

CITY OF APPLE VALLEY
ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF APPLE VALLEY, MINNESOTA,
AMENDING CHAPTER 155 OF THE CITY CODE REGULATING OUTDOOR
PROMOTIONS & SPECIAL EVENTS AND VENDING CARTS & MOBILE
FOOD UNITS

The City Council of Apple Valley ordains:

Section 1. Chapter 155 of the Apple Valley City Code is amended by adding the following definitions in Sections 155.03 to read as follows:

VENDING CART. A portable or non-permanent structure, enclosure, or stand or a non-motorized vehicle self-propelled by the operator that used, maintained, or operated from which food or beverage is prepared, served, or otherwise provided for human consumption and for sale to the general public.

MOBILE FOOD UNIT. A vehicle mounted unit, either motorized or trailered, that is used, maintained, or operated from which food or beverage is prepared, served, or otherwise provided for human consumption and for sale to the general public.

Section 2. Chapter 155 of the Apple Valley City Code is amended by revising Section 155.358 to read as follows:

§ 155.358 SPECIAL OUTDOOR COMMERCIAL PROMOTIONS.

An outdoor commercial promotion is a sales or other business-related event conducted outdoors by a leasehold or owner occupant of commercial, industrial, or institutional property on which the principal commercial operation is located. An outdoor commercial promotion by a leasehold or owner occupant of commercial property may include, but is not limited to: outdoor product display, outdoor sidewalk sale, tent sale, outdoor customer appreciation event. An outdoor commercial promotion is also a not-for-profit organization fundraising event, such as a car wash conducted by a high school team, a brat sale by a boy or girl scout troop.

~~Special~~ An outdoor commercial promotions in on commercial, industrial, or institutional property zoning districts such as, but not limited to, tires at service stations, carnivals at shopping centers, sidewalk sales or similar outdoor displays and sales at service stations or shopping centers, shall only be by permitted as accessory uses when administratively approved by the Zoning Administrator, subject to under all of the following conditions:

(A) The outdoor commercial promotional sales approval shall only be given to the owner of a business or his or her duly appointed representative shall be conducted by and in connection with an occupant business on the subject property or by a not-for-profit organization for a fundraising event on the subject property with the consent of the property owner.

(B) The approval permit shall be valid for a period not to exceed ten (10) days for one outdoor promotion by an occupant business and no more than four (4) permits will be issued in a calendar year to an occupant business. A permit to a not-for-profit organization for a

fundraising event on the subject property shall not be for more than three (3) consecutive days and shall be sponsored by the property owner or occupant business on the subject parcel. The number of permits to a not-for-profit organization for a fundraising event on the subject property is not restricted and the permit will not be considered in the number of permits allowed for an occupant business conducting an outdoor commercial promotion. Each business shall not be allowed more than one special promotion during any calendar year, except a permit for sidewalk sales which shall not be allowed more than two times during a calendar year;

(C) The outdoor commercial promotional sales shall be conducted entirely upon the owner's subject property in a manner that will not interfere with traffic circulation or otherwise create a nuisance or safety hazard as determined by the Zoning Administrator;

~~(D) Individual stores within a shopping center or a free-standing store may be given approval for sidewalk sales;~~

~~(E) A sidewalk sales shall be restricted to the area immediately adjacent to the front of the store that is conducting the sale on the sidewalk or parking lot. The sales or display shall permit a minimum four-foot wide open sidewalk area in front of each store at all times for pedestrians; and~~

~~(F) Failure to comply with these regulations shall be sufficient reason to immediately revoke the approval approved permit and grounds for denial of future permits.~~

Section 3. Chapter 155 of the Apple Valley City Code is amended by adding Section 155.361 to read as follows:

§155.361 PARADES, ATHLETIC EVENTS, AND OTHER TEMPORARY OUTDOOR EVENTS

(A) Purpose. An increased number of events sponsored by private individuals, groups of private individuals and organizations involving a large number of participants or attendees of the general public have been requested within the city. The sponsors of the events have requested or the nature of the events have required city services or resources which would not have been otherwise necessary in the absence of such event, including but not limited to, street closures or restrictions, traffic direction and control, city personnel resources, city resources to provide services for the operation of a special event in whole or part, and other city services to protect the general public health, safety and welfare due to the occurrence of a special event. To protect the participants, attendees, and the general public involved in or affected by the special event, as well as to preserve and protect the city's property, streets, sidewalks and trails, and resources, it is in the best interest of the city to establish a temporary outdoor event permit process, together with rules and regulations for the operation of a temporary outdoor event under the permit. Events subject to this section may include, but are not limited to: parades; athletic events such as a marathon, walk or run event, bicycle rallies or races; farmers' markets; art or craft fairs; festivals; or street dances, parties or fairs, provided the event meets the permit requirement criteria set forth in (C) herein.

(B) Definitions.

APPLICANT shall mean any person, organization or entity applying for a temporary outdoor event permit from the city to conduct a temporary outdoor event governed by this section.

ATHLETIC EVENT shall mean an event in which a group of persons collectively engage as participants to an organized event in which the group walks, runs, skates, skis or cycles as part of a race, cause or other reason within a public right-of-way, including sidewalks and trails or use of city property in whole or part for the event within the city. For purposes of this section, an athletic event may be a timed or an untimed event or it may or may not involve an award of prizes for the top finishers. For purposes of this section, an athletic event does not include a group of individuals walking, running, or cycling solely for personal exercise or organized team practice that is not in connection with an organized or sponsored event open to the general public for participation.

BLOCK PARTY shall mean a festive gathering of persons within a public or private street requiring the closure of or restriction on the street, or a portion thereof, to vehicular traffic and the attendance is open to the general public, including, but not limited to street dances, barbecues, picnics, music, games and gathering. A block party in a residential neighborhood that is hosted and attended by the occupants of the properties located along the public right-of-way in which the block party occurs shall not be deemed a "block party" for which a temporary outdoor event permit is required under this Section, provided a block party permit has been issued by the police chief and director of public works pursuant to the rules and regulations established for neighborhood block parties.

EVENT shall mean a parade, athletic event, or other temporary outdoor event.

OTHER TEMPORARY OUTDOOR EVENT shall mean an event open to the general public which occurs on public or private property or a public right-of-way, including any sidewalk or trail. For purposes of this section, other temporary outdoor event includes, but is not limited, to a farmer's market; art and craft fair or show; block party; soap box derby; motorized vehicle rally; street dance or fair; music concert; festival or fest or similar event in which food, beverages, goods, or wares are sold or provided to attendees. For purposes of this section, an event which its sole purpose is to advertise or sell a product, good, ware, or merchandise of an individual business establishment or vendor and is designed to be held solely for private profit will not be deemed a temporary outdoor event for which a permit may be issued and will not be eligible for a temporary outdoor event permit.

OUTDOOR EVENT PERMIT COMMITTEE shall mean a committee comprising of a city employee duly appointed by the director of each of the following city departments: parks and recreation, police, fire, public works, community development, administration, and city clerk.

PARADE shall mean any movement of vehicles, persons, or animals, or any combination thereof, which either moves together or as a body as an intended procession or group. The term

"parade" shall not include any organized marathon, walk or run event or bicycle event which is otherwise defined as an "athletic event" herein.

PERMITTEE shall mean any person or organization or group issued a temporary outdoor event permit by the city.

PROCESSION shall mean the act of moving along or proceeding in orderly succession or in a formal, organized or ceremonious manner.

PUBLIC RIGHTS-OF-WAY shall mean the entire area dedicated on a plat or contained in an easement or other conveyance or grant to the city for purposes of public vehicular and pedestrian traffic and shall include, but not be limited to: streets and roadways; boulevards; sidewalks; trails; alleys; and other public property between lateral property lines in which a roadway lies.

(C) Permit required.

(1) A temporary outdoor event permit is required in connection with any of the following:

(a) Athletic event that is proposed to occur within city property or public rights-of-way and are timed or for which prizes are awarded to the top finishers, regardless of the number of participants, which include, but are not limited to: marathons; walk, run, skate, or ski events; and cycle rallies or races, that occur in whole or part within city streets.

(b) Athletic event that is proposed to occur within city property or public rights-of-way and are not timed or for which prizes are not awarded to the top finishers, but anticipate 500 or more participants in a walk/run event or 50 or more cyclists in a cycle event that occurs in whole or part within city streets.

(c) Event for which street or intersection closures or restrictions are required as determined by the city or as may be requested by the event sponsor, unless otherwise excluded by definition of the event in this section.

(d) Parade.

(e) Events to occur within the city that are open to the general public in which one or a combination of the following activities are to occur: more than three (3) registered vendors, exhibition of arts, crafts or live performance, amplified music (live or recorded), amusement rides, or amusement games/activities which thereby may require the use of city services, including but not limited to: city personnel, city utilities, public safety personnel, use of city traffic controls and devices, sanitary facilities, solid waste disposal facilities, clean up and restoration of city property, that would not otherwise be necessary in the absence of such temporary outdoor event.

(2) A temporary outdoor event permit is not required for the following:

(a) Funeral procession;

(b) A governmental agency activity within the scope of its duties;

(c) Any event held wholly within the boundaries of an Apple Valley park, inside a park building or involving the use of a specific park amenity exclusively (e.g. a ball field/complex, civic center, ice arena, park pavilion) for which a park facility permit is issued; or

(d) Any untimed bike event that commences outside of, but travels through the City of Apple Valley, and has fewer than 50 participants within the city at any one time and does not require city services or resources, provided:

(i) The organizer shall submit to the Zoning Administrator written certification that fewer than 50 participants will be within the city at any one time; and

(ii) All participants shall obey all traffic laws.

(D) Permit issuance.

(1) The Zoning Administrator is authorized to issue temporary outdoor event permit in accordance with this section that does not otherwise require city council approval. The Zoning Administrator shall approve, conditionally approve, or deny an application for a temporary outdoor event permit in accordance with the provisions of this section. All applications shall be reviewed by the temporary outdoor event permit committee. The temporary outdoor event permit committee shall establish and amend, as necessary, rules and regulations governing the implementation of this section and all events under a temporary outdoor event permit, subject to the adoption by the city council.

(2) A temporary outdoor event permit may be issued only upon city council approval when the outdoor event involves the one or more of the following:

(a) 2,000 or more persons are reasonably expected or anticipated to attend the event;

(b) Other than a farmer,s market or flea market, the event plans to have more than 3 vendors, or 3 activities, or a combination of both;

(c) The event plans to provide live or recorded amplified music or sound;

(d) The event plans to terminate activities later than 10:00 p.m.;

(e) The event proposes to close a public street classified as a minor collector or higher classification; or

(f) The event intends to have a fireworks display/exhibition.

(3) A temporary outdoor event permit shall be denied if the temporary outdoor event committee determines that one or more of the following exists based upon the application and other pertinent information received:

(a) The application, along with the application fee, was filed with the city clerk after the filing deadline date as set forth in this section and there is insufficient time to process and review the application or provide the necessary city services required for the proposed event.

(b) Information contained in the application, or supplemental information requested from the applicant, is found to be false in any material detail.

(c) The applicant/sponsoring organization of the event has, within the preceding 24 months, violated a previously issued temporary outdoor event permit or its conditions, including the rules and regulations applicable to temporary outdoor event permits, violated any term or condition of any previous park facility permit or reservation to use the city's property, or violated any city or state law in connection with the use of city property or public rights-of-way.

(d) The applicant failed to complete or sign the application form by the required deadline after having been notified of the additional information or documents required, including the provision of traffic and emergency plans.

(e) The traffic plan or emergency plan submitted by the applicant does not meet the approval of the chief of police or director of public works.

(f) The sole purpose of the event is to advertise or sell or attempt to sell goods, wares, or merchandise of an individual business establishment or vendor and is designed to be held solely for private profit. This provision does not apply to the sale of products, goods, wares, or merchandise as part of a farmers' market, art or craft fair, or the like or as a vendor registered for an event permitted hereunder and does not apply if the advertising is secondary to or as a sponsoring organization of the event.

(g) The time, route, or size of the event will substantially interrupt the safe and orderly movement of traffic contiguous to the event site or route or disrupt the use of a street at a time when it is usually subject to great traffic congestion.

When the grounds for denial of an application for permit based upon subsections (a) through (g) above can be corrected by altering the date, time, duration, route, or location of the event, the Zoning Administrator may, instead of denying the application, conditionally approve the application upon the applicant's acceptance of conditions for permit issuance based upon the revised date, time, duration, route, or location of the event in order to meet the subsections above.

(E) Permit application procedure and fees.

(1) Filing of application. An application for a temporary outdoor use permit shall be on a form provided by the city and contain all information requested therein and shall contain such other information as the city may require. The application shall be filed along with a non-refundable permit application fee in the amount set by city council resolution. When the temporary outdoor event permit committee finds that supplemental information is reasonably necessary in order to act on the application, the applicant shall file with the Zoning Administrator all supplemental information requested within five business days of the request.

An application for a temporary outdoor use permit shall be filed with the Zoning Administrator no less than 60 days prior to the proposed event date. In calculating the 60 days, the date on which the application is filed and the day of the event shall not be counted. If an application is filed after the filing deadline or the filed application is not signed or fully completed, the permit application shall be denied, unless (1) the Zoning Administrator, upon a showing of good cause by the applicant, has first determined that there is sufficient time to review and process the application and provide the necessary city services required for the proposed event; and (2) the City Council, provided sufficient time exists for placement on a regular council meeting agenda, approves the issuance of the permit.

(2) Application Information Required. In addition to the information requested on the city's application form, the applicant shall submit as part of the application the following:

(a) A detailed site plan, to scale, depicting the following:

- (i) The entire area of the property on which the event will occur
- (ii) Location of all vendors or other event booth or tents, identifying each type of vendor booth, cart or mobile food unit
- (iii) If the event is occurring in a parking lot, the number of parking spaces being occupied by the event.
- (iv) Proposed vehicular and pedestrian traffic flow within the event area and immediately adjacent to the event area and the public rights-of way.
- (v) Location of all restroom facilities for the event.
- (vi) Location and type of all refuse containers to be placed
- (vii) Identification of any access points into the property from streets that are proposed to be closed.
- (viii) If music or other amplified sound is proposed to occur for the event, the location of the stage and the amplified equipment (speakers).

(b) A list of all vendors proposed to be participating in the event, including any food, beverage, goods and wares, and description of type of service (e.g. vendor table/booth, tent, vending cart, mobile food unit). Identification of each vendor shall include the vendor's business name, contact name, type of product or service to be vended and type of vending structure or stand.

(c) If music or other amplified sound is proposed to occur for the event, identify the amplified sound proposed, the hours to occur and the location of all equipment.

(3) Requirements upon approval, but before issuance of permit. Upon the approval of the application, but prior to the issuance of the permit, the applicant shall submit to the city the following:

(a) If the event is to occur on city property or within city right-of-way, the permit applicant and authorized officer of the sponsoring organization, if any, shall sign an indemnification agreement with the city as prepared by the city under which the applicant/permittee/sponsoring organization agrees to (1) defend the city against and indemnify and hold the city harmless from any liability, action, cause, suit, or claim by any person resulting from any damage or injury occurring in connection with the permitted event; (2) reimburse the city for any costs incurred by it in repairing damage to city property or public rights-of-way occurring in connection with the temporary outdoor event; and (3) to reimburse the city for all expenses and costs incurred by the city for its services related to the event that are not otherwise covered or in excess of the city services/resource fee deposit paid by the applicant.

(b) The applicant/sponsoring organization of the event shall obtain and maintain commercial general liability insurance on an occurrence basis to protect against loss from liability imposed by laws for damages on account of bodily injury or property damage arising from the event. Such insurance shall name the City of Apple Valley on the policy or by endorsement, as additional insureds. The insurance coverage shall be maintained for the duration of the event with a minimum \$1,000,000.00 combined single limit and a minimum \$2,000,000.00 aggregate limit.

If food or non-alcoholic beverages are sold or provided at the event, whether by the permittee or a registered vendor, the insurance policy shall also include an endorsement for product liability in an amount not less than \$1,000,000.00.

If alcoholic beverages are sold or provided at the event, the insurance coverage shall include an endorsement for liquor liability in an amount as otherwise required in the city's regulations governing the sale and licensing of alcoholic beverages.

A copy of the policy or a certificate of insurance, clearly identifying the City of Apple Valley as an additional insured, shall be filed with the Zoning Administrator not less than thirty (30) days before the date of the event. If a copy of the policy or the certificate of insurance is not filed with the city as required herein, the permit shall not be issued and the event shall not occur.

(c) Upon approval of the application for a temporary outdoor event permit, the Zoning Administrator shall provide the applicant with a statement of the estimated cost of the expenses incurred by the city in connection with providing city personnel, services and resources necessary for the event. The applicant/permittee shall be required to pay, as deposit of the city services/resources fee, the amount equal to 125 percent of the estimated costs as determined in the statement no later than thirty (30) days prior to the date of the event. If the applicant/permittee fails to remit the payment of the city services/resources fee deposit as required herein, the permit shall

not be issued and the event shall not occur. The city services/resources fees shall be in the amounts as set by city council resolution.

(d) Upon approval of the application, and not less than fourteen (14) days prior to the event, the applicant/permittee shall notify in writing all properties abutting any public rights-of-way in which the event will occur and said notice shall advise of the event, including the date, duration of time and any street restrictions imposed as a result of the event. The applicant permittee shall also post signs, as approved by the city, at all affected street intersections.

(F) Conditions of permit. All temporary outdoor events permits shall be subject to the following conditions:

(1) The permittee shall comply and conduct the event in compliance with all conditions imposed with the issuance of a temporary outdoor event permit. The permittee, or an authorized designee, shall establish in advance of the event and maintain at all times during the event means to have immediate contact with and access by city staff.

(2) The permittee/sponsoring organization of the event shall be responsible for the conduct of all employees, agents, or volunteers working in the event and shall take all steps necessary to ensure the employees, agents, or volunteers working in the event comply with the permit conditions set forth in this section and all conditions set forth in the permit.

(3) The event shall have an emergency medical first response team on site specifically assigned to the event if deemed necessary by the police chief or fire chief due to the nature of the event.

(4) The permittee shall comply with all city, county, state and federal laws and regulations relevant to the event, including any animal protection laws and regulations.

(5) No electronic sound system or audio equipment or any other device designed to produce or reproduce audio sound shall be used unless specifically approved under the permit and all use shall be in accordance with permit terms

(6) No sale or furnishing of food or non-alcoholic beverages shall occur at the temporary outdoor event, unless the vendor is a registered vendor under the event permit, the vendor possesses all required licenses from the State of Minnesota and the vendor complies with the vending cart and mobile food unit regulations elsewhere in this Chapter.

(7) No sale or furnishing of alcoholic beverages shall occur at the event unless a license is first obtained from the city. Provided the appropriate license has been issued for the sale or furnishing of alcoholic beverages at the event, the sale shall be subject to all city and state laws relative to the sale or furnishing of alcoholic beverages and shall be conducted in accordance with the licensed conditions.

(8) No sale of any goods, products or merchandise shall be sold at the event unless the vendor is a registered vendor under the event permit.

(9) No signs or banners shall be posted unless specifically approved under the permit.

(10) No public rights-of-way, including sidewalks, trails and paths, shall be written upon or otherwise marked with any permanent substance. A fee, the amount of which shall be duly adopted by council resolution, will be charged to the event organizer if this provision is violated.

(11) All tents and temporary membrane structures in excess of 200 square feet and canopies in excess of 400 square feet shall be subject to a building permit.

(G) Unlawful acts.

(1) It is unlawful for any person to sell or offer for sale any food or merchandise at an event or along the route of any parade or athletic event unless the vendor is registered under the event permit. This provision shall not apply to the parade held in connection with the Apple Valley Freedom Days.

(2) It is unlawful for any person to participate in an assemblage within the vehicular travel portion of any public right of way unless it is in connection with an event for which a temporary outdoor event permit or block party permit has been issued by the city and is not otherwise in violation of any traffic direction or control order of a police officer.

Section 4. Chapter 155 of the Apple Valley City Code is amended by adding Section 155.362 to read as follows:

§155.362 VENDING CART & MOBILE FOOD UNIT PROHIBITED; EXCEPTIONS.

(A) No vending cart or mobile food unit shall be permitted to operate for the direct sale of food or beverage therefrom to the general public at any location within the city, except when operated under the following circumstances:

(1) As part of a permitted outdoor commercial promotion as defined in and in accordance with the regulations thereof in this Chapter;

(2) As part of and as a registered vendor for a community festival or permitted temporary outdoor event as defined in and in accordance with the regulations thereof in this Chapter; or

(3) As part of a private event or gathering not open to the general public and no direct sales of food or beverage to the event guests are occurring, rather food or beverage is served or provided to guests gratuitously by the event host, such as graduation party, family reunion, company picnic or party.

(B) The operation of any vending cart and mobile food unit permitted under this Code shall be subject to the following requirements:

(1) No vending cart or mobile food unit from which sales are being offered shall be parked within a public or private street unless part of a temporary outdoor event for which a permit has been issued and only if approved in writing by the Director of Public Works.

(2) All electrical and gas fixtures and hook-ups shall be subject to the inspection of the Fire Chief or designee and shall comply with the Minnesota State Fire Code. No vending cart or mobile food unit shall operate at an approved event if found not in compliance with the Minnesota State Fire Code and directed to cease operation by the Fire Chief or designee.

(3) The vending cart or mobile food unit shall have a valid license, if so required as a food or beverage service operation/establishment from the State of Minnesota-Department of Health and the license shall be conspicuously posted on the cart/unit during operation within the city.

(4) The operator of the vending cart or mobile food unit shall properly dispose its gray water daily if the event is more than a one-day event. No gray water or other waste from the vendor's operation shall be disposed, drained or dumped into a storm drain or upon the ground.

(5) In addition to any signage imprinted upon the vending cart or mobile food unit, each vending cart or mobile food unit operation may have detached signage, subject to the following requirements:

(a) One (1) sandwich board style sign not exceeding eight (8) square feet;

(b) The sign shall be placed on the ground and within ten (10) feet of the cart/unit;

(c) The sign shall not be placed within the public right-of-way, including the sidewalk/trail and boulevard area, unless allowed by a permit issued by the City; and

(d) The sign shall not project from the vending cart or mobile food unit or located on the roof of the mobile food unit.

(6) No music or other sound or message(s) shall be emitted from or by the operator of a vending cart or mobile food unit by any electronic sound system or audio equipment.

(7) Two (2) refuse containers, each not less than 32 gallons, shall be provided and kept in clean and usable condition within 10 feet of the cart/unit.

(8) The site immediately surrounding the cart/unit shall be kept in a clean, neat and orderly manner during the event and shall be cleaned and all refuse removed upon completion of the operation.

(9) A mobile food unit with a fire suppression system under the cooking hood shall have the system tested and tagged in accordance with applicable codes. A mobile food unit must have at least one (1) 2A:20BC fire extinguisher in the mobile food unit. If deep frying occurs in the cart/unit operation, then the operator must have at least one (1) Class K fire extinguisher in the mobile food unit. Each fire extinguisher must display an inspection tag dated within the past 12 months.

(10) Tents and temporary membrane structures used with or as the vending cart having an area in excess of 200 square feet and canopies in excess of 400 square feet shall be subject to a building permit.

(C) No mobile food unit shall be parked or stored when not in operation on any residential property, within or outside of a garage or other storage building. A mobile food unit may be parked or stored outdoors when not in operation on any property zoned as Business Park (BP), Industrial (I-1 & I-2), or a Planned Development for such uses pursuant to a conditional use permit issued by the City.

Section 5. Chapter 155 of the Apple Valley City Code is amended by revising Section 155.375 to read as follows:

§ 155.375 USE OF OFF-STREET SPACES.

Required off-street parking space in commercial, ~~or~~ industrial, or institutional districts, including those within a planned development district, shall not be utilized for open storage of goods, overnight parking of vehicles, storage of vehicles or for vehicles which are inoperable, or for lease, rent or sale, except where otherwise permitted.

Notwithstanding the foregoing, the occupant of a property zoned for commercial, industrial or institutional uses may store up to three (3) passenger motor vehicles or one (1) non-passenger motor vehicle on the property, provided each vehicle is (1) owned or leased by the occupant; (2) regularly used in connection with and as an integral component of the operation of the principal use on the property; (3) is not larger than the footprint of a standard passenger vehicle parking stall, except the one permitted non-passenger motor vehicle shall not be larger than the aggregate footprint of the length of two (2) contiguous parking stalls; and (4) parked and stored in a designated parking spaces as approved by the city. In no case shall the number of permitted stored vehicles under this paragraph exceed three for any given parcel of record. This exemption does not permit the outdoor storage of equipment, trailers, recreational vehicles, recreational camping vehicles, motorcycles or other similar vehicles, semi-tractors, or vehicles for sale.

Section 6. Summary approved. The City Council hereby determines that the text of the summary marked "Official Summary of Ordinance No. ____" a copy of which is attached hereto clearly informs the public of the intent and effect of the ordinance. The City Council further determines that publication of the title and such summary will clearly inform the public of the intent and effect of the ordinance.

Section 7. Filing. A copy of the ordinance shall be filed in the office of the City Clerk. This copy shall be available for inspection by any persons during regular office hours.

Section 8. Publication. The City Clerk shall publish the title of this ordinance and the official summary in the official newspaper of the City with notice that a printed copy of the ordinance is available for inspection by any person during regular office hours at the Office of the City Clerk.

Section 9. Effective date. This ordinance shall take effect upon its passage and the publication of its title and the official summary.

PASSED by the City Council this ____ day of _____, 2020.

Mary Hamann-Roland, Mayor

ATTEST:

Pamela J. Gackstetter, City Clerk

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PROMOTIONS & SPECIAL EVENTS AND VENDING CARTS & MOBILE
FOOD UNITS

The following is the official summary of Ordinance No. _____ passed by the City Council of Apple Valley on _____, 2020:

Chapter 155 of the City Code is amended to add definitions for vending carts and mobile food units. Chapter 155 is also amended to clarify regulations of outdoor special events and commercial promotions. Chapter 155 is amended to add new permit provisions and regulations of outdoor special events open to the public. Chapter 155 is amended to allow overnight parking of business vehicles in off-street parking areas. Chapter 155 of the City Code is amended to regulate operation of vending cart and mobile food units.

A printed copy of the ordinance is available for inspection by any person during regular office hours in the office of the City Clerk at the Apple Valley Municipal Center, 7100 147th Street W., Apple Valley, Minnesota 55124.