

AN ORDINANCE ENACTING REGULATIONS AND LICENSING OF CARNIVALS, CIRCUSES, MENAGERIES, CARAVANS AND AMUSEMENTS.

THE CITY COUNCIL OF THE CITY OF OAK PARK HEIGHTS, WASHINGTON COUNTY, MINNESOTA, DOES ORDAIN:

1408.01 License Required.

No person, firm, or corporation shall within the corporate limits of the City of Oak Park Heights operate, maintain, or exhibit any circus, carnival, menagerie, or provide amusement or entertainment by use of merry-go-round, roller coaster, Ferris wheels, or other mechanical device without first procuring a license as provided herein.

1408.02 Applications.

Application for license shall be made in writing and shall provide the following information:

- A. The character and type of performance or amusement.
- B. The location of the amusement or performance, the owner of the land or facility where the performance or amusement is to take place and also provide a written consent of the owner of the land or facility where the amusement or performance is to take place.
- C. The owner or owners of the amusement or performance and their addresses and dates of birth and, if a corporation, the name and address and date of birth of the owners of the majority of the shares of stock in said corporation.
- D. Said application shall also provide what toilet facilities are available for the use of the public, the lighting of the area where the performance is to take place, where the amusement is located, and the number of days said performance and/or amusement will be performed and located within the City.
- E. The applicant shall provide public liability insurance covering the applicant and naming the City as an additional insured protecting the applicant and City against any claims or liability for personal injury or property damage sustained by any persons as a result of the operation of said performance or amusement. Said insurance coverage shall have minimum limits of liability with respect to bodily injury of \$500,000.00 for each person and \$1,000,000.00 each occurrence and \$300,000.00 with respect to property damage. A Certificate of Insurance from a reliable company, approved by the City Council, shall be filed with the application.

1408.03 Indemnification.

The applicant shall indemnify, defend, and hold harmless the City of Oak Park Heights from any claims and/or any liability whatsoever, in any manner arising, which may be brought against the Municipality as a result of the operation of said performance or amusement and shall file a surety bond, approved by the City of Oak Park Heights, or collateral in the amount of \$5,000.00.

1408.04

Operation.

- A. The applicant of said performance or amusement regulated hereunder shall conduct said operations and premises in conformance with all of the laws and regulations of the City and the State of Minnesota. No intoxicating liquor shall be permitted on the premises of operation.
- B. The applicant shall control traffic entering and leaving said premises so that there is no interference with the orderly flow of traffic on the public streets adjacent thereto.
- C. The City shall also review and incorporate within the provisions of any permit to be issued, the reasonable recommendations of the Chief of Police and Fire Marshal prior to the issuance of any permit.
- D. The City shall attach such condition to the permit as it deems appropriate to provide for the cleaning of the premises and all other properties relating to the operation. The City may require a deposit fee in an amount to be evaluated by the City Council to guarantee such cleaning. Said deposit to be refunded upon satisfactory cleaning up of the premises.

1408.05

Application and Permit Fees.

The City shall from time to time establish by resolution reasonable fees to be paid by the applicant to defer the expense incurred by the City in processing the application and in issuing the permit thereof

1408.06

Penalty.

Unless otherwise stated herein, every person, firm, or corporation violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be penalized by a fine not to exceed Seven Hundred Dollars (\$700.00) or by imprisonment not to exceed ninety (90) days, or both.