

113.00 REGULATING THE USE OF PUBLIC RIGHTS OF WAY AND PUBLIC SPACES FOR COMMERCIAL PURPOSES AND PROVIDING A PENALTY AND REMEDIES FOR VIOTATION

1. Definitions.

a. Public Space. For purposes of this ordinance, the public space shall include all lands owned by the City of Lanesboro or dedicated for public use, including but not limited to roads, streets, alleys, boulevards, sidewalks, parks and rights-of-way, as well as all public structures or fixtures thereon.

2. Commercial Use. For purposes of this ordinance, commercial use shall mean any activity, whether sales or barter, conducted for financial gain or financial return, and including but not limited to activity to promote or advertise a product, service, or the like. Commercial use shall not include the mere traveling of a vehicle or conveyance over public streets, highways, or alleys from one point of private property to another point of private property, as long as no commercial activity involving sales, trade, or barter is conducted on a public space.

3. Exceptions. The following are permitted commercial uses of City of Lanesboro public spaces, for the purposes below specified.

a. Public parks. Concession stands, church stands, the farmer's market approved by The Lanesboro Park Board, approved vendors for Art in the Park and Buffalo Bill Days, all as approved by the City of Lanesboro or nonprofit organizations sponsoring said events in the Lanesboro public parks. The City reserves the right to regulate said uses by requiring insurance coverage, or reservation fees or permit fees to be paid to the City of Lanesboro according to fee schedules approved by the Lanesboro City Council.

b. Lanesboro softball field. Concession stands operated by the Lanesboro public schools, or other lawfully constituted nonprofit organization or association, including but not limited to 4-H clubs, shall be allowed to operate at the Lanesboro softball field.

4. Savings Provision as to Ordinance 4-4-95. This ordinance is subject to the provisions in City of Lanesboro ordinance 4-4-95, which regulates certain activity in the City of Lanesboro downtown commercial district pertaining to sidewalks. Said ordinance 4-4-95 is not superseded or affected by this ordinance but this ordinance does apply to the streets and roadways and other public spaces, not including sidewalks, in that downtown commercial district.

5. Penalty for Violation. Violations of this ordinance shall be classified as a petty misdemeanor, punishable by administrative citation and a fine of not more than \$300. In addition, the City of Lanesboro reserves the right to seek a temporary injunction and restraining order against any violator, and the City shall be entitled to collect its costs of prosecution and disbursements in obtaining said temporary injunction and restraining order.