



Guidelines and Information Packet

The City of Deadwood has contracted with the Deadwood Chamber of Commerce and Visitors Bureau for the management and coordination of the Deadwood Event Complex. As an applicant for rental and use of any portion of the Deadwood Event Complex, you are required to contact the Chamber for coordination and assistance in the submittal of this application to the City. The guidelines and information packet will provide the applicant with important information related to the application for rental and use of the Deadwood Event Complex.

Deadwood Event Complex Use Guidelines and Information

Application Process

The City of Deadwood has contracted with the Deadwood Chamber of Commerce and Visitors Bureau for the management and coordination of the Deadwood Event Complex. As an applicant for rental and use of any portion of the Deadwood Event Complex, you are required to contact the Chamber for coordination and assistance in the submittal of the application for use to the City. The Chamber can be contacted at the following address:

Deadwood Chamber of Commerce
767 Main Street
Deadwood, SD 57732
605-578-1876

General Information

Please submit a completed rental agreement with your requests by mail or hand deliver to: Deadwood Event Complex Rental Agreement, 102 Sherman Street, Deadwood, SD 57732. Please include the buildings(s) or areas(s) you are requesting, type of use, days, times, assistance, set up and tear down needs, and any other special requests. The days utilized to set-up and clean-up are days reserved and the rental fees applied to all days reserved. The rental and use agreement must be very detailed and completed along with all fees submitted prior to being reviewed by the Deadwood Safety Committee.

Reservation of Complex

Application for rental and use of the Event Complex shall be submitted to the City of Deadwood at least sixty (60) days before the scheduled event and no earlier than one year before the scheduled event. A calendar of events will be provided to the applicant indicating available days for use when the applicant meets with Chamber of Commerce representatives. If conflicts in dates arise at the time of the application process the first application submitted to the City of Deadwood will have the first opportunity for approval. The City of Deadwood has reserved the right to make a specific time of the year in which the complex is not available for use as a historic event in partnership with the City of Deadwood takes place. The event complex is not available for use the last full week of July and four business days before and after the last full week of July. A five hundred (\$500) dollar deposit is the minimum deposit and the City Commission reserves the right to request a larger damage deposit.

Cancelation of Event

If an approved rental date is rained, snowed out or is unable to be held for any reason within sixty (60) days of the event, the City of Deadwood will attempt to accommodate a reschedule or issue a refund if the Complex has not been used by the Event Organizer, this includes set-up. If the event organizer has set-up for the event and utilized City property no refund will be issued. Cancelation of an approved rental time initiated by the event organizer at least ninety (90) days before the event will be granted a refund of all fees and deposits.

Comments and Input

The City of Deadwood is very interested in the Event Organizer's opinion in regards to the use of the event complex and the facilities. After the use of the event complex please provide the City with all of your comments good or bad, deliver your input to the City of Deadwood, 102 Sherman Street, Deadwood, SD 57732.

Definitions

The City of Deadwood has a fee policy in regards to facility rental fees. The following are the definitions of categories for the Deadwood Event Complex fee structure:

For Profit

For profit applies to a business or other organization whose primary goal is making money, or a profit. For profit applies to money changing hands in connection with the event in the facility, whether this is in the form of a sale, a charge to get in the door, or a fee previously paid to user (e.g., a class fee), not to whether the user actually makes a profit.

Private

User may be a private individual or a for profit organization using facility for a non-profit purpose (such as an employee party).

Non Profit

This term refers to an organization incorporated under state laws and approved by both the state's Secretary of State and its taxing authority as operating for educational, charitable, social, religious, civic, or humanitarian (non-profit) purposes. Event organizers do not intend to realize any personal gain or profit. As a non-profit you are not automatically exempt from sales tax.

Government

The term government includes all local, state, and federal agencies. To receive government rates your application must be submitted with a government agency as a partner or stand alone.

City of Deadwood Event Complex 15 Seventy-Six Drive Deadwood, SD 57732



	Event Complex Facilities	Parking Lots	Baseball Fields
Private	\$35 / Hr.	\$25 / Hr.	\$25 / Hr.
	\$300 / Day	\$200 / Day	\$100 / Day
Non Profit	\$30 / Hr.	\$25 / Hr.	No charge
	\$250 / Day	\$150 / Day	No charge
For Profit	\$75 / Hr.	\$65 / Hr.	\$35 / Hr.
	\$500 / Day	\$500 / Day	\$300 / Day
Government	No charge	No charge	No charge

Damage Deposit (Refundable): \$500 (no alcohol) or \$1,000 (serving alcohol)
Key Deposit (Refundable): \$100.00 (Total no matter the number of keys)

Definitions

Event Complex Facilities: Includes the Ticket Booth, Main Grandstand, Crow’s Nest, Main Grandstand Restrooms, VIP Grandstands, Baseball Field Restrooms, Arena and Corral Areas, Bars under Main Grandstands.

Parking Lots: Include the Ferguson Field Parking Lot minus fifteen (15) parking spots for the Days of 76 Museum, the Baseball Field Parking Lot, and parking at the SDDOT property.

Baseball Fields: Keene Park (2 Baseball/Softball Fields, Batting Cage, Playground)

Facility Capacity and Conditions

- Seating Capacity: 5,000 People
- Standing Room Only Space: @500 People
- Sand/Dirt Arena Floor: 40,000 square feet
- Timed Event and Livestock Corral Areas: 12,000 square feet dirt surface
- Closed Circuit Television Capable
- Sound System Available (May not meet the needs of every event)
- Lighting for the Entire Complex
- Parking (Asphalt Surface): 318 vehicle spaces/6 bus spaces/15 Museum only spaces
- *Note: the above referenced parking does not include the parking at the SDDOT property

Facility Use Agreement

A completed Event Complex Rental and Use Agreement, facility use fees, additional service fees, and deposits must be submitted at the time of the application for use of the facilities or the application will not be reviewed.

Clean-up

It is the responsibility of the renter to leave the Deadwood Event Complex in the same condition as it was received. All equipment used shall be returned to the original locations in which they were received. Cleaning materials and supplies are the responsibility of the renter. Empty all trash receptacles and deposit trash into dumpsters for removal. Clean all restroom fixtures, sinks, toilets, counters, and floors. All corral and timed event areas shall be returned to the original condition as they were at the beginning of the rental agreement. The arena shall be prepared to its original condition as it was at the beginning of the rental agreement. The entire rented space of the event complex shall be free of debris, garbage, and any/all personal property of the renter.

Alcohol:

To obtain permission to serve alcoholic beverages the City Finance Office **MUST** be contacted, at (605) 578-2600. Alcoholic beverages are NOT permitted outside of the Event Complex.

The sale of alcoholic beverages may be allowed by acquiring a special alcoholic beverage license from the City of Deadwood per Deadwood Codified Ordinance Chapter 5.04.070 and South Dakota Codified Law Title 35. See both legal references below.

City of Deadwood Codified Ordinance Chapter 5 – Alcoholic Beverages

5.04.090 Fees

<i>License Type</i>	<i>Initial Fee</i>	<i>Renewal Fee</i>
<i>Special alcohol beverage license, malt beverage retailer, on-sale wine retailer, special on-sale liquor, special off-sale South Dakota farm wine dealer</i>	<i>\$50 per day not to exceed 15 consecutive days</i>	<i>Special alcohol beverage license, malt beverage retailer, on-sale wine retailer, special on-sale liquor, special off-sale South Dakota farm wine dealer</i>

5.04.100 Special alcoholic beverage license procedures

- A. Special event alcoholic beverage licenses may be issued by the City Commission in conjunction with special events held within the city. Any license issued pursuant to this section may be issued for a period of time established by the City Commission, not to exceed fifteen consecutive days. The issuance of this license is not a matter of right and is at the sole discretion of the City Commission.
- B. The applicant shall make application sufficiently in advance of the event so that it may be acted on by the City Commission at a regularly scheduled meeting. Each license application shall be accompanied by the required fee at the time of submission to City Finance Office. Licenses are subject to same public hearing requirement as new license. No public hearing is required for the issuance of a special event license if the person applying for the special event license holds an eligible permanent license and the special event license is to be used on publicly-owned property.

- C. The organization receiving the licenses shall be responsible for security and safety of the participants and/or meet all rules, regulations or laws and requirements of state and local government.
- D. No person or entity may be issued more than twenty (20) special licenses per calendar year.
- E. The special alcoholic beverage licenses available are as follows:
 1. Special event malt beverage retailer. Special event malt beverage retailers licenses are available to any civic, charitable, educational, fraternal, or veterans administration or any licensee licensed pursuant to 5.04.030 and 5.04.080
 2. Special event on-sale wine retailer. Special event on-sale wine retailers licenses are available to any civic, charitable, educational, fraternal, or veterans administration or any licensee licensed pursuant to 5.04.030 and 5.04.080
 3. Special event on-sale dealer. Special event on-sale dealers licenses are available to any civic, charitable, educational, fraternal, or veterans administration or any licensee licensed pursuant to 5.04.030 and 5.04.080
 4. Special event on-off sale package wine dealer. Special event on-off sale package wine dealer licenses are available to any civic, charitable, educational, fraternal, or veterans administration or any licensee licensed pursuant to 5.04.030 and 5.04.080

(Ord. 1130, 2010; Ord. 1113, 2009)

5.04.130 Consumption and possession of alcoholic beverages in public places permitted.

The City Commission may permit, subject to conditions or restrictions that it may deem appropriate, the consumption and blending of alcoholic beverages on publicly owned property described by the City Commission, or property owned by a non-profit corporation in conjunction with a special event. The authorization shall not exceed 24 hours.

South Dakota Codified Law Title 35 – Alcoholic Beverages/Special Events

35-4-124. Special alcoholic beverage licenses issued in conjunction with special events.

Any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (12) or chapter 35-12 in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4) or (6) in addition to any other licenses held by the special events license applicant;
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12;

(5) A special off-sale package wine dealers license in conjunction with a special event, conducted pursuant to § 35-4-124.1, within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization;

(6) A special off-sale package malt beverage dealers license in conjunction with a special event, conducted pursuant to § 35-4-124.1, within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization; or

(7) A special off-sale package dealers license in conjunction with a special event, conducted pursuant to § 35-4-124.1, within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization.

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. No public hearing is required for the issuance of a license pursuant to this section if the person applying for the license holds an on-sale alcoholic beverage license or a retail malt beverage license in the municipality or county or holds an operating agreement for a municipal on-sale alcoholic beverage license, and the license is to be used in a publicly-owned facility. The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any person within any calendar year.

General Business:

If you will be selling any items (tangible personal property), you as well as vendors must present a copy of your South Dakota Sales Tax License. For information on sales tax licensing contact the South Dakota Department of Revenue Office in Pierre.

445 East Capitol Ave
Pierre, SD 57501-3185
(605) 773.3311

If vendors are intended to be used during an approved event at the Deadwood Event Complex all vendors shall comply with Chapter 5.28 of the City of Deadwood Code of Ordinances. Below the complete Chapter has been provided for reference. In addition vendors will be limited to designated areas (as indicated on the event complex site plan) within the event complex unless otherwise approved by the City of Deadwood Safety City Commission.

City of Deadwood Codified Ordinance Chapter 5.28 – Commerce within the City

Sections:

5.28.010 Peddlers, solicitors, transient merchants and vendors—License required.

5.28.011 Actors and performers—Registration required.

5.28.020 Definitions.

5.28.030 General commerce in city limits—License required.

5.28.035 Display of merchandise.

5.28.040 License application.

5.28.050 Investigation of applicants.

5.28.060 Fee, bond and duration of license.

5.28.070 Temporary structures.

5.28.080 Exceptions.

5.28.090 Violation—Penalty.

5.28.010 Peddlers, solicitors, transient merchants and vendors—License required.

It is unlawful for any transient merchant, peddler/hawker, vendor or solicitor to conduct, operate, manage or engage in any business described herein without first obtaining a license to do so from the Deadwood city commission, or his or her designee, as required by this chapter. This chapter shall apply and be effective on both public and private streets, sidewalks, parks and parking lots within the city. In addition, this chapter shall apply in areas zoned residential or commercial within the city on private property outside or inside of any home, residence, business or structure.

(Ord. 1101 (part), 2008; Ord. 1064 (part), 2006; Ord. 1005 § 22-100, 2003: Ord. 978 (part), 2001: prior code § 22-100)

5.28.020 Definitions.

As used in this chapter:

"Exterior" means the outer side or surface, except that the interior side of a door shall also mean exterior for purposes of this chapter; also, for purposes of this chapter, exterior also means "outside."

"Inside" means the inner side of any permanent residential or commercial structure or enclosure.

"Locally designated Historic District" means (1) 424-818 Main Street; (2) all of Lee Street; (3) all of Siever Street; (4) all of Deadwood Street; (5) all of Pine Street; (6) all of Sherman Street; and (7) 1-13 Charles Street.

"Merchandise" means goods bought and sold in business; commercial wares.

"Outside" means the outer side of any permanent residential or commercial structure or enclosure.

"Peddler/hawker" means a person selling or offering to the public personal property or services including but not limited to, coupons, tokens or other items of trade or commerce by going from place to place, house to house, or parking on a highway or street who carries personal property for immediate sale or performs the services immediately. This definition does not include the business which follows an established route selling goods and which stops only at those premises which have requested such services.

"Solicitor" means a person engaging in the same activity as a peddler except that the goods and services are for future delivery.

"Stand" means any table, showcase, bench, rack, pushcart, wagon or any other movable vehicle or device, whether or not it may be moved without the assistance of a motor and whether or not it is required to be licensed and registered by the state department of commerce and regulation, used for the displaying, storing or transporting of articles offered for sale by a vendor.

"Temporary" means no business that plans to be in Deadwood for less than a year, whether evidenced by short-term lease or otherwise, shall be deemed anything but temporary as such business is expected to change in status, conditions or place; is intended to exist for only a definite period; is not lasting, or intended to last as that term is commonly known, or lasting for a short or limited time; and is transitory in nature.

"Transient merchant" means any person, firm, corporation, partnership, association or any agent thereof who establishes a temporary business offering wholesale or retail goods within the city.

"Vendor" means any person engaged in the selling or soliciting for sale of goods, wares, merchandise, services, including food and beverages, within the city limits, from a stand or motor vehicle or from their person. (Ord. 1141 (part), 2011: Ord. 1101 (part), 2008: Ord. 1005 § 22-101, 2003: Ord. 978 (part), 2001: prior code § 22-101)

5.28.030 General commerce in city limits—License required.

It is unlawful for any person, entity or business to sell or offer for sale or trade any goods, services, coupons, tokens or other items of trade or commerce or merchandise in the public or private streets, public or private sidewalks, public or private parks, or public or private parking lots within the city, whether or not the area is zoned residential or commercial within the city without a license issued pursuant to this chapter, provided that this chapter shall not apply to a person, entity or business which

follows an established route and stops only at those premises which requested such goods or merchandise.

(Ord. 1101 (part), 2008; Ord. 1005 § 22-102, 2003; Ord. 978 (part), 2001: prior code § 22-102)

5.28.040 License application.

An applicant shall file a verified application with the Zoning Administrator or her or his designee, providing the following information:

A. Proof of a South Dakota Sales Tax License and if for the sale of food or beverages, a certificate from the South Dakota health department.

B. A statement of whether the applicant, upon sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery.

C. A statement of the period of time the applicant wishes to do business within the city limits.

D. The local or permanent address of the applicant.

E. The type of personal property or services the applicant proposes to offer in the city.

F. A list of three business references, including, if possible, the names of three cities or towns where the applicant has operated previously.

G. A letter from the zoning administrator stating that the activity for which the license is sought has been approved by the planning and zoning commission and board of adjustment as appropriate under the zoning ordinance of the city, codified in Title 17 of this code.

(Ord. 1101 (part), 2008; Ord. 1005 § 22-103, 2003; Ord. 978 (part), 2001: prior code § 22-103)

5.28.050 Investigation of applicants.

Application shall be made at least sixty (60) days prior to the commencement of the proposed business to enable the chief of police, or his or her designee, to investigate the qualifications of the applicant. The applicant shall cooperate with the investigation by providing proof of identification and any other reasonable information for the investigation.

(Ord. 1010 § 1 (part), 2003; amended during 2004 codification; Ord. 978 (part), 2001: prior code § 22-104)

5.28.060 Fee, bond and duration of license.

A. The license fee under this chapter shall be seven hundred fifty dollars (\$750.00), payable in advance, for each fourteen (14) day period for any activity described herein that is to be conducted outside. The license fee under this chapter shall be two hundred fifty dollars (\$250.00), payable in advance, for each fourteen (14) day period for any activity described herein that is to be conducted inside. Each applicant shall file with their application, a bond to the city in the amount of five hundred dollars (\$500.00), which bond shall stay in effect for one (1) year from the time of its filing and which shall first be used to indemnify the city for any damages or be forfeited for continued operation of the business beyond the license date, and which also may be attached by any individual aggrieved by the acts or products of the licensee or his or her agents. Upon meeting the conditions specified by this chapter, the applicant may be issued a license for the location and the time period for which it is effective.

B. All establishments which possess a convention center liquor license qualify for a convention center vending permit. The license fee for a convention center vending permit shall be one thousand five hundred dollars (\$1,500.00), payable in advance, for one (1) calendar year. This permit allows for the establishment to have indoor or outdoor vending on their private property at the same location as their convention center liquor license. A vendor doing business inside or outside of a licensed convention center is not required to pay a vending permit fee to the city as it shall be covered under the convention center's license. The licensed establishment is required to provide the zoning administrator a monthly report that will include: Upcoming conventions or events that will have vending, a list of vendors that will attend conventions in the upcoming month along with their sales tax identification numbers. Convention center establishments will be subject to spot checks by the zoning administrator periodically

to insure all of the information required by the city of Deadwood is being provided. A convention center vending license permit application may obtain approval or denial from the city of Deadwood planning and zoning board in a regular planning and zoning meeting. Convention center vending licenses require no review period prior to approval.

(Ord. 1141 (part), 2011: Ord. 1101 (part), 2008: Ord. 978 (part), 2001: prior code § 22-105)

5.28.070 Temporary structures.

A. Temporary structures such as vending stands, reviewing stands, sheds, canopies, tents, awnings and fences may be erected only on private property zoned CH-commercial highway district, and C1 commercial district, except that no such structures shall be allowed in the locally designated historical district (planning unit 4), provided a temporary permit is obtained. Such permit shall be issued by the building inspector for a period not to exceed twenty-one (21) days.

B. All temporary structures shall be dismantled and removed from the premises no later than twenty-one (21) days after their construction or erection commenced. If the structure is not removed within that time, the city may remove the structure, or contract for its removal, and bring an action in any court of competent jurisdiction for the recovery of any costs.

C. Any temporary food or beverage structure shall have asphalt, concrete, wood or other similar material for a floor and shall display an inspection certificate from the State of South Dakota department of health.

(Ord. 1141 (part), 2011: Ord. 978 (part), 2001: prior code § 22-106)

5.28.080 Exceptions.

A. The city commission shall have the authority to grant exceptions to the licensing, fee, bond and other requirements of this chapter for and during specific community events such as the Days of '76 Celebration, Wild Bill Days and other events where sponsors of said events have in the past used vendors in connection with such events at the rodeo grounds and other community events provided that the sponsor of such events will make every reasonable attempt to use services, merchandise and products of local businesses if possible. Further, any prohibition of temporary structures on private property zoned CH-commercial highway district or C1 commercial district may be waived upon holding a public hearing on this issue, with the proponent of such waiver being responsible for all costs of said public hearing. Further, the fee and bond requirements may be waived by the city commission upon holding a public hearing on this issue. In the event that the city commission chooses to hold a public hearing, such hearing may be in lieu of the investigation by the chief of police.

B. This chapter, except for the temporary structures provisions, shall not apply to solicitations, sales or distributions made by local or nationally chartered charitable, educational or religious organizations. This chapter shall not be deemed to waive the notice requirements under the state statute to the city commission of any organization conducting a bingo game or lottery nor to restrict the city commission in the reasonable regulation of such bingo game or lottery.

C. This chapter shall not apply to the sales of fruits, vegetables, farm or garden products.

D. Rummage sales, yard sales, city-wide community used property sales and lemonade stands or other similar activities operated by minors or children or youth groups, or other nonprofit groups. (Ord. 1141 (part), 2011: Ord. 978 (part), 2001: prior code § 22-107)

5.28.090 Violation—Penalty.

Failure to obtain a license as required by this chapter or any other violations of this chapter may be punishable by the maximum fine and jail as prescribed for Class 2 misdemeanors under South Dakota law for each offense. Each day of operation without such a license or without compliance with the terms of this chapter shall be deemed a separate offense.

(Ord. 1101 (part), 2008: Ord. 978 (part), 2001: prior code § 22-108)