

**CITY COUNCIL
COMMUNICATION:**

ITEM _____

**OFFICE OF THE CITY MANAGER
CITY OF DES MOINES, IOWA**

99-311

SYNOPSIS -

AGENDA:

Policy and ordinance regarding street use and related Municipal Code changes.

JUNE 28, 1999

FISCAL IMPACT -

SUBJECT:

N/A

POLICY AND
ORDINANCE
REGARDING
STREET USE
POLICY AND
PERMIT

RECOMMENDATION -

Approval.

TYPE:

BACKGROUND -

RESOLUTION
ORDINANCE
RECEIVE/FILE

At its August 3, 1998 meeting, by Roll Call No. 98-2431, Council requested a policy recommendation from the City Manager, Legal Department, and staff regarding street closures for special events. The staff recommendation for a new Street Use Policy, Ordinance, and Permit was devised through research and collaboration of several departments and comments received at an informal public hearing. Some significant changes have been made in this policy and ordinance in regards to street closures for special events. Staff anticipates this draft policy and ordinance will greatly enhance and improve the efficiency of the special event street closure process in the Des Moines community.

SUBMITTED BY:

ERIC A. ANDERSON
CITY MANAGER

The current process for street closures for special events is diffuse. Applications for some street closures are obtained from the City Clerk's Office, while applications for other street closures are obtained from the Traffic and Transportation Division. This policy and ordinance designates a Street Use Coordinator (a representative from the City Clerk's Office) and consolidates all street closures under the City Clerk's Office.

Often information regarding street closures is not received by each of the affected departments. This policy and ordinance also creates a "Street Use Team", consisting of a representative from every affected department, that will meet bi-weekly to review all applications for street closures and make recommendations to the City Council. It is recommended, but not required, that applicants attend the Street Use Team meeting so the Team members may work with the applicant to ensure a successful event.

Council has been concerned with liquor licensed establishments using the streets for special events. Currently, one temporary outdoor service license per year is allowed per establishment for any type of event. Additional temporary outdoor service licenses or "special event licenses" are allowed if the outdoor license is in connection with a community event, fair, or festival. These requirements remain the same except now the Street Use Team will approve or recommend denial of these special event licenses when a street is used. Staff has considered requiring a percentage of gross receipts to be given to charitable organizations if the licensee's special event is for a donation to charity. Staff has decided not to require this due to the problems of accounting and effective enforcement.

This proposed process is intended to be consistent and fair. The new policy and ordinance, in conjunction with the Risk Management Special Events Policy, classifies events and transfers a portion of the risk to the event organizers, rather than having the City assume all risk.

Some of the additional changes that have been made include increases in the cost of several related permits, increases in insurance requirements which were recommended by Risk Management, and several Municipal Code changes that were necessary to ensure coordination among various related ordinances. The Entertainment District Permit has been increased from \$100 per year to \$150 per year, the Farmer's Market Permit has been increased from \$100 per season to \$150 per season, and the Outdoor Service Permit for alcohol sales has been set at \$300.

A Fee Schedule has been included in the materials accompanying the roll call for your information as well as West Des Moines' street closure policy for comparative purposes. Also included with the roll call is a listing of parades and

timed/athletic event costs for 1998.

Staff held an informational meeting regarding the draft policy and ordinance on March 29, 1999. Approximately 97 neighborhood leaders and event sponsors were invited to attend and provide staff with comments and as a result, several revisions have been made to improve the policy and procedures. The policy and ordinance were also provided to Des Moines Neighbors and have been approved by the Neighborhood Revitalization Board.