

RESOLUTION

No. 2022-____

A RESOLUTION AMENDING THE ZONING ORDINANCE OF CERRO GORDO COUNTY
(Ordinance No. 15), REGARDING SPECIAL EVENT USES

WHEREAS, the Zoning Ordinance of Cerro Gordo County regulates land use within its jurisdictional boundaries; and,

WHEREAS, this amendment intends to implement and clarify formal processes for temporary events and permanent event venues to promote public health, safety, and general welfare; and

WHEREAS, the Cerro Gordo County Planning and Zoning Commission, after study and public hearing, has recommended amendment to the Zoning Ordinance be made upon the application of the Zoning Administrator; and,

WHEREAS, the final public hearing has been held with notice as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Cerro Gordo County, Iowa, that the following amendments are hereby made to the Cerro Gordo County Zoning Ordinance:

1. **Article 4, Definitions**, shall be amended as follows:

Add the following definition of TEMPORARY USE PERMIT:

Also referred to as a Zoning Permit for Temporary Use. A written authorization by Cerro Gordo County for a specific land use for an outlined period of time, consistent with the terms of the Cerro Gordo County Zoning Ordinance.

2. **Article 20, Special Uses**, shall be amended as follows:

Repeal Subsection 20.2(EE) and replace with the following:

EE. Special events venue or temporary event facilities, including, but not limited to, music events, sports events, commercial exhibitions, and carnivals with greater than 100 people attending. A-1 and A-2 Districts.

Minimum Requirements:

1. Sufficient off-street vehicular parking shall be provided as required by Article 19.2 of this Ordinance or as determined by the County Engineer, as applicable.
2. The applicant shall be responsible for the timely removal of all solid waste following an event. The permittee shall provide adequate trash receptacles and prevent solid waste from blowing offsite.

3. For any event which it is proposed to have a live music performance or other noisy activity, all noisy activity shall cease by 10 p.m., Sunday-Thursday, or 11 p.m. Friday and Saturday or on a Sunday that is followed by a federally recognized holiday.
4. The applicant shall provide proof of adequate liability insurance in writing to the Zoning Administrator, under such further conditions and in such amounts as the Board of Adjustment or Zoning Administrator may direct, but in no event shall such proof be required more often than annually. Additionally, the applicant shall be responsible for any necessary security as required by condition or as desired by the applicant.

3. **Article 22, Applications for Zoning Permit**, shall be amended as follows:

Repeal Subsection (D) and replace with the following:

D. Zoning Permit for Temporary Use

1. Temporary Use Permit for occupancy of a travel trailer outside of a travel trailer park. The Zoning Administrator may issue a permit for the temporary occupancy of a recreation vehicle or travel trailer outside a travel trailer park. The permit may be issued for a period not to exceed fourteen (14) days from date of granting the permit. Said application shall set forth the location of the occupied dwelling or property where such travel trailer is to be used and occupied, the name of the occupant in control of such dwelling or property, the name of the owner or operator of such vehicle together with said operator's driver's license number and the license number of such vehicle. The fee for such application shall be \$25.00.
2. Temporary Use Permit for a small event. The Zoning Administrator may issue a permit for a block party or a small event that is open to the public provided the following requirements are met:
 - a. Application. All applications for a proposed event shall be accompanied by the following items:
 - (1) Completed application
 - (2) \$50.00 application fee
 - (3) For an event in which a public street closure is proposed, signatures of all adjacent property owners to section of public street to be closed
 - (4) Copy of Iowa Mobile Food License for any commercial food vendors, as applicable
 - (5) Copy of Work in the Right-of-Way Permit from County Engineer, as applicable

b. Event Requirements

- (1) A Temporary Use Permit for a small event that is open to the public under this section shall be applicable for events with 100 or less people attending at any given time. However, this section shall not be applicable to a typical private family or social event or in a district in which such a public gathering is a permitted use. Notwithstanding any typical private family or social event or permitted use, this section shall be applicable to any block party within a residential neighborhood. Any event with more than 100 people shall require a Special Use Permit granted by the Board of Adjustment under Section 20.2(EE) of this Ordinance. However, an event organizer may request an exception to the 100 person limit for a proposed event in writing to the Zoning Administrator from the Special Use Permit requirement, and the Zoning Administrator may grant said exception and only require a Temporary Use Permit under this section if it can be determined that said proposed event will have a similar impact as events intended under this section.
- (2) The applicant shall agree to hold Cerro Gordo County harmless of all liability resulting from the proposed event. The permittee shall be required to notify the Sheriff's Department the day of the event at least twenty-four (24) hours prior to the beginning of the event. Any desired security for the event shall be at the expense of the permittee.
- (3) The applicant shall be responsible for the timely removal of all solid waste following the event. The applicant shall provide adequate trash receptacles and prevent solid waste from blowing offsite.
- (4) It shall be the applicant's responsibility to ensure all applicable federal, state, and local laws are followed.
- (5) For any event which involves a road closure of a public street, a Work in the Right-of-Way Permit shall be obtained from the County Engineer's Office. All events involving a road closure shall only be approved on a public street if the posted speed limit is twenty-five (25) miles per hour or less and only if the road is designated a local road by the Iowa Department of Transportation. The public road to be closed shall be appropriately blocked off to prevent regular traffic during the event; however, access to affected properties shall be maintained. The permittee shall be responsible for supplying and placing road blockades to the standards of the County Engineer and the requirements of this section. Any damage to the public right-of-way as a result of the event shall be repaired at the expense of the permittee.

- (6) For any event which it is proposed to have a live music performance or other noisy activity, all noisy activity shall cease by 10 p.m., Sunday-Thursday, or 11 p.m., Friday and Saturday or on a Sunday that is followed by a federally recognized holiday.
- (7) For any event in which it is proposed to have a commercial food vendor provide services, such as a food truck or catering, said commercial food vendor shall have obtained an Iowa Mobile Food License prior to the event.

NOW, THEREFORE, BE IT RESOLVED by the Cerro Gordo County Board of Supervisors that Ordinance No. 15 is hereby amended and that this Amendment shall be in full force and effect from and after its passage.

Motion was made by Supervisor _____ and seconded by Supervisor _____ that the foregoing Resolution be adopted.

Ayes –
Nays –
Absent/Not Voting –

Date of First Consideration:
Date of Second Consideration:
Date of Third Consideration:

Resolution adopted this ____ day of March 2022.

Chairman, Board of Supervisors
Cerro Gordo County, Iowa

I hereby certify that the foregoing is a full, true, and complete copy of Resolution as full, true, and complete as the same remains on file and of Record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Auditor's Office in Mason City, Iowa, this ____ day of March 2022.

Adam V. Wedmore, Auditor
Cerro Gordo County, Iowa