



Issue: **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**

Date: September 27, 2021

Submitted By: Scott Godbey, Planner II

Background

Creepin' at the Crossroads is a proposed Halloween and Fall festival located in Downtown Nixa and planned to start on 10/29/2021 and end on 10/31/2021. 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 permit for the event. The event sponsor is the Nixa Downtown Revitalization Committee.

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

Analysis

The event is planned to involve the sale and distribution of alcohol on city-owned property and is a multi-day event. 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 division of alcohol and tobacco control, the authorization provided by the resolution shall become void.

The event plan involves the temporary closure of South Main Street, which will need to be coordinated with the City's Public Works Department.

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 has issued the appropriate license(s) for the event.

**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.

RESOLUTION NO. 2021-0910

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 CITY COUNCIL THIS 27TH DAY OF SEPTEMBER 2021.

ATTEST:

CITY CLERK

PRESIDING OFFICER

APPROVED BY THE MAYOR THIS _____ DAY OF _____ 2021.

ATTEST:

CITY CLERK

MAYOR

APPROVED AS TO FORM:

CITY ATTORNEY



Special Events Permit

Date: _____

Permit #: _____

Applicant Information

Applicant Name: Nixa Downtown Revitalization Committee Phone: 417-848-2733 Fax: _____Mailing Address: 119 N. Massey blvd suit 102 City: nixa State: MO Zip: 65714

Sponsor Information

Sponsor Name: Mr. Anderson Phone: 417-848-2733 Fax: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Please answer EACH question below:

1. Estimated number of participants.

8000

2. Will there be off-premise advertising?

Yes ☒No ☐

3. Will there be off-premise vendors?

Yes ☒No ☐

4. 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 ☐

5. Will you be serving alcohol? **

(If yes, please provide a plan or description for such allowance or provision for the purpose of assessing police, fire, health, and finance department responses.)

Yes ☒No ☐

6. Will there animals present for the event?

(If yes, please provide a plan or description for the use or allowance of animals)

Yes ☒No ☐

7. Will there be provision for disposal of sanitary waste and sewage for the event including toilet facilities, and the disposal of garbage, trash, and refuse?

Yes ☒No ☐

8. Are you going to close the street for the event? **

Yes ☒No ☐

Applicants requesting a street closure must submit a street closure request from signed by all property owners directly affected by the closure. Application and Petition must be submitted at least 30 days prior to the event to allow for City Council approval.

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

** Closing of streets, alleys, and roads or alcohol service 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.

Purpose and/or Description of Event

4th annual Creepin' at the Crossroads Halloween and Fall festival

City parking lot closure Friday after 4. road closures Saturday morning 7am.-Sunday morning 7am.

Start Date & Time: 10/29/21 4:00pm End Date & Time: 10/31/21 12:00am

Address/Location of Event: Main & Elm

(Please submit a map showing the location)

I hereby certify that the answers and other information on this application are true and correct and I have read 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:  pres. Date: 8-21-21

Printed Name: Mark Anderson

Office Use Only:

Fee: No Fee (this does not include any City services that are used)

Approved ___ Denied ___ City Planner Signature: _____

Planner Notes: _____

Police Chief Signature: _____ Date: _____

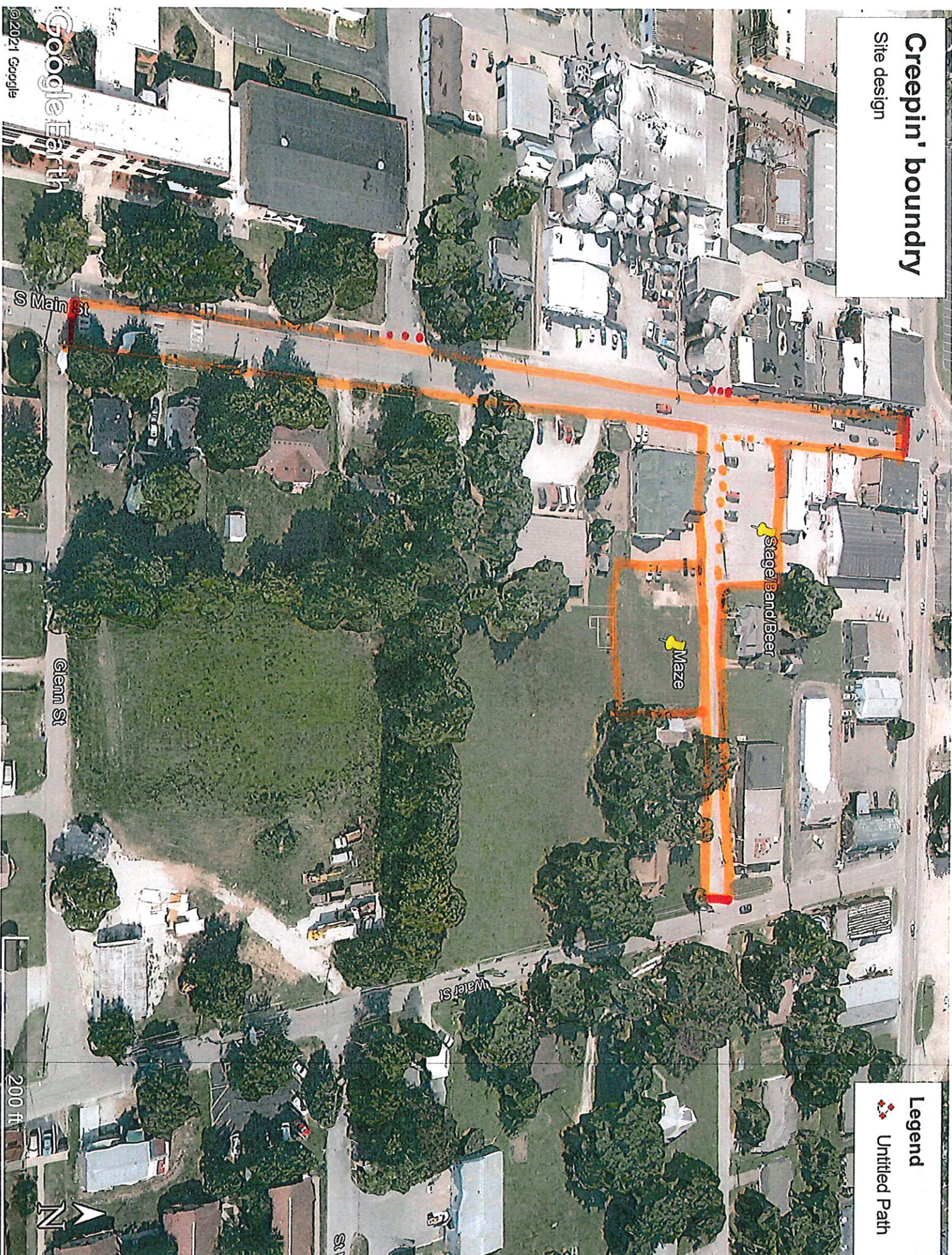
Police Dept. Notes: _____

Public Works Signature: _____ Date: _____

Public Works Notes: _____

Approved by City Council Resolution Number: _____

Site design



Legend

 Untitled Path

Digitized by Google

200 ft