

# CHAPTER SIX

## ADMINISTRATION, ENFORCEMENT AND FEES

**An Ordinance relating to, and regulating administrative standards and practices, provisions for appropriate fees, and enforcement procedures for the administration and implementation of land use regulations within Lent Township for the purpose of promoting and protecting the public health, safety, order, convenience, prosperity, and general welfare of Lent Township.**

LENT TOWNSHIP does ordain as follows:

### SECTION 1. TITLE

This Ordinance shall be known, cited and referred to as the LENT TOWNSHIP ADMINISTRATION, ENFORCEMENT FEES ORDINANCE except as referred to herein, where it shall be known as “this Ordinance.” The provisions of this Ordinance shall apply to all lands, properties, buildings and other structures or use of land within Lent Township, Chisago County, Minnesota.

### SECTION 2. PURPOSE AND INTENT

The purpose of this Ordinance shall be to establish uniform standards and procedures for the administration and enforcement of the Lent Township Land Use Regulations, and to establish appropriate fees necessary to implement the provisions of the Lent Township Land Use Regulations. It is the specific intent of the Lent Township Land Use Regulations to effectuate the Lent Township Comprehensive Plan in order for the citizens of the Township to enjoy a safe and healthy environment that is sustained by a rational integration of diverse land uses, orderly growth and the preservation and protection of unique cultural and natural resources.

### SECTION 3. ADMINISTRATION

#### 3.01 Administrating Officers

##### A. Town Board.

The Town Board shall retain and exercise all duties and responsibilities set forth within the various Chapters of the Lent Township Land Use Regulations, and shall exercise all of the authorities and powers granted pursuant to Minnesota Statutes Section 462.537 and any other applicable Minnesota Statutes and Rules.

##### B. Planning Commission.

The Planning Commission shall carry out all duties and responsibilities set forth within the various Chapters of the Lent Township Land Use Regulations, and shall exercise all of the authorities and powers granted pursuant to Minnesota Statutes Section 462.537 as follows:

1. The Planning Commission shall adopt rules for the transaction of its business and shall keep public record of its transactions, findings, and recommendations.
2. The Planning Commission shall cooperate with the Zoning Administrator and other employees of the Township in preparing and recommending to the Board for adoption, comprehensive plans and recommendations for plan execution in the form of official controls and other measures, and amendments thereto.
3. The Planning Commission shall provide assistance to the Town Board and Zoning Administrator in the administration of this ordinance and shall review, hold public hearings, and make recommendations to the Town Board on all applications for zoning amendments and conditional use permits using the criteria in the Township Ordinance.

##### C. Board of Adjustment and Appeals.

The Board of Adjustments and Appeals shall carry out all duties and responsibilities set forth within the various Chapters of the Lent Township, and shall exercise all of the authorities and powers granted pursuant to Minnesota Statutes Section 462.537 as follows:

1. To hear and decide appeals where it is alleged that there is an error in any order, requirement, decision, or determination made by an administrative official in the enforcement of the Zoning Ordinance.

2. To hear requests for variances from the literal provisions of this Ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration.

**D. Zoning Administrator.**

The Zoning Administrator shall be appointed by the Town Board and shall carry out all duties and responsibilities set forth within the various Chapters of the Lent Township Land Use Regulations. The duties and responsibilities of the Zoning Administrator shall be delegated and divided as follows:

1. For the purposes of receiving applications, issuing and publishing administrative documents such as permits, variances, appeals and notices, receiving fees, scheduling inspections, distributing informational materials, and other duties as assigned by the Town Board, the Zoning Administrator shall be the Township Clerk or another designated employee of the Township.
2. For the purposes of evaluating applications, reviewing plans and specifications, rendering determinations or interpretations for any of the provisions and requirements of the Lent Township Land Use regulations, enforcing, investigating, and reviewing all violations of the Lent Township Land Use Regulations, and all other duties and responsibilities established within the various Chapters of the Lent Township Land Use regulations, one of the following individuals:
  - a. Township Planning Consultant
  - b. The Chair or Vice Chair of the Planning Commission; or
  - c. The Township Building Inspector
3. For the purposes of carrying out the duties and responsibilities of the Zoning Administrator, those persons designated pursuant to this Section shall be available as follows:
  - a. The Township Clerk, acting as the Zoning Administrator, shall be available at all times that the Township Offices are normally open for business;
  - b. Those individuals designated as the Zoning Administrator pursuant to Section 3.01D.

**E. Township Inspectors.**

Township Inspectors shall be designated and hired by the Town Board and shall carry out all duties and responsibilities set forth within the various Chapters of the Lent Township Land Use Regulations. The Township Building Inspector shall be a Minnesota Certified Building Official pursuant to the requirements of Minnesota Statutes, Section 16B.65. Township inspectors shall only be available for inspections as scheduled with the Township Clerk, serving as the Zoning Administrator.

**3.02 Variances from Land Use Regulations**

All requests for a variance from any requirements or provisions of Chapters Two (2) through Four (4) of the Lent Township Land Use Regulations shall be conducted according to the procedures established in Section 8.06 of the Lent Township Zoning Ordinance, Chapter Two (2), Lent Township Land Use Regulations, and any additional requirements or procedures set forth in the specific Chapter under which the variance is being requested.

**3.03 Appeals from Land Use Regulations**

All appeals from administrative actions or decisions rendered pursuant to the various Chapters of the Lent Township Land Use Regulations shall be conducted according to the procedures established in Section 8.07 of the Lent Township Zoning Ordinance, Chapter Two (2), Lent Township Land Use Regulations, and any additional requirements or procedures set forth in the specific Chapter from which an appeal is being requested.

**3.04 Amendments to Land Use Regulations**

All requests to amend any requirements or provisions of the various Chapters of the Lent Township Land Use Regulations shall be conducted according to the procedures established in Section 8.08 of the Lent Township Zoning Ordinance, Chapter Two (2), Lent Township Land Use Regulations, and any additional requirements or procedures set forth in the specific Chapter for which an amendment is being requested.

**SECTION 4. FEES**

**4.01 Fees and Administrative Charges**

A. To defray the costs associated with administrative requests and actions, the Township shall charge fees and administrative costs for applications and other administrative actions as established within the various Chapters of the Lent Township Land

Use Regulations. Such fees and administrative charges shall be established in Chapter Ten (10), Appendix A of the Lent Township Land Use Regulations.

B. In order to defray the additional cost of processing applications for amendments, conditional uses, variances, or appeals, all applicants shall pay the total cost of staff and/or consulting time spent exclusively in producing materials for the applicant's request, and all materials for said request.

1. "Materials" shall include, but not be limited to, maps, graphs, charts, drawings, etc., and all printing or reproduction of same.

2. "Staff and/or Consulting Time" shall include any time spent in either researching for or actual production of materials.

3. The hourly rate for "staff and/or consulting time" shall be established and made available to the applicant by the Zoning Administrator prior to production of any materials and the applicant shall be given a reasonable estimate of project time and/or materials costs.

C. All fees shall be payable at the time applications are filed with the Zoning Administrator and are not refundable unless an application is withdrawn prior to referral to the Planning Commission. The refund will be less any expenses incurred prior to withdrawal. A deposit to cover staff or consulting time and special materials shall be established by the Town Board of Supervisors as provided herein, and shall be payable at the time the base fee is paid.

D. Surety.

1. The Town Board shall have the authority to require a letter of credit, cash or other security when it is deemed necessary and appropriate for the administration and enforcement of the Lent Township Land Use Regulations.

E. Review costs.

1. Initial Escrow Funds. In addition to the application fees, the applicant shall also deposit initial escrow funds with the Township as estimated and determined by the Town Board or other Authorized Agent. The initial escrow funds shall be used to pay any and all out-of-pocket expenses the Township incurs in employing Professional Consultants who review and process the applicant's petition or petitions.

2. Replenishment of Depleted Escrow Funds. The applicant must deposit additional escrow funds as directed by the City to replenish the depletion of the initial escrow funds prior to the Township's final action on the applicant's petition or petitions, or prior to final inspection and issuance of certificates of occupancy, unless otherwise determined by the Town Board or other Authorized Agent.

3. Applicant Responsibility for Outstanding Out-of-Pocket Expenses. The applicant must pay any and all outstanding out-of-pocket expenses in excess of deposits of the initial escrow funds and the additional escrow funds within thirty (30) days of the applicant's receipt of billings from the Township. The applicant is responsible for all out-of-pocket expenses the City incurs. The Township will return to the applicant any amount of initial escrow funds / additional escrow funds remaining after the Township's final billing of its out-of-pocket expenses.

4. Town Board Authority and Discretion to Stop Professional Consultant Work. The Town Board shall have the authority and discretion to order the Township's Professional Consultants to not begin or to stop work on any petition either before or after depletion of the initial escrow funds, or before or after the depletion of additional escrow funds in order to avoid or minimize the Township's accrual of unpaid out-of-pocket expenses.

### **4.02 Fee Schedule**

A schedule of fees shall be established in Chapter Ten (10), Appendix A of the Lent Township Land Use Regulations. Copies of the schedule of fees shall be available at the Township Offices located in the Township Hall and on the official Lent Township Website at:

<http://www.lenttownship.com>

## **SECTION 5. ENFORCEMENT**

### **5.01 Enforcement Officer and Citation Powers**

## Lent Township Land Use Regulations

A. Those individuals designated as the Zoning Administrator pursuant to this Ordinance shall be fully empowered to investigate any violations of the requirements or provisions of the various Chapters of the Lent Township Land Use Regulations and recommend appropriate enforcement action to the Town Board.

B. Upon approval of the Town Board, the Chair of the Town Board shall authorize, in writing, the appropriate enforcement action.

C. When approved by the Town Board and authorized by the Chair of the Town Board, the Chisago County Sheriff's Department shall be requested to serve all criminal citations upon any firm, person or corporation who violates any of the provisions of the various Chapters of the Lent Township Land Use Regulations.

D. When approved by the Town Board and authorized by the Chairman of the Town Board, any of the individuals designated as the Zoning Administrator pursuant to this Ordinance, shall be empowered to serve all administrative citations upon any firm, person, organization or entity who violates any of the provisions of the various Chapters of the Lent Township Land Use Regulations.

### E. Violation Notice Procedures

1. Courtesy Notice – The Township shall send the property owner an informational notice regarding Township ordinances and current violations.

2. First Notice of Violation – If the violation remains 30 days following the courtesy notice, the Township shall send the first notice of violation.

3. Second Notice of Violation – If the violation remains 30 days following the first notice, the Township shall send the second notice of violation.

4. Third Notice of Violation – If the violation remains 30 days following the second notice, the Township shall send the third notice of violation.

5. Fourth Notice of Violation – If the violation remains 30 days following the third notice, the Township shall send the fourth notice of violation as well as a civil citation in accordance with the Townships annual fee schedule.

6. Fifth Notice of Violation – If the violation remains 30 days following the fourth notice, the Township shall send the fifth notice of violation as well as a civil citation in accordance with the Townships annual fee schedule.

7. Sixth Notice of Violation – If the violation remains 30 days following the fifth notice, the Township shall send the sixth notice of violation as well as a civil citation in accordance with the Townships annual fee schedule.

8. Additional Notices of Violation – If the violation remains 30 days following the sixth notice, the Township shall send a monthly notice of violation as well as a civil citation in accordance with the Townships annual fee schedule until the violation is cleared.

9. Repeat Violation – If a property is found to have violated, cleared, and then again violated the same ordinance within a 12 month period then the Township shall begin its enforcement actions with the Fourth Notice of Violation and civil citation in accordance with the Township annual fee schedule.

10. The Township reserves the right to pursue any criminal penalty under Section 5.02 of this Chapter upon any firm, person, organization or entity who violates any of the provisions of the various Chapters of the Lent Township Land Use Regulations.

### 5.02 Criminal Penalty

A. Any firm, person or corporation who violates any of the provisions of the various Chapters of the Lent Township Land Use Regulations, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine and/or imprisonment as provided by law.

B. Each day that a violation continues to exist shall constitute a separate offense.

C. All criminal citations issued pursuant to this Section shall be referred to the County Attorney for prosecution as provided under Minnesota Statutes Chapter 609.

D. In the event of a violation or threatened violation of any of the provisions of the various Chapters of the Lent Township Land Use Regulations, the Township may take appropriate action to enforce this Ordinance, including application for injunctive relief, action to compel performance or other appropriate action to court if necessary to prevent, restrain, correct or abate such violations or threatened violations.

E. Upon motion, the court may award costs, disbursements and reasonable attorney's fees and witness fees, which costs and fees can be assessed against the property.

### **5.03 Administrative Penalty**

A. Any firm, person or corporation who violates any of the provisions of the various Chapters of the Lent Township Land Use Regulations, shall be guilty of an administrative offense and shall be subject to the administrative penalties established in this Section.

B. Each day that a violation continues to exist shall constitute a separate offense.

C. Order to correct; administrative citation

1. Upon the reasonable belief that an administrative offense has occurred, the Zoning Administrator shall serve on the violator an order to correct the violation.

2. If compliance is not achieved by virtue of an order to correct, the Zoning Administrator is authorized to issue an administrative citation pursuant to this Section.

3. An administrative citation shall be presented in person or by mail to the person responsible for the violation.

4. The citation shall state the date, time, and nature of the offense, the name of the official issuing the citation, the amount of the scheduled civil fine, and the manner for paying the fine or appealing the citation by requesting a hearing before the Board of Adjustment.

D. Civil Fine

1. An administrative offense shall be subject to a civil fine. The amount of a civil fine may not exceed the amount of the maximum fine allowed if each violation had been prosecuted as a misdemeanor.

2. The Township Board of Supervisors shall adopt by resolution a schedule of civil fines for administrative offenses for which a citation has been issued. The Zoning Administrator shall adhere to this schedule of fines in issuing administrative citations pursuant to this Section.

3. The person responsible for the violation shall either pay the scheduled civil fine or request a hearing before the Board of Adjustment within twenty-five (25) days after issuance of the administrative citation. The Board of Adjustment has sole authority to uphold the full enforcement of the citation and civil fine, or dismiss the citation and/or waive the scheduled civil fine.

E. Fee for late payment of civil fine; recovery of costs

1. A late payment fee of ten percent (10%) of the civil fine amount shall be imposed if the person responsible for the violation fails to pay the civil fine within twenty-five (25) days after issuance of the administrative citation or fails to request a hearing pursuant to this Section.

2. If a civil fine is not paid within the time specified and no request for a hearing is received, the nonpayment of the civil fine shall constitute a personal obligation of the violator that may be collected by any appropriate legal means. If the action warranting the fine requires corrective measures to bring the action into full compliance with Lent Township Land Use Regulations, the Township may undertake such corrective measures on its own accord and assess the applicable property for the full cost of carrying out such measures.

F. Nothing in this Section shall be construed to limit the Township's other available legal remedies for any violation of the Lent Township Land Use Regulations, including the prosecution of criminal, civil, or injunctive actions against the offender.

### **5.03 Prosecution of Violations**

All criminal and administrative citations issued pursuant to the provisions of the various Chapters of the Lent Township Land Use Regulations and Sections 5.01 and 5.02 of this Ordinance shall be referred to the Township or County Attorney for prosecution as provided under Minnesota Statutes Chapter 609.

## **SECTION 6. DATE OF EFFECT**

### **10.01 Date of Effect.**

This Ordinance shall be in full force and effect after its approval and publication as provided by law.

Passed and approved this 16<sup>th</sup> day of January, 2007, by the Lent Township Board of Supervisors.

## **SECTION 7. SPECIAL EVENTS**

### **7.01 Purpose**

The following sections govern the time, place and manner of holding certain special events on Township streets, on Township property and on private property when an event's impact upon the health, fire, law enforcement, transportation or other services exceeds those regularly provided to that property. This section is enacted in order to promote the health, safety and welfare of the residents and visitors of the Township by ensuring that special events do not create disturbances, become nuisances, menace or threaten life, health and property, disrupt traffic or threaten or damage private or public property. It is not the intent of the Town Board by enacting this article to regulate in any manner the content of speech or infringe upon the right to assemble, except for regulating the time, place and manner of speech and assembly and this article should not be interpreted or construed otherwise.

### **7.02 Definitions**

For the purposes of this article, the terms defined have the following meanings given to them:

Applicant - Any individual, partnership, corporation, association, society or group seeking and/or receiving a special events license from the Township.

License - A license issued by the Township to allow a special event.

Outdoor Activity - conducted outside of a permanent structure or building.

Person - Any person, association, partnership, firm, business trust, corporation or company.

Special event - Any temporary, outdoor privately sponsored event open to the general public and held on public or privately owned property including, but not limited to, a concert, parade, fair, show, festival, carnival, rally, party, run, street dance, bike-athon, race, walk, athletic event, block party or other attended outdoor entertainment or celebration that is to be held in whole or in part upon publicly owned property or public right-of-way, or if held wholly upon private property, will nevertheless affect or impact the ordinary and normal use by the general public of public property or public rights-of-way within the vicinity of the event.

### **7.03 License Required**

Any person or organization desiring to conduct or sponsor a special event in the Township shall first obtain a special event license from the Township. A special event license is not required for the following types of events:

1. Any permanent place of worship, stadium, athletic field, arena, theatre, auditorium, or fairs conducted pursuant to Minn. Stats. ch. 38.
2. Special events or activities permitted or licensed by other state laws or regulations of the Township of Lent, including publicly sponsored activities in the local park system.
3. Family gatherings, including family reunions, graduation parties, baptisms, confirmations, weddings, funerals, under 100 people.
4. Garage sales.
5. Nonrecurring auctions.
6. Events held in or on the grounds of any school, place of worship, athletic field, arena, auditorium or other place of assembly used for regularly established assembly purposes.
7. An annual reoccurring event that has no change, and at staff discretion.

### **7.03 Permit Application**

## Lent Township Land Use Regulations

Any person or organization desiring to sponsor a special event that is not exempted by this article must apply to the Township for a special event permit. This application must be filed not less than 45 days in advance of the date in which the event is to occur, or at staff discretion. Special event permit applications must include the following information:

1. Type and description of the special event and a list of all activities to take place at the special event.
2. The names and addresses of the person(s) responsible for conducting the event.
3. Proposed date(s) of the special event, together with the beginning and ending times for each date.
4. Proposed location of the special event, including a map of the proposed area to be used which shows any barricades, street route plans or perimeter/security fencing.
5. Estimated number of special event staff, participants and spectators.
6. Whether the premises are owned by the applicant or, if not owned, the written permission from the owner or agent having authority to permit the use of such premises.
7. Any crowd control, solid waste disposal, parking and traffic control and insurance information required in section 50-304.
8. Whether food or alcohol is to be served or sold at the special event. The licensee is responsible for obtaining all necessary food licenses from the state and county.
9. Signature of the applicant.
10. If the event is an event planned within an area in which a street is to be closed, the applicant must collect and submit with the application a list of signatures from all properties whose vehicular access to their properties will be affected consenting to the street closure.
11. Certificate of liability insurance covering the dates of the special event.
12. Upon submission of an application for a special event license, Township staff will review the request and advise the applicant of the need for additional information, if any.

### **7.04 Requirements For Issuance of License**

A. The following standards shall apply to all special events:

1. Maximum number of people. The licensee shall not sell tickets nor permit attendance at the license location of more than the maximum number of people stated in the special event license.
2. Sound equipment. Sound producing equipment, including, but not limited to, public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of the special event so as to be unreasonably loud or be a nuisance or disturbance to the peace and tranquility of the citizens of Lent Township.
3. Sanitary facilities. In accordance with Minnesota State Board of Health regulations and standards local specifications, adequate sanitary facilities must be provided which are sufficient to accommodate the projected number of persons expected to attend the event.
4. Security. The licensee shall employ, at his own expense, such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of persons in attendance at the special event and for the preservation of order and protection of property in and around the event site. Security personnel shall generally be off-duty licensed police officers. No license shall be issued unless the County Sheriff is satisfied that such necessary and sufficient security personnel will be provided by the licensee for the duration of the event. If deemed appropriate, the County Sheriff may recommend that the Town Board authorize alternate security personnel other than off-duty officers.
5. Fire protection. The licensee shall, at his own expense, take adequate steps to ensure fire protection as determined by the County Sheriff.
6. Duration of special event. The licensee shall operate the special event only on those days and during the hours specified on the license, which shall not be for more than seven days.
7. Cleanup plan. The licensee is responsible for cleanup. Any extraordinary clean up required by the Township will be charged to the licensee. Any Township service that requires overtime will be at the expense of the applicant.
8. Waiver. The Town Board may grant a waiver from the requirements of this article in any particular case where the applicant can show that strict compliance with this article would cause exceptional and undue hardship by reason of the nature of the special event or by reason of the fact that the circumstances make the requirement of this article unnecessary.

## Lent Township Land Use Regulations

Such waiver must be granted without detriment to the public health, safety or welfare and without impairing the intent and purpose of these regulations.

9. Miscellaneous. Prior to issuance of a license, the Town Board may impose any other conditions reasonably calculated to protect the health, safety and welfare of persons, attendant or of the citizens of Lent Township.

B. The following standards shall apply to special events with an expected attendance of over 100 persons or as the Town Board recommends:

1. Crowd control. A fence or barrier shall be constructed that completely encloses the proposed location and shall be of sufficient height and strength to prevent people in excess of the maximum permissible number from entering the event. The fence or barrier shall have sufficient entrances and exits to allow easy movement into and out of the special event and provide traffic control onto established public road systems. This requirement may be waived if the Town Board determines that a fence will not be necessary for crowd control.
2. Solid waste disposal. A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, shall be provided and shall be sufficient to dispose of the solid waste production anticipated for the maximum number of people allowed by the license. Plans shall include a provision for holding and collecting all such waste at least once each day, sufficient trash containers and sufficient personnel to perform such tasks.
3. Parking and traffic control. A parking and traffic control plan for the number of persons projected to attend the event must be submitted. Such plan must be sufficient to ensure a free flow of traffic and make available rapid access for emergency vehicles. Further, the applicant shall provide adequate off-street parking facilities on the site or within 1,500 feet thereof to accommodate the projected number of persons expected to attend the event.
4. Medical facilities. Medical or first aid facilities shall be provided which are sufficient to accommodate the projected number of persons to attend the event.
5. Lighting. The licensee shall provide electrical illumination of all occupied areas sufficient to ensure the safety and comfort of all attendees. The license's lighting plan shall be approved by Township staff.
6. Potable water supply. Potable water, meeting all federal and state requirement for sanitary quality and sufficient to provide drinking water for the maximum number of people allowed at the special event, shall be provided.

### **7.05 Permit Review**

The Town Board, at any regular or special meeting, may grant a license under this article upon due and proper application made therefore if, in the judgment of the Town Board, the application meets the standards of this article.

The Town Board, after recommendation from the Planning and Zoning Commission, may deny a license if, in the judgment of the Town Board, the granting of a license would adversely affect the safety, health and welfare of the citizens of Lent Township. The applicant shall be notified of such denial and may appear before the Town Board to appeal such denial. Criteria for denial of an application for a special event license may include, but not be limited to:

1. The information contained in the application or supplemental information requested from the applicant is false or nonexistent in any material detail.
2. The applicant fails to supplement the application after having been notified by the Township of additional information or documents needed.
3. The applicant fails to agree to abide or comply with all of the conditions and terms of the special event permit.
4. The time, route, hours, location or size of the special event will unnecessarily disrupt the movement of other traffic within the area of the special event.
5. The special event is of the size or nature that requires the diversion of too many law enforcement officers to properly police the event, site and contiguous areas that allowing the special event would unreasonably deny law enforcement protection to the remainder of the Township and its residents.



6. Another special event license has already been approved to hold another special event at the same time and place requested by the applicant or so close in time and place as to cause undue hardship, undue traffic congestion, or the Township is unable to meet the needs to provide for law enforcement and other Township or County services for both special events.
7. The location of the special event would cause undue hardship for adjacent businesses or residents.
8. The location of the special event will substantially interfere with any construction or maintenance work scheduled to take place upon or along public property or right-of-way.
9. The special event would endanger public safety or health.
10. The special event would seriously inconvenience the general public's use of public property, services or facilities.
11. The applicant fails to comply with the liability insurance requirements or the applicant's insurance lapses or is canceled.
12. The special event would create or constitute a public nuisance.
13. The special event would be likely to cause significant damage to public property or facilities.

#### **7.06 Permit Conditions**

The Town Board may condition the issuance of a license by imposing reasonable conditions concerning the time, place and manner of the special event, and such conditions are necessary to protect the safety of persons and property, and the control of traffic; provided that such conditions shall not unreasonably restrict the right of free speech. Such conditions may include, but are not limited to:

1. Alteration of the date(s), time(s), route or location of the special event proposed.
2. Elimination of an activity at the special event which cannot be mitigated to a point as to ensure public safety and welfare, or which causes undue liability to the Township.
3. Requirements concerning the area of assembly and disbanding of a parade or other events occurring along a route.
4. Requirements concerning the accommodation of pedestrian or vehicular traffic, including restricting the event to only a portion of the street right-of-way.
5. Requirement for the use of traffic cones or barricades, and shall be in accordance with the current Minnesota Manual on Uniform Traffic Control Devices (MMUTCD) and any other requirements of the roadway authority that has jurisdiction over the affected street.
6. Requirements for the use of Township or County personnel and equipment.
7. Requirements for the provision of first aid or sanitary facilities at the special event.
8. Compliance with animal protection ordinances and laws.
9. Requirements for the use of garbage containers and cleanup and restoration of any public property.
10. Restriction on the use of amplified sound and compliance with noise ordinances, regulations and laws.
11. Requirements to provide notice of the special event to surrounding property owners.
12. Restrictions on the sale or consumption of food and alcohol.

#### **7.07 Permit Issuance**

The Township clerk shall issue the special events permit once the application has been approved by the Town Board and the applicant has agreed to comply with the terms and conditions of the permit as well as the requirements of this article.

### **7.08 Indemnification Agreement And Liability Insurance Requirements**

All applicants must agree to indemnify and hold harmless the Township of Lent and its employees against any and all losses, claims, damages or liability to which the organization, participants, or the Township of Lent may become subject in connection with the conduct of any activity on the premises by the authorized organization. Organizations must agree to reimburse the Township of Lent and its agents, attorneys, and employees in connection with defending any actions relating thereto. All users of the facilities that are legally established within the State of Minnesota are required to furnish a yearly certificate confirming liability insurance, with the Township named as an additional insured, in the minimum amounts of \$1,000,000.00 for bodily injury and property damage. The Township reserves the right to require adjusted insurance amounts and other applicants may be required to supply liability insurance as the Township deems necessary.

### **7.09 Insurance Requirements**

A. Liability insurance required. The applicant or sponsor of the special event must possess or obtain liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the special event. A certificate of insurance must be filed with the Township prior to issuance of the special events permit. The certificate of insurance must name the Township, its officials, employees and agents as additional insured. Insurance coverage must be maintained for the duration of the special event.

B. Minimum limits. Insurance coverage must be a commercial general liability policy. The minimum limits must be at least \$1,000,000.00. If alcoholic beverages are to be sold or distributed at the special event, the policy must also include an endorsement for liquor liability. The Town Board may require additional endorsements depending upon the type of special event and proposed activities.

C. Waiver or reduction of required limits. The Town Board may waive or reduce the insurance requirements of this section under the following circumstances:

1. The applicant or officer of the sponsoring organization signs a verified statement with documentation from a recognized insurance company that the insurance coverage requirements required by this section is impossible to obtain; or
2. The Town Board determines that the insurance requirements are in excess of the reasonable risk presented by the proposed special event.

### **7.10 Revocation of Permit**

Any permit issued pursuant to this section may be summarily revoked by the Township's law enforcement officer at any time when, by reason of disaster, public calamity, riot or other emergency, the law enforcement officer determines that the safety of the public or property requires such revocation. The Township clerk may also summarily revoke any special event permit issued pursuant to this article if he or she finds that the permit has been issued based upon false information or when the permittee exceeds the scope of the permit. Notice of such action revoking the permit shall be delivered in writing to the permittee by personal service or certified mail at the address specified by the permittee in its application.

### **7.11 Violations**

1. Unlawful to sponsor a special event without a permit. It is unlawful for any person to sponsor or conduct a special event requiring a permit pursuant to this article unless a valid special event permit has been issued for the event.
2. Unlawful to exceed the scope of the permit. The special event permit authorizes the special event permittee or sponsor to conduct only such a special event as is described in the permit, and in accordance with the terms and conditions of the permit. It is unlawful for the permittee or sponsor to willfully violate the terms and conditions of the permit.
3. Misdemeanor. Any person convicted of violating this article shall be guilty of a misdemeanor and shall be subject to a fine or imprisonment as specified by state statutes. Each day in which a violation continues to occur shall constitute a separate offense. Violation of any provision of this article shall also be grounds for revocation of the special event permit.

Amendment 06-001 passed and approved May 20, 2008, by the Lent Township Board of Supervisors.

Amendment Ordinance 2018-02 passed and approved May 15, 2018, by the Lent Township Board of Supervisors.

Amendment Ordinance 2021-03 passed and approved April 20, 2021, by the Lent Township Board of Supervisors.

