

**By Colvin Roy and Glidden**

**Amending Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: Block Events.**

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

Section 1. That Section 455.10 of the above-entitled ordinance be amended by amending the definitions of *Block event barricade* and *Snow emergency route*, and by adding thereto the definition of *National Night Out* in alphabetical sequence to read as follows:

**455.10. Definitions.** As used in this chapter:

*Block event barricade* shall mean a barricade which meets the specifications set by the department of public works, or, in the case of residential National Night Out events only, a barricade or colored tape of a type approved by the department of public works CCP/SAFE unit of the Minneapolis Police department and/or signage which is displayed in a manner specified by the department of public works CCP/SAFE unit of the Minneapolis police department.

*National Night Out* is an annual event held on the first Tuesday in August, for the purpose of building community, generation of support for anti-crime programs and strengthening of police/community relations, through block parties and other events.

*Snow emergency route* shall mean any street marked with "red" snowplow signs and "blue" street name signs. ~~Streets that are not snow emergency routes have "green" and "brown" street name signs.~~

Section 2: That Section 455.20 of the above-entitled ordinance be amended to read as follows:

**455.20. Application process for residential and business district block event permits.** (a) *Filing of application for residential block event permit.* After April 30, 2004, applicants seeking issuance of a residential block event permit shall file a complete application with the director of public works, in person, electronically, by facsimile, or by United States mail on forms provided by the city not less than four (4) business days before the date of the event. Residential area events or events pursuant to section 455.35(c)(2) shall be filed in person, electronically, by facsimile, or United States mail.

(b) *Filing application for business district block permits.* An applicant seeking issuance of a business district block event permit shall file a complete application with the director of regulatory services, in person, electronically, by facsimile, or by United States mail on forms provided by the city. An application for a block event in the central business district or neighborhood business district shall be filed in person, electronically, by facsimile, or postmarked not less than eleven (11) days before the proposed date of the event.

(c) *Filing application for a non-profit organization located in a residential area.* Such application is subject to the conditions and procedures applicable to business district applications set forth in this chapter unless the following conditions are met:

(1) The block event will have fewer than one hundred (100) people in attendance.

(2) More than fifty percent (50%) of the people expected to attend the event have residences which abut the portion of the street where the event is to be held.

(3) No food or beverages will be sold at the event.

(4) The applicant is a resident or property owner of property which abuts the portion of the street where the event is to be held or is the director, executive, or board member of the non-profit organization located on the block where the block event is to be held.

If the application of the non-profit organization is subject to the business district application conditions set forth in this chapter, such application shall be subject to the deadlines, conditions, fees and procedures set forth in this chapter for business district applicants, except that the event may be held during the hours allowed for residential events unless the event is to be held on an arterial street, bus route or state highway, wherein the time restrictions for a business district event shall apply. Such applicant shall also provide information required in 455.25(c) in the manner as provided in this chapter. If the application by a non-profit organization is not subject to the business district conditions set forth in this chapter, such application shall be subject to the deadlines, fees, and application procedure for residential block event applicants set forth in this section and the conditions of application for residential block events set forth in this chapter.

(d) *Filing application for a large block event.* If the event is anticipated to have over 2500 participants the applicant may apply for a large block event permit as set forth in this chapter.

(e) *Filing application for National Night Out block event.* Applicants seeking issuance of a block event permit for a National Night Out block event shall file a complete application with CCP/Safe, in person, electronically, by facsimile, or by United States mail on forms provided by the city. Such applications will be subject to the requirements set forth in 455.25 for residential block events.

(1) Permit for a National Night Out block event shall not be issued if the proposed location of the event is on a bus route, county highway, state highway, or arterial route.

(2) If the application is received by the City fourteen (14) days prior to National Night Out, no fee will be required for issuance of the permit.

(3) If the application is received less than fourteen (14) calendar days but more than five (5) calendar days before National Night Out, the fee shall be one hundred (100) dollars.

(4) Applications for permits will not be accepted for processing if made less than five (5) calendar days before National Night Out.

~~(e)~~ (f) *Deadlines for application; fees for permit.*

(1) Fees for residential area events and events pursuant to 455.35(c)(2) are based upon the date filed in person, electronically, by facsimile, or postmarked as follows:

Thirty-five (35) days or more prior to the event . . . \$25.00

Twenty-two (22) to thirty-four (34) days . . . 40.00

Fifteen (15) to twenty-one (21) days . . . 60.00

Seven (7) to fourteen (14) days . . . 160.00

Four (4) business days to six (6) calendar days . . . 200.00

(2) Fees for a central business district or neighborhood business district are based upon the date filed in person, electronically, by facsimile, or postmarked as follows:

Forty-five (45) days or more prior to the event . . . \$200.00

Thirty (30) to forty-four (44) days . . . 250.00

Twenty nine (29) to twenty (20) days . . . 350.00

Eleven (11) to nineteen (19) days . . . 400.00

(3) For residential block event permits, the director of public works shall accept the permit fee and, for business district block permits, the director of regulatory services shall accept the permit fee. The permit fee is not refundable. Payment is due at the time of application, but in the case of applications made electronically or by facsimile, payment and original affidavit must be received within three (3) days of the electronic or facsimile submission of the application. The increase of fees shall become effective June 15, 2003.

~~(f)~~ (g) *Approval of residential and business district block event permits.*

(1) Prior to approval or denial of the permit, the director of regulatory services, for business district permit applications and applications referred to the director pursuant to section 455.20(c), will refer the block event permit application to the following:

a. The director of public works for all applications.

b. The chief of police for central or neighborhood business district block event applications.

c. The police license inspection division and the division of licenses and consumer services if the application states that wine, intoxicating malt beverages or non-intoxicating malt beverages will be sold. The divisions will report any findings concerning the applicant to the chief of police and the director of public works.

(2) The chief of police, for a business block event permit application, and the director of public works, for all applications, shall review the application and determine if

the application meets the requirements of this chapter, or if there is a basis for denial of the permit under section 455.30. If an official denies an application, the reasons for denial shall be made in writing. Upon approval of these officials, the director of public works shall issue the permit for residential block events and the director of regulatory services shall issue the permit for business district block events.

~~(g)~~ (h) *Notification of council member(s) of non-residential block event application.* Upon receipt of a non-residential block event application, shall forward a copy of the application to the council member(s) in whose ward(s) the event is proposed to take place. Prior to the issuance of the permit, such council member(s) may offer written comments to the director of regulatory services concerning whether the application is in compliance with the provisions of this chapter, or if there is a basis for denial under section 455.30.

~~(h)~~ (i) *Appeals process for residential and business district block event permits:*

(1) *Appeal to city council.* Except for large block event applications, 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, or the police department for National Night Out 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.

(2) *Judicial review.* If the appeal is denied by the city council, the applicant may immediately seek such judicial review as permitted by law.

~~(i)~~ (j) *Notification of issuance of permit.* Upon the issuance of the block event permit, the director of public works, for residential permits, or the director of regulatory services for business or other non-residential permits, shall so advise the chief of police, chief of the fire department, and the council member of the ward affected. The director of public works shall be informed by the director of regulatory services of the issuance of a business, or other non-residential block event permit.