

**ORDINANCE NO. 187**

THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH AND WELFARE, HEREBY ORDAIN AS FOLLOWS:

An Ordinance regulating the use of the Sibley County Fairgrounds grandstand and racetrack area.

The Sibley County Fairgrounds grandstand and racetrack facility provides a unique site in the city for the conduct of certain events which may be considered beneficial to the health, welfare, property values and entertainment of the citizens of Arlington. However, the events which may be held at said facility also present a unique potential for creating a public nuisance, and have, in fact, been the subject of numerous complaints from citizens over the years. The City Council therefore has concluded that it is necessary to establish certain rules and regulations to govern this unique facility.

1. All events scheduled to use the grandstand, racetrack, infield of the racetrack, or any combination or portions thereof, shall require a conditional use permit issued by the City Administrator, said permit subject to review and approval by the Arlington City Council. If there is intended to be a regular use of said facilities for certain events, based on a seasonal or yearly schedule, such schedule for each calendar year may be submitted to the city on a seasonal or yearly basis, for one conditional use permit to cover the entire season or calendar year as appropriate. The forms and procedures for such approval shall be developed by the City Administrator and made available to the fairboard. Since the conditional use permits required under this ordinance are considered renewals of existing activity which has been conducted for many years, public hearings will not be required as part of the city council permit request review process. No fee shall be charged to the fairboard for such conditional use permits.
2. In the case of special events not historically held on a regular scheduled basis, such as a one-time traveling circus event or music concert event, the city reserves the right to require a conditional use permit which may involve a public hearing and fee payment to the city. Any such fee shall be the standard fee charged for conditional use permits in that calendar year.
3. Prior to granting approval for any scheduled use of the grandstand and/or racetrack, the City Council may require provisions to be made for traffic control, policing, shutdown times and other conditions to be met appropriate for the proposed event, to ensure that the event is conducted safely and in consideration of the health, welfare and property rights of the citizens of the City of Arlington. Any such specific conditions attached to city approval of the event must be fulfilled in all respects, or the city shall have the right to revoke its approval of said event.

4. In any case, no event using the grandstand and/or racetrack shall begin no later than 11:00 p.m. and end no later than 11:30 p.m. In case of dispute as to the accurate starting and ending time of said event, the Sibley County Sheriff dispatch office clock time shall be considered the official time for enforcement of this ordinance.
5. As one of its special conditions imposed for any approved event at the grandstand and/or raceway area, the city may require that a licensed ambulance service be contracted for coverage by an ambulance unit and crew during the event term. In any case where motor vehicles of any description are involved in the event, such as automobile races, demolition derbies, tractor pulls or similar events, attendance by a licensed ambulance service ambulance unit and crew shall be mandatory. The cost of said service shall be paid by the persons or organizations issued the permit to hold the event.
6. If the event using the grandstand and/or racetrack area is being conducted at a time that on sale or off sale beer or intoxicating liquor is being served on the fairgrounds, a minimum of one security officer shall be hired by the persons or organizations issued the permit to hold the event, to patrol the area to see to it that all government liquor sales, consumption and control laws are being obeyed. The security officer will be visually identified in some way, such as a T-shirt, special name tag or arm band, sufficient to identify the security officer as such to customers. The City reserves the right to require the permit holder to run a criminal background check for any such security officers. The duties of the security officer will be to observe the areas where liquor is being sold or consumed on the fairgrounds, and immediately report any apparent law violations to the Arlington-Green Isle Police Department.
7. In any cases where the racetrack area is being used by motor vehicles or heavy equipment, such as automobile races, demolition derbies, tractor pulls and similar events, the vehicles, equipment and the supporting tow vehicles, trailers and support personnel shall enter and exit the fairgrounds from the gates provided on Sibley County Highway 9 on the west side of the fairgrounds. The main fairgrounds gate shall not be used by such vehicles or equipment.
8. Each vehicle participating in events on the racetrack area must be equipped to suppress the engine exhaust noise to 105 decibels or less, as measured at a distance of 100 feet from the vehicle. As an exception to this rule, the City may, in its discretion, grant a variance for events to be held during the annual Sibley County Fair where such noise control is not appropriate, and where the events are of short duration, such as the modified tractor pull and the demolition derby events which have been held at the fair in the past.
9. The fairboard shall maintain adequate safety barriers in good condition surrounding the racetrack area and fronting the grandstand both to reasonably

protect the spectators from injury from the participating vehicles, and also to restrict the spectators for accessing the racetrack area.

10. All city, county and state ordinances and laws shall be observed regarding containment and disposal of refuse, and avoidance of pollution on the site.
11. The event promoter shall be responsible to promptly remove any chunks of mud or other debris from County Highway 9 and city streets caused by the travel of participants and spectators to and from the grandstand and/or racetrack areas.
12. As a special exception to the rules otherwise set out in this ordinance, the annual Sibley County Fair shall not require a conditional use permit as set out in Paragraph 1 above, and shall not be subject to the closing time set out in Paragraph 3 above. However, depending on events scheduled as part of said Sibley County Fair, the City may still require a licensed ambulance service coverage as set out at Paragraph 4 above and the requirements in Paragraph 7, 8, 9 and 10 above shall also remain in effect.
13. The fairboard and the users of the grandstand and/or racetrack areas shall at all times abide by all city zoning and building code ordinances.
14. Any business entity, organization or individual, event promoter, participant or spectator who is found to be in violation of any provision of this ordinance shall be guilty of a misdemeanor, and subject to the fines and penalties for a misdemeanor under Minnesota state law.

This ordinance shall become effective immediately upon publication.

For City of Arlington

/s/ David Czech

By David Czech  
It's Mayor

/s/ David L. Krueger

By David L. Krueger  
It's City Administrator

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