l) Sidewalk cart flower vendors when licensed and operated in accordance with Chapter 331 of this Code.

(m) Organized events that identify and promote commercial activities within the pedestrian mall district, when authorized by special permit granted by the city council.