

**City of Mayer  
Ordinance 243**

**An Ordinance Amending Chapter 95 of the Mayer City Code  
Regarding Hot Air Balloons in Public Parks**

THE CITY COUNCIL OF THE CITY OF MAYER, MINNESOTA, DOES ORDAIN:

City Code Chapter 95 is amended to read as follows:

§ 95.05 Park Use for Hot Air Balloons.

Hot air balloons may be launched from a City park only when granted a permit by the City Council.

Permit Application: An application for a permit to launch a hot air balloon from City parks must be completed on a form provided by the City.

Permit Fee: An applicant must pay a nonrefundable permit fee in the amount established by the City Council pursuant to the City's fee ordinance. The permit shall be good for one year.

Permit Review: The City Administrator will review the permit for sufficiency. Certain permit applications may be distributed to other City departments, including the Carver County Sheriff's Office, that may require conditions for the proposed activity. The permit application will be placed on the agenda for City Council approval once staff review is completed.

Permit Denial or Revocation: The City Administrator may deny an application for a permit or revoke an approved permit if it is determined that:

1. The information contained in the application or supplemental information requested from the applicant is false or nonexistent in any material detail.
2. The applicant fails to supplement the application after having been notified by the City of additional information or documents needed.
3. The applicant fails to agree to abide or comply with all of the conditions and terms of the permit, including payment of all costs and expenses.
4. The launch will unreasonably interfere with or detract from the enjoyment of the park by other park visitors or disturb residentially zoned properties and park visitors in proximity to the park.
5. The launch will unreasonably interfere with or detract from the promotion of public health, welfare, safety, comfort, and recreation.
6. The launch will entail an unusual, extraordinary burden or expense for the City.
7. The facilities desired have been reserved for some other use on the day and hour requested.

8. The launch will unnecessarily disrupt or interfere with the movement of traffic, would interfere with access to fire hydrants or other critical infrastructure, or would interfere with access to businesses or residences in the immediate vicinity of the activity.
9. The launch would likely endanger the public safety or health.
10. The launch would likely create or constitute a public nuisance.
11. The launch would be likely to cause significant damage to public property or facilities.
12. The launch would engage in or encourage participants to engage in disorderly conduct activity, disturbances, or illegal acts.
13. The applicant, responsible party, or the person on whose behalf the application is submitted has on prior occasions made material misrepresentations regarding the nature of an activity in the City or has violated the terms of a prior permit.
14. Upon finding a violation of any rule or ordinance, condition imposed on the permit, or upon good cause.

**Permit Use:** An approved permit shall allow the holder general personal recreational use to launch their hot air balloon(s) from the approved location in accordance with this section. The permit holder shall notify the City 48 hours in advance of the date and time of the desired launch.

**Conditions of Permit:** A permit holder is bound by all parks rules and regulations and all applicable ordinances as if they were fully inserted in the permit. The City may impose any reasonable conditions on a permit that in its discretion will protect the public health, safety, welfare, comfort, and recreation in the park. The permit holder is liable for any loss, damage or injury sustained by any park visitor when due to the negligence of the permit holder. Within 24 hours after the expiration of the permit, a permit holder must remove from the park all trash, boxes, papers, cans, garbage and other refuse, and all installations and equipment, and must restore the premises to its condition prior to the permit holder's use of the park.

**Non-Transferable:** A permit under this section may not be transferred to any other person.

**Designated Areas Specified in Permit:** The use for which the permit is granted must only be conducted within the area designated on the permit.

**Insurance Requirements:** Applicants and permit holders must possess insurance covering hot air balloons, including rides, in amount of at least \$1,000,000 in liability. The City shall be named as additional insured. A certificate of insurance must be provided to the City demonstrating coverage.

**Indemnification Requirements:** Applicants and permit holders shall be required to defend and indemnify the City for any claims arising from the hot air balloon activities.

Adopted by the City Council of the City of Mayer on this \_\_\_\_ day of \_\_\_\_\_, 2024.

Attest:

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Mayor

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City Clerk