

CHAPTER 455. BLOCK EVENTS*

*Editor's note: Section 1 of 82-Or-239, adopted Nov. 24, 1982, repealed Ch. 455, "Block Parties," §§ 455.10--455.50, as derived from 82-Or-018, § 2, adopted Jan. 29, 1982. Section 2 of 82-Or-239 set out a new Ch. 455, §§ 455.10--455.50, concerning "block events."

455.10. Definitions. As used in this chapter:

- (a) Block event shall mean a temporary gathering of people held on a blockaded portion of a public street or alley within the city.
- (b) Residential area shall mean any area of the city which lies outside a business district.
- (c) Business district shall mean the central business district or a neighborhood business district, but shall not include the Nicollet Mall which shall continue to be governed by Chapter 439 of this Code of Ordinances.
- (d) Central business district shall mean that area bounded by and including the Mississippi River southeasterly to Interstate 35~~W~~; Interstate 35~~W~~ southerly to Interstate 94; Interstate 94 westerly and northerly to Glenwood Avenue; Glenwood Avenue easterly to North Ninth Street; North Ninth Street northerly to Second Avenue North, and Second Avenue North to the Mississippi River.
- (e) Neighborhood business district shall mean a business district which lies outside the central business district and which is designated by the city zoning ordinance for business and commercial use with such designation being present on each side of the street to be blockaded.
- (f) Commercial promotion or activity shall mean the ordinary activities of trade and commerce where the profit motive is the primary purpose of the block event. This terminology does not apply to sales conducted by nonprofit or charitable organizations, nor does it include, for example, sales of materials which are intended to convey information and ideas, or which espouse causes or beliefs, whether in the form of books, pamphlets, buttons, bumper stickers or T-shirts.
- (g) Arterial street shall mean any street so designated on the signs and signals map prepared by the ~~transportation and special projects division of the~~ Minneapolis Public Works Department.
- (h) Bus route shall mean any street used by ~~the metropolitan transit commission~~ buses a regional bus or transit provider on a regular and scheduled basis.

- (i) Snow emergency route shall mean any street marked ~~in two ways~~ with "red" snowplow signs and "blue" street name signs. Streets that are not snow emergency routes have "green" and "brown" street name signs.
- (j) State highway shall mean any highway under the jurisdiction of the commissioner of transportation of the State of Minnesota and, in addition, shall include any public street within the city which is designated as a state aid street.
- (k) County highway shall mean any highway under the jurisdiction of Hennepin County and, in addition, shall include any public street within the city which is designated as a county aid street.
- (l) City shall mean the City of Minneapolis.
- (m) Holiday shall have the meaning given in Minnesota Statutes, Section 645.44, Subdivision 5.
- (n) Person shall mean any individual, firm, partnership, association, corporation, company or organization of any kind.
- (o) Chief of police is the chief of the Minneapolis Police Department, or the police chief designee.
- (p) Director of public works is ~~the director of~~ the Minneapolis City Engineer Department of Public Works and Engineering, or ~~director of public works~~ duly authorized designees.
- (q) Block event barricade shall mean a barricade which meets the specifications set by the department of public works, or, in the case of residential events only, a barricade or yellow colored tape of a type approved by the department of public works and/or signage which is displayed in a manner specified by the department of public works.
- (r) Director of regulatory services is the director of regulatory services of the City of Minneapolis or duly authorized designees. (82-Or-239, § 2, 11-24-82; 82-Or-257, §§ 1--4, 12-23-82; 94-Or-031, § 1, 4-1-94; 2003-Or-061, § 1, 6-6-03)

455.15. Permit required. No person shall engage in, participate, aid, form or hold any block event, unless a permit therefor shall have been obtained from the city as herein provided. A block event permit is valid only for the date specified, except that a block event may, because of weather, be postponed to the next day upon the written approval of the director of public works or director of public works designee. (82-Or-239, § 2, 11-24-82; 94-Or-031, § 2, 4-1-94; 2003-Or-061, § 2, 6-6-03)

455.20. Application process.

- (a) Filing of application for residential block event permit.

After April 30, 2004, For calendar year 2003 only, a applicants person seeking issuance of a residential block event permit shall file a complete application with city council staff 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) An application of a non-profit organization located in a residential area 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, and
- (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, and
- (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. 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.

~~(b)~~(d) 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) ~~City council~~ For residential block event permits the director of public works staff shall accept the permit fee and for business district block permits the director of regulatory services shall accept the permit fee. The permit fee that 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.

~~(e)~~(e) Approval of block event permit.

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

~~(1)~~a. The director of public works for all applications.

~~(2)~~b. The chief of police for central or neighborhood business district block event applications.

~~(3)~~ 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 ~~city council staff~~ shall issue the permit for residential block events and the director of regulatory services shall issue the permit for business district block events.

~~(d)~~(f) Notification of council member(s). Immediately upon receipt of a block event application, ~~city council staff~~ the director of public works for residential block events, or the director of regulatory services for business district block events, ~~receiving the 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, Ssuch council member(s) may offer written comments to the director of public works, for residential block events, or the director of regulatory services, for business district block events, 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.

~~(e)~~(g) Appeals:

(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, ~~city council staff,~~ 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.

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

~~(f)~~(h) Notification of issuance of permit. Upon the issuance of the block event permit, ~~city council~~ the director of public works, for residential permits, or the director of regulatory services ~~staff,~~ for business district permits, shall immediately so advise the chief of police, chief of the fire department, ~~the director of public works, the director of~~

~~licenses and consumer services of the city~~, 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 district block event permit. (82-Or-239, § 2, 11-24-82; 82-Or-257, § 5, 12-23-82; Pet. No. 250548, § 15, 10-13-89; 91-Or-136, § 1, 7-12-91; 94-Or-031, § 3, 4-1-94; 94-Or-165, § 1, 11-10-94; 96-Or-049, § 1, 6-7-96; 99-Or-062, § 1, 5-21-99; 2003-Or-061, § 3, 6-6-03)

455.25. Conditions of application. An application for a block event shall be executed by the applicant, or applicants, who shall each therein certify:

- (a) In the case of a residential block event, the applicant's residence abuts the portion of the street wherein the event is to be held.
- (b) That a good-faith attempt has been made to deliver to each residence or building management or tenants association or commercial entity abutting such portion of the street a notice containing the following information:
 - (1) A description of the event;
 - (2) The date and hours of the event;
 - (3) The name, address and phone number of the sponsor; and
 - (4) That anyone objecting to the block event may petition the city council for a hearing to protest the issuance of a permit for such event.
- (c) In the case of a residential block event, the application must be accompanied by a document containing names and addresses representing seventy-five (75) percent of the households on the block or blocks abutting the street approving the event, and an affidavit by the applicant affirming that the residents and addresses on the petition have agreed to the event and represent a minimum of seventy-five (75) percent of the households on the block or blocks abutting the street approving the event.
- (d) The applicant agrees to defend and hold the city harmless from all claims, demands, actions or causes of action, of whatsoever nature or character, arising out of or by reason of conduct of the block event authorized by such permit, including attorney fees and all expenses.
- (e) The applicant will indemnify the city for all damages that may result to city property, including any portion of such street as a result of the block event.
- (f) In the case of all block events, the applicant will, without expense to the city, immediately clean up, remove and dispose of all litter or material of any kind associated with the event which is placed or left on the street or sidewalk of the block(s) on which the event is held; and also on any of the immediately adjacent blocks. If the applicant neglects or fails to cleanup within the three-hour period immediately following the end of

the block event, or if cleanup is done in an inadequate manner, the director of public works is authorized to do the cleanup and the applicant shall be charged for said cost.

(g) The applicant will maintain adult supervision of such block event at all times.

(h) The applicant will be responsible for the placement, maintenance and removal of block event barricades, which in the case of a business district block event shall be provided by the applicant at the applicant's own expense. For residential block events only, ~~yellow-colored~~ tape and/or signage will be available to the applicant upon presentation of a valid residential block event permit to a city fire station, [city police precinct station](#), or local [participating](#) neighborhood association office, or ~~barricades provided by the department of~~ public works. The public works department shall provide non-tape barricades for residential block events for which a permit has been issued if the director of public works determines that safety concerns require the use of such barricades rather than tape. The applicant must attach the block event permit and/or official signage closing the street in a manner specified by the department of public works.

(i) The block event is in no way a commercial promotion or activity and the overall purpose of the permit shall be to enhance the stated purpose of the applicant organization and no private organizer or promoter shall derive excessive profits from the event. The city may require presentment of the permit holder's books of account to aid in the determination of compliance with this section.

(j) In the case of a business district block event, the applicant may sell wine, intoxicating malt beverages or non-intoxicating malt beverages provided it certifies that:

(1) The applicant has obtained a temporary beer or liquor license.

(2) The applicant agrees to comply with sections 364.40 and 368.40 of the Minneapolis Code of Ordinances relating to the consumption of alcohol on public property.

(3) The event is to take place in the central business district or in a neighborhood business district in which a neighborhood business association sponsors the event.

(4) The applicant presents a certificate that there is in effect for the event an insurance policy or pool providing at least an annual aggregate policy limit for dramshop liability of not less than one million dollars (\$1,000,000.00) per policy period. The policy shall cover all liability imposed by section 340A1, Minnesota Statutes. In the case of property owned or controlled by the City of Minneapolis, the city shall be listed as an additional insured.

- (5) The applicant provides a security plan for the event which is approved by the director of licenses and consumer services and the police license inspector.
- (k) In the case of a residential block event, the applicant agrees not to play or allow to be played any music or other sound produced by amplifying equipment for more than a total of three (3) hours. A permit may be granted for additional hours. (82-Or-239, § 2, 11-24-82; 83-Or-128, § 1, 5-27-83; 83-Or-153, § 1, 6-24-83; 83-Or-225, § 1, 9-9-83; 91-Or-136, § 2, 7-12-91; 94-Or-031, § 4, 4-1-94; 94-Or-048, § 1, 4-29-94; 96-Or-049, § 2, 6-7-96; 2003-Or-061, § 4, 6-6-03)

455.30. Basis for denial. An application for a block event permit may be denied only if:

- (a) The application does not comply with applicable requirements of this chapter.
- (b) The place where the block event is to be held is considered a major thoroughfare generally including snow emergency routes, arterial streets, state and county highways, bus routes and streets controlled by semaphores unless traffic flow can be reasonably accommodated on adjacent streets.
- (c) The place where the block event is to be held is under construction or is scheduled to be under construction on the date when the block event is to be held.
- (d) The place where the block event is to be held is partially barricaded because of construction on the abutting property and the construction interferes with normal traffic flow or is a safety hazard or if the location is on a detour route for either a construction project or other scheduled event such as a race, parade, etc.
- (e) The place where the block event is to be held is in such close proximity to a hospital or fire station as to unduly interfere with the quietude of patients, or the movement of ambulances or fire-fighting equipment.
- (f) The applicant, or organization on whose behalf the application is made, has within the previous eighteen (18) months violated the provisions of this chapter.
- (g) The block event would conflict with a prior scheduled event within four (4) blocks so as to substantially interrupt the safe and orderly movement of traffic.
- (h) The block event would interfere with emergency activities or maintenance operations such as snow removal or street sweeping.
- (i) There is a clear and convincing showing by an abutting business that such block event would create an undue financial hardship upon it.
- (j) There have been three (3) or more prior block events on such block within the calendar year.
- (k) The block event is scheduled to take place within one (1) block of a polling place during the hours of voting.

- (l) The block event would constitute a commercial promotion or activity.
- (m) There has been a total of at least three (3) incidents, in two (2) prior consecutive block events, as shown by a preponderance of the evidence, held within five (5) years prior to the date of the proposed block event by the applicant or the organization on whose behalf the application is made, involving any of the following, as defined by state law and/or city ordinance:
 - (1) Assault or indecent or disorderly conduct.
 - (2) The illegal sale or distribution of alcoholic beverages.
 - (3) The illegal sale or distribution of food.
 - (4) A violation pertaining to noise, including the failure to obtain a permit for the use of sound amplifying equipment.
 - (5) A violation of any provision of this chapter.
- (n) The location and dates of the proposed block event would interfere with another event that has been previously held on or about the same dates in the previous year, even if a permit has not yet been applied for or approved for the other event, where there is reason to believe the other event will be held again; or
- (o) If more than one (1) application is received for proposed block events to be held on the same date(s), including rain days, in the same location or within four (4) blocks of each other, then any of the applications may be denied based on the following considerations:
 - (1) Whether an applicant has previously received a permit for the same event or event dates (i.e. a recurring event).
 - (2) Whether an applicant has received or intends to seek other permits for block events in the area within one (1) year before or after the date of the proposed event.
 - (3) Whether one (1) of the applications was approved prior to receipt of the second application for a block event permit for the same location and day(s). (82-Or-239, § 2, 11-24-82; 94-Or-031, § 5, 4-1-94; 2003-Or-061, § 5, 6-6-03)
- (p) The block event would unduly restrict pedestrian and vehicular traffic to an abutting business or property.
- (q) The block event would unduly deny access to private property.

455.31. Denial of desired location; Rain dates.

- (a) If the application for a block event permit is denied because the street requested is not acceptable for the proposed event on the date stated in the application, the applicant may transfer the fee from the first application toward that required for a new

application which differs from the original application only in that the location of the block event has been changed.

(b) The applicant may obtain a rain date if requested in the application for a block event permit. The rain date must be the next calendar day. Any other request for a rain day shall be treated as a new application for the block event permit. For such alternative date the applicant must submit an additional official application form and payment and provide the information required by this chapter for such applications. The fee from the first date requested by the applicant shall not be applied to such alternative rain date.

455.35. Time and place. Subject to the provisions of sections 455.25 and 455.30:

(a) For business district events the applicant is required to pay all costs for traffic control measures and traffic control personnel required by the public works or police departments. Residential area events may be required to pay those costs.

(b) Residential area: A block event may be permitted, provided:

(1) That the block event, including set up time, is held only between the hours of 10:00 a.m. and 10:00 p.m.;

(2) That the block event is contained on one (1) or more contiguous blocks on the same street. Closure of multiple contiguous blocks will only be granted when the director of public works determine that the closure will have no adverse effects on the safe function of the roadway;

(3) That the block event is not held on any street designated as a bus route, snow emergency route, arterial street, or as a state or county highway unless traffic flow can be reasonably accommodated on adjacent streets; and

(4) That at least a ten-foot aisle is kept unobstructed at all times to permit vehicles to enter or exit and large objects, including but not limited to motor vehicles, shall not be used to block the street, whether or not such objects are used in conjunction with the official tape.

(c) Business district: A block event may be permitted in the business district on any street under the jurisdiction of the city, including a state aid or county aid street, or on a street designated as a bus route or arterial street, provided:

(1) The event, including set up time, is held between the hours of 6:00 p.m. and 10:30 p.m. on weekdays, and between 10:00 a.m. and 10:30 p.m. on Saturdays, Sundays and holidays; or

- (2) The event is held for one hour between 10:00 a.m. and 3:00 p.m. on weekdays to pursue activities which are protected by the First Amendment of the United States Constitution; and
- (3) At least a fourteen-foot aisle is kept unobstructed at all times to permit vehicles to enter or exit; and
- (4) The event is contained on one or more contiguous blocks on the same street. Closure of multiple contiguous blocks will only be granted when the director of public works and chief of police or their designee determine that the closure will have no adverse effects on the safe function of the roadway system. (82-Or-239, § 2, 11-24-82; 91-Or-136, § 3, 7-12-91; 94-Or-031, § 6, 4-1-94; 2003-Or-061, § 6, 6-6-03)

455.40. Business district insurance. Upon compliance with all other provisions of this chapter, a permit for a block event in a business district may be granted only after the applicant has filed with the city council staff director of regulatory services a liability insurance policy, or evidence thereof, which policy shall provide coverage in the amount of three hundred thousand dollars (\$300,000.00) for one (1) claimant and one million dollars (\$1,000,000.00) for any number of claimants, and shall specifically provide for the payment by the insurance company on behalf of the insureds of all sums which the insureds shall become obligated to pay by reason of liability imposed upon them by law for injuries or damages to persons or properties arising out of the activities and operations of the insureds pursuant to the provisions of this chapter. The applicant and the city shall be named as joint insureds on the liability policy. The amount of any deductible for claims shall be subject to prior approval by city the and the applicant will be responsible for payment of claims that would fall within the deductible amount stated in the insurance policy obtained by applicant. (82-Or-239, § 2, 11-24-82; 94-Or-031, § 7, 4-1-94; 2003-Or-061, § 7, 6-6-03)

455.41. Bond. Upon compliance with all the other provisions of this chapter, a permit for a block event in a business district, other than one (1) pursuant to section 455.35(c)(2), may be granted only after the applicant has filed with the city council staff director of regulatory services a cash bond in the sum of five hundred dollars (\$500.00) or a certified check in like amount, conditioned as follows:

- (a) The applicant will obey the law in conducting the block event.
- (b) The applicant will within the three-hour period immediately following the end of the block event clean up, remove and dispose of all litter or material of any kind which is

placed or left on the street because of such block event, and should the applicant fail to do so, the bond shall be forfeited to the city.

(c) The applicant shall, through a ~~bonafide~~ bona fide contractor, provide, install and remove the barricades, signs and delineation equipment as directed by the director of public works, and should the applicant fail to do so, the bond shall be forfeited to the city. If the applicant complies with the above conditions to the satisfaction of the director of public works, the bond shall be returned or balance refunded. (82-Or-257, § 6, 12-23-82; Pet. No. 250548, § 19, 10-13-89; 94-Or-031, § 8, 4-1-94)

455.45. Revocation of permit. A block event permit may be revoked for any violation of this chapter or in the event of an emergency constituting an imminent threat to life or property. Whenever any block event shall be of a nature or conducted in a manner substantially different from that indicated in the application therefor, such block event shall be in violation of this chapter and any permit pursuant to which it is purportedly conducted shall be deemed to be automatically revoked. (82-Or-239, § 2, 11-24-82; 94-Or-031, § 9, 4-1-94; 2003-Or-061, § 8, 6-6-03)

455.50. Special council permits superseded. This chapter shall supersede the use of special council permits for block events. (82-Or-239, § 2, 11-23-82)