

CITY OF SCANDIA

ORDINANCE NO. 2020-04

AN ORDINANCE ADOPTING BUSINESS LICENSE REQUIREMENTS WITHIN
THE CITY OF SCANDIA

The City Council of the City of Scandia hereby ordains:

The City Council of the City of Scandia hereby adopts the following regulations pertaining to the business licensing of event facilities within the Scandia City Limits:

Establishing Title XI: Chapter 114 Business Licenses of the Scandia Code of Ordinances.

§ 114.01 BUSINESS LICENSES REQUIRED. Business licenses shall be required for the following businesses:

A. Event Facility.

§ 114.02 PURPOSE. The purpose of the Event Facility business license is to promote the general welfare of the City, to prevent nuisances, to prevent noise and other disorder, to protect existing neighborhoods, and to limit the density of such uses in the community. The city has determined that activities of businesses that are required to obtain business licenses have the potential to adversely impact the health, safety and welfare of the residents.

§ 114.03 DEFINITIONS.

- 1) Event Facility. Any facility operated by or as a for-profit business or nonprofit organization that hosts outdoor or indoor gatherings of people that do not exceed twelve (12) hours in duration. The gatherings of people may include, but are not limited to, events such as weddings or other ceremonies, dances, festivals, picnics or any other gathering of a similar nature that the City determines to be consistent with and supportive of the rural and historic character of the community.

§ 114.04 LICENSE REQUIRED. It shall be unlawful to operate an Event Facility within the City limits without first obtaining a license as an Event Facility. An application and fee shall be provided prior to the start of operations. Current holders of annual operating permits pertaining to the operation of rural event facilities shall not be required to obtain a license until their permits expire. Event Facilities are required to obtain an Event Facility license within 90 days of the effective date of this ordinance.

§ 114.05 TERM OF LICENSE. An Event Facility license may be obtained from the City Clerk upon payment of a fee as set forth in the City's Fee Schedule (See Ordinance) and these licenses shall run from the date issued until the last day of the same year.

§ 114.06 CRITERIA FOR REJECTION. The City may deny application for an Event Facility license if the applicant, in its business, organizational, or event operations, has incurred citations for violation of City Code or State Statutes, if the applicant has failed to provide the City with evidence of compliance with workers' compensation insurance coverage requirements as required by Minn. Stat. § 176.182, or if the applicant owes the State at least \$500 in delinquent taxes, penalties or

interest or has not filed tax returns pursuant to Minn. Stat. § 270C.72. An applicant must provide its social security number or individual taxpayer identification number and its Minnesota business identification number to the City on the license application form.

Except for the positions set forth in Minnesota Statutes, as it may be amended from time to time, the City Clerk will not reject an applicant for a license on the basis of the applicant's prior conviction unless the crime is directly related to the license sought and the conviction is for a felony, gross misdemeanor or misdemeanor with a jail sentence. If the City Clerk rejects the applicant's request on this basis, the city shall notify the applicant in writing of the following:

- (a) The grounds and reasons for the denial;
- (b) The applicant complaint and grievance procedure set forth in M.S. § 364.06, as it may be amended from time to time;
- (c) The earliest date the applicant may reapply for the license; and
- (d) That all competent evidence of rehabilitation will be considered upon reapplication.

§ 114.07 SUSPENSION AND REVOCATION. The Council may suspend for a period not to exceed 60 days or revoke any license for violation of any provision of this title or any applicable law or regulation. The Council may suspend or revoke an Event Facility license if the licensee engages in or permits gatherings that include the discharge of firearms, competitions among motorized vehicles, or other events incompatible with the community's character or development code regulations. No license shall be suspended or revoked unless the licensee has been given written notice and a public hearing. The notice shall give at least ten (10) days' notice of the time and place of the hearing and shall state the nature of the charges against the licensee. The Council may, without any advance notice or hearing, suspend any license pending a hearing on revocation for a period of not exceeding 15 days.

§ 114.08 DISPLAY. Except as otherwise specifically provided by the code, every license shall be kept conspicuously posted on the premises, on or from which the business is operated, and shall be exhibited to any person on request.

§ 114.09 TRANSFERS. No license shall be transferable to any other person, entity, or location unless specifically provided by this title.

§ 114.10 CONDITIONS. Every event shall be conducted in accordance with all applicable statutes, regulations and ordinances.

Passed and adopted by the Scandia City Council this ____ day of _____, 2020.

Mayor Christine Macfisky

ATTEST:

Administrator Kenneth Cammilleri