



Engineering Department

DATE: April 9, 2024

FROM: Gabe Schell, City Engineer

ITEM: BSC Community Event

REQUEST:

Consider approval for Bismarck State College to close Schafer St from Edwards Ave to College Dr on Thursday, April 18, 2024, from 8am - 3pm.

BACKGROUND INFORMATION:

Bismarck State College is having their end of the school year carnival. This road closure would allow some of the carnival activities to occur in the public right of way.

RECOMMENDED CITY COMMISSION ACTION:

Approve request for Bismarck State College to close Schafer St from Edwards Ave to College Dr on Thursday, April 18, 2024, from 8am - 3pm.

STAFF CONTACT INFORMATION:

Gabe Schell, City Engineer, 701-355-1507, gschell@bismarcknd.gov

ATTACHMENTS:

1. BSC Event Request



Application for a Community Event in the Public Right of Way

The City Commission may grant permits for certain types of community events or festivals to take place upon the public streets, sidewalks, squares, avenues, or alleys of the City.

The sponsor of the event or festival shall submit to City Administration this completed application for a permit at least 45 days prior to the opening of the community event or festival. A completed application will be considered by the City Commission.

Name of Event: BSC 2024 Carnival

Sponsoring Individual/Organization: Bismarck State College

The purpose of the festival or event: Celebrate BSC student clubs + the final school days for all BSC students

The activities that will be held as part of the event: basketball, fake steer roping, cornhole, sports trivia, Famous Dave's Food Truck, pizza giveaways,

Event Dates and times: April 18, 2024 10am - 2pm *The MYX music*

Street Closure Dates and Times: April 18, 2024 8am - 3pm

Reoccurring: Annually Monthly Weekly

Benefiter: Commercial Non-Profit Organization BSC

Event Manager/Coordinator Contact Information:

Name: Erin Schwalk

Address: 1425 Schafer St

Cell Phone: 701-224-5455

Amplified Music (Environmental Health Permit Required)

Alcohol Served (Police Department Permit Required)

Provide location map with layout on aerial photo of any street closures, on street parking utilization, impacts to sidewalks, and vendor spaces.

Food Vendors will not be permitted in the public right of way unless they registered with the event.



Final approval is required from Board of City Commissioners.

Once approval has been granted by the Board of City Commissioners the applicant will be required to provide:

- Proof of liability insurance. Coverages to be \$2 million per occurrence and \$500,000 per person and add city to the policy as an addition to the policy.
- Proof of food vendors being licensed and inspected by Environmental Health
- If alcohol is being served, a permit from the Police Department must be submitted.
- If amplified music is provided, a permit from Environmental Health Department for relief the from noise level designations must be submitted.

Failure to provide all the information request may result in the rejection of the application.

Any questions regarding this application should be directed to the Traffic Engineer.



Below is a copy of the Bismarck Code of City Ordinance for Community Events and Festivals:

Code of City Ordinance

10-05.1-03. Community Events and Festivals. The City Commission may grant permits for certain types of community events or festivals to take place upon the public streets, sidewalks, squares, avenues, or alleys of the City.

1. The sponsor of the event or festival shall submit to City Administration a written application for a permit at least 45 days prior to the opening of the community event or festival for which a permit is desired. The application shall state:
 - a. The time, date and location of the festival or event. The applicant shall include a map of the proposed event showing the layout of booths, stalls or other attractions and including the specific location of any outdoor grilling activities;
 - b. The group, firm or individual by whom the festival or event will be sponsored;
 - c. The purpose of the festival or event;
 - d. The activities that will be held;
 - e. The streets requested to be closed. A drawing showing the requested street closures shall be included with the application.
2. A completed application will be considered by the City Commission.
3. In granting permits for community events and festivals, the City Commission shall consider the following:
 - a. The nature of the event or festival and how it can serve the community and its citizens;
 - b. The time period during which the event or festival will occur;
 - c. The location of the event or festival and whether the location inhibits the safe flow of traffic in the City;
 - d. Whether or not the location(s) proposed for cooking or grilling activities is appropriate considering area residents and businesses;
 - e. Whether the activities would be in compliance with other applicable laws;
 - f. Whether the event or festival is to benefit non-profit community service organizations. Commercial events or festivals which generate profit for the private sector, other than profit incidental to the festival or event which is made by persons other than the sponsor of the festival or event, shall be permitted only if the applicant submits evidence to the review committee that the event or festival constitutes a community service; and
 - g. The general health, safety and welfare of the participants in the event or festival and the citizens of the City.
 - h. The sponsor of the event or festival shall provide all cleaning services necessary to rid the festival area of all debris and litter created as a result of the event or festival.
 - i. The issuance of a permit to a sponsor shall authorize only that sponsor and participants specifically authorized by the sponsor to participate in that community event or festival without the restrictions imposed by this chapter.
 - j. Authorized participants in a community event or festival for which a permit has been issued shall not be required to obtain a city permit required by the provisions of this Chapter for the period during which the community event or festival takes place.





1500 Edwards Avenue
PO Box 5587
Bismarck, ND 58506-5587
701.224.5400

Dear City of Bismarck,

Bismarck State College is requesting to shut down Schafer Street between College Drive and Edwards Ave on April 18, 2024, from 9:00 am – 3:00 pm for an End-of-Year Carnival. No alcohol will be served at this event.

Bismarck State College Campus Police will provide their own barricades and will move if an emergency arises. Campus Police will also notify Bismarck Fire Department, Bismarck Police Department, and Bismarck EMS 48 hours in advance about street closure date and time frame.

Bismarck State College will notify surrounding neighborhood regarding street closure out of courtesy.

Thank you,

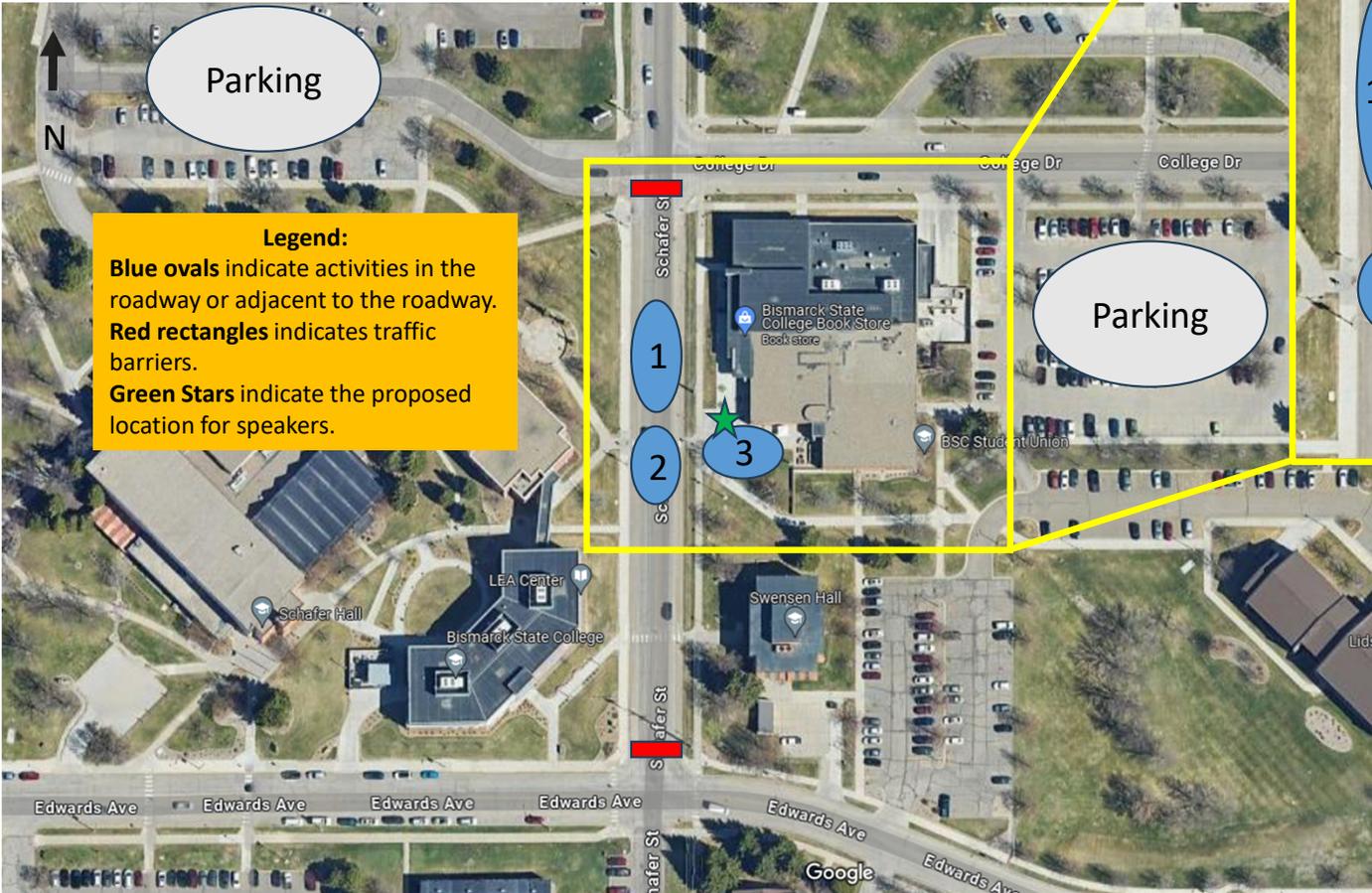
Sarah Owens
Student Engagement Coordinator
701-224-5584
sarah.m.owens@bismarckstate.edu

Timeline April 18th 2024:

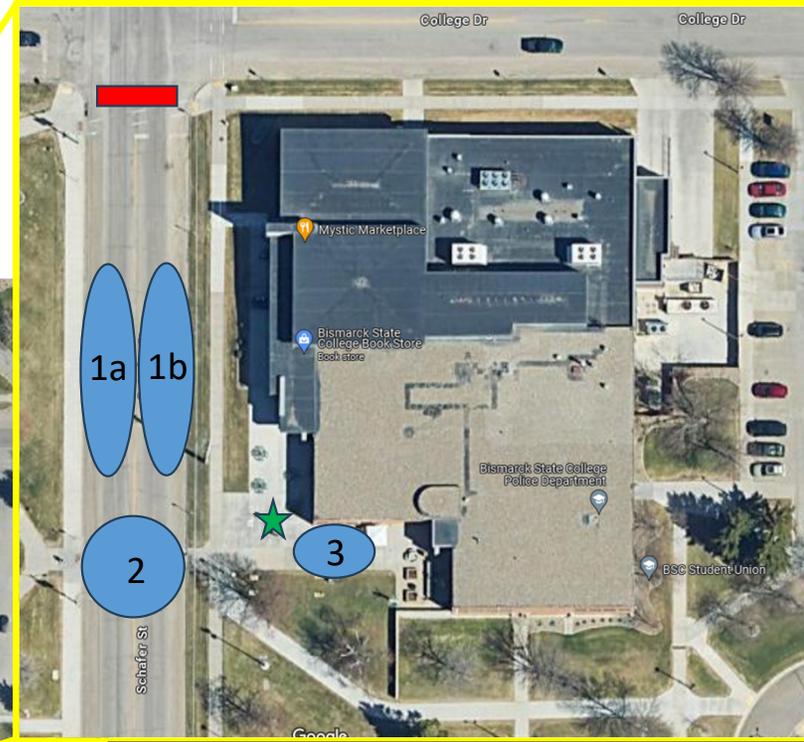
- 0800- Road Closure/Barricades Setup
- 0800-1000- Setup
- 1000-1400- Event Execution
- 1400-1500- Cleanup
- 1500- Barricades removed

BSC Spring Carnival 18 APR 2024

Situation: BSC will conduct a student centric engagement event 10:00am-2:00pm. Request shutdown of Schafer St. from College Drive to Edwards Ave.



Legend:
Blue ovals indicate activities in the roadway or adjacent to the roadway.
Red rectangles indicates traffic barriers.
Green Stars indicate the proposed location for speakers.



Activities/Obstacles (yellow highlighted area):

- 1a- Steer Roping event in the south bound lane
- 1b- Corn Hole in the north bound lane
- 2- Bounce house tentatively planned
- 3- Various smaller games
 - Spikeball
 - Basketball shootout game (small contained w/netting)

* Green star indicates the proposed location of the speaker
* Red rectangle is the location of the north side barricade.

CERTIFICATE OF FINANCIAL RESPONSIBILITY

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE LIABILITIES ASSUMED BY THE STATE OF NORTH DAKOTA OR THE COVERAGES THAT MAY BE AFFORDED BY ANY INSURANCE CARRIERS OR SELF-INSURED FUNDS.

LIABILITY OF THE STATE IS CREATED AND LIMITED BY ENACTMENT OF CHAPTER 32-12.2 OF THE NORTH DAKOTA CENTURY CODE. ALL TERMS, CONDITIONS, STATUTES OF LIMITATIONS APPLY AS OUTLINE THEREIN. DAMAGES THAT MAY BE PAID WITHOUT SPECIFIC LEGISLATIVE AUTHORITY FOR EVENTS OCCURRING ON OR AFTER JULY 1, 2023, ARE \$406,250 PER PERSON AND \$1,625,000 PER OCCURRENCE.

EXCESS LIABILITY REINSURANCE COVERAGE PROVIDED BY SWISS RE AMERICA CERTIFICATE NO. CP 36: \$2,000,000

THE STATE OF NORTH DAKOTA HAS FUNDED FOR THIS LIABILITY EXPOSURE AT A LEVEL DETERMINED BY AN INDEPENDENT ACTUARY.

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS:

Bismarck State College

THIS CERTIFICATE IS ISSUED TO: City of Bismarck
221 North 5th Street
Bismarck, ND 58501

ON THIS DATE OF: March 20, 2024

BY:



AUTHORIZED REPRESENTATIVE OF THE
STATE OF NORTH DAKOTA OFFICE OF
MANAGEMENT AND BUDGET

THIS CERTIFICATE OF FINANCIAL RESPONSIBILITY DOES NOT EXPIRE

600 E Boulevard Ave, Dept 110 | Bismarck, ND 58505-0400 | omb.nd.gov

DIRECTOR
& ADMINISTRATION
4th Floor
701.328.4904

SHARED
SERVICES
14th Floor
701.328.2740

FACILITY
MANAGEMENT
4th Floor
701.328.2471

FISCAL
MANAGEMENT
4th Floor
701.328.2680

HUMAN RESOURCE
MANAGEMENT SERVICES
14th Floor
701.328.3293

RISK
MANAGEMENT
1600 E Century Ave, Suite 4
Bismarck, ND 58503
701.328.7584



2024 BISMARCK FOOD SERVICE LICENSE

This license is non-transferrable and must be posted in a location which is conspicuous to customers within your establishment.

The license holder shall cease operations and contact Bismarck-Burleigh Public Health's Environmental Health Division if an imminent health hazard is created by way of fire, flood, interruption of water or electrical services, sewer backup, apparent foodborne illness outbreak, gross insanitary occurrence or condition, or other circumstances that may endanger public health.

You must also contact Bismarck-Burleigh Public Health in advance, if any of the follow actions are planned:

- Changing the products or services provided to customers
• Any remodeling of the facility or changes in equipment
• A change in ownership of the establishment
• Relocation of business

If you have questions or concerns, contact us at:

Bismarck-Burleigh Public Health
Environmental Health Division
407 S 26th St. Bismarck, ND 58504
Phone: (701) 355-3400
Email: bbph@bismarcknd.gov

ISSUED DATE: 1/29/2024
EXPIRATION DATE: 3/31/2025



BISMARCK-BURLEIGH PUBLIC HEA
407 S 26th St. BISMARCK, ND 58
701-355-
bbph@bismarckno

LICENSE #: FOOD2015-00127
LICENSE TYPE: FOOD SERVICE
LICENSE SUBTYPE: FOOD ESTABLISHMENT LEVEL 3 - 5,000 TO 10,000 SQ FT

The below named establishment has met the City of Bismarck's licensure requirements and agrees to comply with the applicable Code of Ordinances. Failure to comply with these regulations may result in license suspension or revocation.

Famous Dave's
401 E BISMARCK EX
BISMARCK, ND 58504

To view previous establishment inspection reports scan QR code and enter License # FOOD2015-00127





Bismarck-Burleigh Public Health

407 S 26th St. Bismarck, ND 58504
701-355-3400 • Fax: 701-221-6883 • Email: bbph@bismarcknd.gov

FOR OFFICE USE ONLY:
Date Recvd: _____
Assigned EHS: _____

NOISE VARIANCE PERMIT APPLICATION

Applicant's Name & Title: _____ Applicant's Phone #: _____

Applicant's Email: _____

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

BE SPECIFIC WHEN ANSWERING THE FOLLOWING QUESTIONS:

What activity you are requesting a variance to the noise ordinance for: _____

Why are you requesting a variance to the noise ordinance for this activity: _____

Where (location) will the activity occur: _____

When (list dates & times) will the activity occur: _____

Submit application to: **Bismarck-Burleigh Public Health** (contact information can be found on letterhead)

Upon review of your application, the applicant will be notified if their application has been approved, denied or if additional information is required.

With my signature, I declare that the information provided by me on the above form is true and correct to the best of my knowledge and belief. I also acknowledge that Bismarck's Environmental Health Division and/or the Bismarck Police Department reserve the right to revoke this permit at any time or revise the requirements to minimize the adverse effects upon the city or the surrounding neighborhood.

Permit Holder's Name (Print) _____

Permit Holder's Signature: _____ Date: _____



March 20, 2024

Sarah Owens
1425 Schafer St
Bismarck ND 58501

RE: Special Permit for Relief from Noise Level Designations

Dear Sarah Owens:

The letter serves as your special permit for relief from noise level designations as specified in Section 8-10-04 of the Code of Ordinances of the City of Bismarck for the following:

ACTIVITY: Amplified music at Bismarck State College's Celebration Carnival

LOCATION: Outside of the Student Union near Schafer St.

DATES/TIMES: Thursday, April 18, 2024 from 10:00am – 2:00pm CST

CONDITIONS: None at this time.

Be advised that the Environmental Health Division and/or the Bismarck Police Department reserve the right to revoke this permit at any time or revise the requirements to minimize the adverse effects upon the city or the surrounding neighborhood. Please call me at 701-355-3401 if you have any questions.

Sincerely,

Anton Sattler

Anton Sattler, Administrator
Environmental Health Division

cc via email: Bismarck Police & Fire Department

