

## **RE: A RESOLUTION OF THE NIXA CITY COUNCIL AUTHORIZING A MULTI-DAY EVENT WITH SALE AND DISTRIBUTION OF BEER AND WINE FOR CREEPIN' AT THE CROSSROADS SPECIAL EVENT**

### **Background:**

Creepin' at the Crossroads is an annual Halloween and Fall festival located in downtown Nixa. The event is planned to start on 10/22/2022 and end by 6am on 10/23/2022. The event qualifies as a special event according to the provisions of Section 16-320 of the Nixa City Code and is, therefore, required to obtain a Special Events Permit for the event. The event sponsor is the Nixa Downtown Revitalization Committee.

Section 16-325 of the Nixa City Code requires City Council to authorize multi-day events and for events that involve the sale or distribution of alcohol on city-owned property.

### **Analysis:**

The special event is planned to involve the sale and distribution of alcohol on city-owned property and is a multi-day event. The specific location for the sale and distribution of alcohol is the public parking lot located at the northeast corner of South Main Street and East Elm Street. The applicant is in pursuit of a Picnic Liquor License to be issued by the Missouri Division of Alcohol and Tobacco Control to sell and consume alcohol within the confines of the event. Should the picnic license not be issued by the State, the authorization provided by the resolution shall become void.

The event plan involves the temporary closure of South Main Street and East Elm Street, along with the closing of the before mentioned public parking lot.

### **Recommendation:**

Staff recommends the authorization of the sale and consumption of alcohol and the authorization of a multi-day event on the condition that all other requirements of chapter 16 are satisfied and that the Missouri Division of Alcohol and Tobacco Control issues the appropriate license(s) for the event.

MEMO SUBMITTED BY:

**Scott Godbey** | City Planner

sgodbey@nixa.com | 417-725-5850

**RESOLUTION NO. 2022-092**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF NIXA AUTHORIZING THE SALE OR DISTRIBUTION OF ALCOHOL ON CITY PROPERTY AND AUTHORIZING A MULTI-DAY EVENT FOR THE PROPOSED “CREEPIN’ AT THE CROSSROADS” SPECIAL EVENT.**

**WHEREAS** Chapter 16, Article IX of the Nixa City Code contains the City’s regulations regarding special events; and

**WHEREAS** said Article authorizes the Director of Planning and Development to issue Special Event Permits under certain terms and conditions; and

**WHEREAS** Section 16-325 requires City Council’s authorization prior to the issuance of a Special Event Permit for any special event which includes: (1) the selling or distribution of fermented malt beverages on City-owned property or (2) for any multi-day special event; and

**WHEREAS** an application has been filed, which is attached hereto as “Resolution Exhibit A,” for a Special Event Permit for an event referred to as “Creepin’ at the Crossroads”; and

**WHEREAS** said application states that the special event is to include the sale or distribution of fermented malt beverages or wine on City-owned property and that the event will be conducted over the course of multiple days; and

**WHEREAS** City Council desires to authorize the sale or distribution of alcohol on City-owned property and authorized the event as a multi-day event, provided that all applicable provisions of the Nixa City Code are complied with.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NIXA, AS FOLLOWS, THAT:**

**SECTION 1:** City Council hereby provides authorization to allow for the sale or distribution of fermented malt beverages or wine on City-owned property and authorization for a multi-day event, as required by Section 16-325 of the Nixa City Code, for the proposed special event “Creepin’ at the Crossroads,” said event being more particularly described on the Special Events Permit Application attached hereto, and incorporated herein by this reference, as “Resolution Exhibit A.” Said authorization is expressly subject to full compliance with all applicable provisions of the Nixa City Code, including, without limitation, the provisions of Chapter 16, Article IX of the Nixa City Code.

**SECTION 2:** The City Administrator, or designee, is hereby authorized to do all things necessary or convenient to carry out the terms of this Resolution provided that such actions are consistent with the terms and intent of this Resolution.

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**SECTION 3:** This Resolution shall be in full force and effect from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.

**ADOPTED BY THE COUNCIL THIS 19<sup>th</sup> DAY OF September, 2022.**

ATTEST:

\_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
CITY CLERK

**APPROVED BY THE MAYOR THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

ATTEST:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

# SPECIAL EVENTS PERMIT

Applicant Information			
Date of Application <b>9/7/22</b>		Permit No.	
Applicant Name <b>NDRC</b>			
Mailing Address - Street Name/Number (Applicant) <b>PO Box 1533</b>		City <b>Nixa</b>	State <b>Mo</b>
		Zip Code <b>65714</b>	
Applicant Phone Number <b>417-848-2733</b>		Applicant Email Address <b>crossroads@downtownnixa.com</b>	
Address or location of Special Event (Please submit a map showing location) <b>South of 14 on Main st. to Glenn, East to Water on Elm &amp; city parking lots (see map for road closure request)</b>			
Sponsor Information			
Sponsor Name <b>Mark Anderson</b>			
Mailing Address - Street Name/Number (Applicant) <b>301 S. West st</b>		City <b>Nixa</b>	State <b>MO</b>
		Zip Code <b>65714</b>	
Sponsor Phone <b>41788482733</b>		Sponsor Email <b>mark@onsideconstruction.com</b>	

- Estimated number of participants. 5000
- Will there be off-premise advertising? Yes ☒ No ☐
- Will there be off-premise vendors? Yes ☐ No ☒
- Will there be a live band or sound system, lighting or loud speakers during the event? (If yes, please provide a plan or description for the location of equipment) Yes ☒ No ☐
- Will there be animals present for the event? Yes ☒ No ☐
- Will there be provision for disposal of sanitary waste sewage for the event including toilet facilities, and the disposal of garbage, trash, and refuse? Yes ☒ No ☐
- Will you be serving alcohol? \* Yes ☒ No ☐
- Are you going to close the street for the event? \*\* Yes ☒ No ☐

\*Multi-Day events or any event serving or distributing alcohol will require approval from Nixa City Council.

\*\* For events requiring the closure or blockage of any street, alley, or road; or the use of any city-owned property or right of way areas, submission of a liability policy in the amount of one million dollars (\$1,000,000) for any injury to any person, including death, arising out of one incident. The City of Nixa shall be an additional named insure for each of the above-referenced policies and the special event sponsor(s) shall execute a Hold Harmless Agreement indemnifying the City of Nixa.



**The cost of City services or equipment that is used for the event will be incurred by the applicant.**

**Purpose and /or Description of Event**

5th annual Creep'n at the Crossroads Fall Festival... Our event has grown into a fall festival that will include vendors along with our extraordinary trick or treat booths. The event will consist of but not limited to games, contests, live music, beer garden, dog show, dancers, local business promotions and vendors. Actual event open to the public times are 10am-10pm

**Start Date & Time**

10/22/22 at 6:00am

**End Date & Time**

10/23/22 at 6:00am

I hereby certify that the answers and other information on this application are true and correct and I have ready and understand the above procedures and requirements as they pertain to City Special Events Regulations and by signing this form, acknowledge compliance with these rules.

**Signature of Applicant**



**Date**

9/7/22

**Printed Name**

Mark Anderson President NTRC

**For Office Use Only**

**Approved**

☐

**Denied**

☐

**City Planner Signature**

**Date**

**Parks Director Signature**

**Date**

**Notes**

**Police Chief Signature**

**Date**

**Notes**

**Public Works Director Signature**

**Date**

**Notes**

**Approved by City Council Resolution Number:**

**Date**





