

**SUBJECT:** AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 8.55 SPECIAL EVENTS TO REPEAL THE SURETY BOND REQUIREMENT STANDARDS.

**AGENDA OF:** November 18, 2025

**ASSEMBLY ACTION:** Adopted without objection 02/03/26 BJH

**AGENDA ACTION REQUESTED:** Refer to Planning Commission for 90 days.

Route To	Signatures
Originator	10/15/2025 X      A l e x   S t r a w n Signed by: Alex
Department Director	10/15/2025 X      A l e x   S t r a w n Signed by: Alex
Finance Director	X      C h e y e n n e   H e i n d e l Signed by: Cheyenne Heindel
Borough Attorney	X      N i c h o l a s   S p i r o p o u l o s Signed by: Nicholas Spiropoulos
Borough Manager	X      M i c h a e l   B r o w n Signed by: Michael Brown
Borough Clerk	10/20/2025 X      B r e n d a   J .   H e n r y   f o r Signed by: Brenda Henry

**ATTACHMENT (S):** Ordinance Serial No. 25-126 (2 pp)  
 MSB 8.55 (11 pp)  
 Planning Commission Resolution No. 25-25 (3 pp)

**SUMMARY STATEMENT:** This ordinance is at the request of Assemblymember Fonov.

MSB 8.55 governs the permitting process for special events within the Matanuska-Susitna Borough. As part of the original ordinance adopted in the year 2000, event organizers have been required to provide a financial surety bond as a condition of permit approval. The intent behind the bond requirement was to safeguard the Borough against potential liabilities, damages, or unmet obligations resulting from permitted events.

After a review of historical data and internal procedures, staff

have concluded that the bond requirement has become an unnecessary administrative and financial burden on applicants, particularly for small or community-based events.

Since the ordinance's adoption in 2000, the Borough has never had to invoke or utilize a bond for any special event. This reflects a strong track record of compliance and responsible event management by applicants. However, the continued requirement for a bond may discourage community groups, nonprofits, and small-scale organizers from hosting events due to up-front financial constraints and additional paperwork.

In addition, processing, tracking, and maintaining bond records creates extra work for Borough staff without any demonstrated benefit or reduction of risk. The Borough already employs other regulatory tools, such as site inspections, insurance requirements, and post-event reviews that effectively ensure public safety and accountability without reliance on financial surety bonds.

Repealing the bond requirement is a reasonable and prudent update to the Borough's special event permitting framework. It reflects 25 years of safe and successful event management and supports efforts to make the permitting process more efficient.

#### Matanuska-Susitna Borough Comprehensive Plan

Goal E-3: Create an attractive environment for business investment.

Policy E3-2: Institute appropriate land use guidelines and regulations that reduce land use conflicts and protect residents and businesses.

Goal LU-1: Protect and enhance the public safety, health, and welfare of Borough residents.

Policy LU1-1: Provide for consistent, compatible, effective, and efficient development within the Borough.

**RECOMMENDATION OF ADMINISTRATION:** Refer to Planning Commission and then introduce and set for public hearing.

## CHAPTER 8.55: SPECIAL EVENTS

Section

- 8.55.010 Definitions**
- 8.55.020 Applicability**
- 8.55.030 Special event permit required**
- 8.55.040 Standards**
- 8.55.050 Application for special event permit**
- 8.55.060 Application information**
- 8.55.070 Designation of the director**
- 8.55.080 Duties and responsibilities of the director**
- 8.55.090 Appeals**
- 8.55.100 Violations, enforcement, and penalties**
- 8.55.110 Temporary noise permit**

### **8.55.010 DEFINITIONS.**

(A) For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) "Attendant" means any person physically present at a mass outdoor gathering, including, but not limited to, the performers, the audience, and the staff or workers at the event.
- (2) "Director" means the director of the planning and land use department.
- (3) "Mass outdoor gathering" means any outdoor event attended by more than 500 people, all or any part of which includes theatrical exhibition, public show, display, entertainment, amusement, or other exhibition including but not limited to musical festivals, rock festivals, or similar gatherings. The term "event" is interchangeable with

the term “mass outdoor gathering” within the definitions of this chapter. “Mass outdoor gathering” does not mean:

- (a) An event which is conducted or sponsored by a governmental unit or agency on publicly owned land, waterbody, or property; or
- (b) An event held entirely within the confines of a fully enclosed or open air permanent structure; or
- (c) An activity for which the borough has issued a conditional use permit under the requirements of MSB Title 17.

(4) “Motorized event” means an event where vehicles powered or propelled by a force other than human or animal muscular power, gravity, or wind, are held for sport, entertainment, display, amusement, or other exhibition.

(5) “Person” means any natural person, partnership, corporation, association, or organization.

(6) “Operator” means any person who organizes, promotes, operates, or conducts a mass outdoor gathering. It does not include individuals or corporations who donate or contribute money, goods, or services to the event.

(7) “Uniformed security personnel” means individuals providing security shall wear clothing which visually designates them as being part of the security force, and which is identical in type and color.

(Ord. 12-061, § 2, 2012; Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.020 APPLICABILITY.**

This chapter applies in all areas of the borough outside of the incorporated cities.

(Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.030 SPECIAL EVENT PERMIT REQUIRED.**

(A) No person shall operate, sponsor, maintain, conduct, promote, or allow a mass outdoor gathering in the Matanuska-Susitna Borough without first having made application for, and obtained, as hereinafter prescribed, a permit for each mass gathering.

(B) A permit shall not allow the gathering to exceed the number of people stated in the permit. The operator shall not sell, trade, donate, or distribute tickets to, or permit to assemble at the authorized site, more than the maximum permissible number of people.

(C) No operator shall knowingly allow any person to unlawfully consume, sell, or possess intoxicating liquor or to unlawfully use, sell, or possess any narcotics, narcotic drugs, or other controlled substances as defined by state or local laws on the premises during the mass gathering.

(D) This chapter does not apply to lands located east of the range line between Range 8 East and Range 9 East, Seward Meridian, Alaska, to the Matanuska-Susitna Borough boundary, or to the land north of the township line between Township 29 North and Township 30 North, Seward Meridian, Alaska, to the Matanuska-Susitna Borough boundary.

(Ord. 23-042, § 2, 2023; Ord. 00-117(SUB)(AM), § 2 (part), 2000)

## **8.55.040 STANDARDS.**

(A) *Security personnel.* The operator shall employ, at his own expense, such uniformed security personnel as are necessary and sufficient to provide adequate security and protection of attendants, to regulate and limit the number of persons to the level authorized in the permit, and for the preservation of order and protection of property in and around the site of the gathering. Security personnel shall be present during the event at the rate of one security guard for each 150 persons.

(B) *Emergency medical services.* For events located more than 15 road miles from the closest ambulance station, or if the event is anticipated to have more than 1,000 in attendance, the operator shall provide:

(1) at least one state of Alaska certified emergency medical technician (EMT) per 1,000 planned attendees, and

(2) in addition to subsection (B)(1) of this section, the operator shall provide at least two Alaska certified EMTs for the participants in any motorized event.

(C) *Potable water.* The operator shall ensure availability of potable water, meeting all state requirements for purity, sufficient in quantity to provide drinking water for the maximum attendants at the rate of at least one gallon per person per day or prorated fraction thereof.

(D) *Sanitation facilities.* The operator shall provide separate and enclosed toilets meeting all state and local specifications sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every 75 persons per day or

prorated fraction thereof. These toilets shall be properly maintained, cleaned, and serviced during the event.

(E) *Solid waste disposal.* The operator shall provide for solid waste storage on, and removal from, the premises. The collection of all garbage and refuse shall be in metal containers provided in sufficient quantity to prevent accumulation of garbage and other refuse, and disposed of within 48 hours of the close of the event in a sanitary landfill or transfer station, approved or authorized by the Alaska Department of Environmental Conservation.

(F) *Supervision of premises.* The operator shall designate a person or persons who shall supervise and be in charge of the property. A designated supervisor shall be on the premises at all times while the event is underway. During the event, this on-site individual is to be continuously available to law enforcement, fire, and emergency medical personnel through the use of radios, cellular phone, or beepers provided by the operator.

(G) *Access and traffic control.* The operator shall provide for controlled ingress and egress from the site so as to ensure the orderly flow of traffic to, at, and from the event. Access to the site shall be from a public road or authorized private road. Traffic lanes and other space shall be provided, designated, and kept open for access by ambulance, fire equipment, helicopter, and other emergency equipment.

(H) *Parking.* The operator shall provide an off- street parking area sufficient for the maximum number of attendants' motor vehicles. A rate of one parking space, 10' by 20' in size, with appropriate parking space access aisles, for every four attendants is the minimum required to meet this standard.

(I) *Insurance and surety bond.* The operator shall provide insurance and surety bonds as follows:

(1) Before receiving final approval of a permit the operator shall furnish a certificate of general liability insurance specifically referencing the event with limits not less than \$1,000,000 per

occurrence/\$1,000,000 aggregate, which insurance shall insure liability for bodily injury and property damage. The sponsor shall also include on the certificate of insurance evidence of liquor liability coverage with limits not less than \$1,000,000 per occurrence/\$1,000,000 aggregate (if liquor is present at the event). The certificate of insurance shall include 30 days notice of cancellation to the borough. The borough shall be named on the operator's general liability policy as an additional insured and the operator shall waive their rights of subrogation against the borough. This shall also be included on the certificate. The operator agrees to hold harmless from all claims and defend and indemnify the borough, its agents, officers and employees from all claims,

which arise out of, or in any way are connected with the operator's event. Such insurance shall remain in full force and effect in the specified amounts for the duration of the event.

(2) Due to the possibility of damage or expense to the borough arising from the event or the operator's failure to comply with the requirements of the permit, the operator shall furnish a bond, cash, certified check, or equivalent, payable to the borough, conditioned upon the operator's faithful compliance with all of the terms and provisions of this chapter and all applicable provisions of the state or local law, and which shall indemnify the borough, its agents, officers, and employees against any and all loss, injury, or damage whatsoever arising out of, or in any way connected with, the mass gathering; and which shall indemnify the owners of surrounding property for costs attributable to cleaning up or removing debris, trash, or other waste resultant from the mass gathering. The amount of this bond shall be based upon the number of attendants and in accordance with the following table:

Attendees	Bond Amount
501-1000	\$ 25,000
1001-2000	50,000
2001-3000	75,000
3001-4000	100,000
4001-5000+	125,000

(3) *Bonding exemption.* An event operator may request a reduction of bonding requirements, under subsection (l)(2) of this section, up to 75 percent; provided, that:

- (a) the event has been in operation at the same site for at least three consecutive years;
- (b) the same operators have operated the event for at least three consecutive years;
- (c) there have been no claims against any surety bonds over the last three years; and
- (d) the operator has shown evidence of the ability to comply with all other provisions of the ordinance including security and trash removal requirements.
- (e) The planning director will make the determination whether an operator will be **IM 25-243** exempted when a complete application is submitted by the operator. A decision of **OR 25-126**

the director can be appealed by the applicant to the manager. The decision of the manager shall be final.

(J) *Fire protection.* The operator shall provide for fire protection, including fire extinguishing devices, fire lanes, and escape routes, to protect the life and health of the people attending the mass gathering.

(K) *Quiet hours.* Between the hours of midnight and 8 a.m. amplified sound shall not carry across property lines beyond the authorized site.

(L) *Authorization to enter.* Representatives of state and local government agencies shall be permitted to inspect the site of the mass gathering at any time for the purpose of ensuring compliance with the provisions of this chapter.

(Ord. 04-095(AM), § 2, 2004; Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.050 APPLICATION FOR SPECIAL EVENT PERMIT.**

Application for a special events permit shall be made on forms furnished by the director at least 90 days prior to the first day of advertising for the event and must be accompanied by a fee established by the assembly.

(Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.060 APPLICATION INFORMATION.**

(A) In addition to any other information the director may reasonably require from an applicant, each application made shall include at least the following:

(1) the name, residence, and mailing address of the person making the application. Where the person making the application is a partnership, corporation, or other association, this information shall be provided for all partners, officers, or directors;

(2) a description of the proposed mass outdoor gathering;

(3) the address and legal description of the site at which the mass outdoor gathering is proposed to be conducted. If ownership of the proposed site is not vested in the applicant, there shall be submitted an affidavit from the property owner or authorized agent indicating his consent and acceptance of responsibility for the use of the site for the proposed outdoor mass gathering;

- (4) the date or dates and hours during which the proposed mass outdoor gathering is to be conducted;
- (5) an estimate of the maximum number of attendants expected at the proposed mass outdoor gathering, and the maximum number of tickets to be sold, if any;
- (6) each application shall be accompanied by a site plan and other drawings, diagrams, or narrative describing the methods to be provided for:
  - (a) security and crowd control, including the operator's plans to limit the maximum number of people attending the event; plans for limiting attendance, including methods of entering the area, number, and location of ticket booths and entrances, and provisions for keeping non-ticket holders out of the area;
  - (b) diagram of the signs to be used to direct traffic to and from the site;
  - (c) method of providing potable water, including the source, amount available, and location of water outlets/distribution points if applicable;
  - (d) sanitation facilities, including the number of toilets to be provided, location, and type;
  - (e) vehicle access and off-street parking, including size and location of parking spaces and parking space access aisles;
  - (f) noise control, including types of sound controls and sound amplification, if any, listing the number, location, and size of power amplifiers and speakers to be used during the event, and a description of all necessary precautions to ensure that between the hours of midnight and 8 a.m. amplified sound will not carry across property lines beyond the authorized site;
  - (g) public safety plan, including location of emergency ingress and egress for patrons and others including emergency personnel and vehicles, and a description of the operator's arrangements for communications between internal and external security personnel and patrons; a fire protection plan, approved by a representative of the borough public safety department showing the number, type, and location of all extinguishing devices, and the type and location of signs delineating the fire lanes and emergency exit routes;
  - (h) solid waste disposal, including method of collecting and disposing of solid waste, in compliance with state and local laws, at a daily rate of at least one 55 gallon container for each 50 persons in attendance or prorated fraction thereof;

(i) statement acknowledging that state and local government officials are guaranteed free and open access to all areas of the site before, during, and after the event for the purpose of inspection to ensure compliance with the requirements of this ordinance;

(j) no less than 14 working days prior to the event the operator shall provide documentation of:

(i) executed copy of the operator's Alaska Department of Environmental Concerns (ADEC), Food Safety Program, and Temporary Food Service Permit application;

(ii) executed copy of the operator's Alaska Alcohol and Beverage Control Permit application if alcohol is to be served at the event;

(iii) notification of the Alaska State Trooper District Office, Matanuska-Susitna Borough Department of Public Safety, the borough public works department, and other emergency response agencies that may be affected, of the date, time and place of the event by certified mail. Such notice shall contain written authorization for representatives of these agencies to enter the site of the event at any time for the purpose of investigating the conditions specified in the application or ensuring compliance with the provisions of the application or of this chapter and the regulations issued hereunder;

(iv) proof of insurance and surety or indemnity bond as required;

(v) the number of security guards, the names, addresses and phone numbers of the individuals providing security for the event, and their hours of availability.

(Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.070 DESIGNATION OF THE DIRECTOR.**

The director shall administer and implement this chapter by granting or denying a special events permit in accordance with its provisions.

(Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.080 DUTIES AND RESPONSIBILITIES OF THE DIRECTOR.**

(A) The director shall:

- (1) review all special events permit applications to determine that the requirements of this chapter have been satisfied and issue a decision within 30 calendar days of the receipt of an application;
- (2) review the information submitted to determine that all necessary permits have been obtained from those federal, state, or local government agencies from which prior approval is required;
- (3) maintain for public inspection all records pertaining to the provisions of this chapter;
- (4) maintain the records of all appeal actions.

(Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.090 APPEALS.**

(A) Upon written request an operator aggrieved by a decision of the director made under this chapter or any regulation enforced pursuant to this chapter, including a decision to deny a permit, may appeal to the borough manager to review the director's decision. Such appeal must be in writing and be filed with the manager's office no more than seven days after the director's decision.

(B) An appeal from the decision of the borough manager may be taken within the time prescribed in the Alaska Rules of Appellate Procedure, Part 6; Rules 601-612, by an operator when it is alleged there is an error in any requirement, decision, or determination made by the manager in the implementation, or enforcement, of this chapter.

(Ord. 00-117(SUB)(AM), § 2 (part), 2000)

### **8.55.100 VIOLATIONS, ENFORCEMENT, AND PENALTIES.**

(A) Every act or condition prohibited by this chapter is unlawful and is a violation of borough code.

(B) Failure to obtain the required special events permit is a violation of MSB 8.55.030, and is a minor infraction.

(C) *[Repealed by Ord. 17-103, § 8, 2017]*

(D) The remedies provided in this section are not exclusive, but are cumulative of all other remedies available at law or in equity.

### **8.55.110 TEMPORARY NOISE PERMIT.**

- (A) A temporary noise permit may be approved by the director.
- (B) A temporary noise permit may be granted once per calendar year per location for a maximum of four days, up to eight hours a day.
- (C) Applications for a temporary noise permit shall be made on forms provided by the borough. The applicant for a temporary noise permit shall submit the application to the department 60 days prior to the commencement of the activity for which the permit is requested.
- (D) The director may reject any application which is incomplete. The rejection shall be in writing and shall state the deficient items. Once the deficiencies have been corrected, the complete application will be processed.
- (E) Upon receipt of a complete application, the director will notify the public as follows:
  - (1) Publication shall be in a newspaper of general circulation in the borough 15 days prior to the decision date of the temporary noise permit application.
  - (2) Notice shall be mailed, at least 15 days prior to the decision date of the temporary noise permit application, to all owners of property within a distance of one-half mile of the exterior boundary of the property that is the subject of the application.
  - (3) When the property that is the subject of the application lies within the boundaries of a community council recognized by the assembly, notice shall be mailed to the community council at least 15 days prior to the decision date of the temporary noise permit application.
  - (4) Public notice shall state the following information:
    - (a) date, time and location of the event requiring the temporary noise permit;
    - (b) brief description of the application;
    - (c) description of the property that is the subject of the application and a vicinity map of that land; and
    - (d) identification of the planning department's telephone number.

- (5) Prior to the granting of the temporary noise permit, the applicant shall pay the cost of all mailings or advertisements required by ordinance specific to that action.
- (F) Factors to be considered by the director for granting a temporary noise permit shall include, but not be limited to, the following:
- (1) conformance with the intent of this chapter;
  - (2) uses of property and existence of sensitive receptors within the area affected by sound;
  - (3) the effect to the applicant and to the community;
  - (4) the time of the day the activity for which the permit is requested will occur; and
  - (5) the general public interest, welfare and safety.
- (G) Within 30 days of receipt of the application, the director shall either approve or conditionally approve the application in whole or in part, or deny the application.
- (H) In the event the permit is approved, reasonable conditions may be imposed to address concerns raised by neighboring property owners, and as deemed appropriate by the director, to protect the public health, safety, and general welfare, and may include restrictions on sound level, sound duration and operating hours, an approved method of achieving compliance, and a time schedule for its implementation.
- (I) Where the director has approved a temporary noise permit and complaints are received related to the activity for which the permit was granted, the director has the authority to take action necessary to reduce the sound impacts including modification or revocation of the permit.

(Ord. 08-070, § 3, 2008)

By: A. Strawn  
Introduced: 12/15/2025  
Public Hearing: 01/05/2026  
Action: Approved

**MATANUSKA-SUSITNA BOROUGH  
PLANNING COMMISSION RESOLUTION NO. 25-25**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH PLANNING COMMISSION  
RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING MSB 8.55 SPECIAL  
EVENTS TO REPEAL THE SURETY BOND REQUIREMENT STANDARDS.

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WHEREAS, Assembly Ordinance 25-126 repeals the surety bond requirement when obtaining a Special Events Permit in accordance with MSB 8.55 Special Events; and

WHEREAS, the intent behind the bond requirement was to safeguard the Borough against potential liabilities, damages, or unmet obligations resulting from permitted events; and

WHEREAS, since the ordinance's adoption in 2000, the Borough has never had to invoke or utilize a bond for any special event; and

WHEREAS, the bond requirement creates extra work for Borough staff without any demonstrated benefit or reduction of risk; and

WHEREAS, the Borough employs other regulatory tools, such as site inspections, insurance requirements, and post-event reviews that effectively ensure public safety and accountability without reliance on financial surety bonds; and

WHEREAS, repealing the bond requirement is a reasonable and prudent update to the Borough's special event permitting framework and supports efforts to make the permitting process more efficient

WHEREAS, the Assembly Ordinance 25-126 supports the goals and objectives of the Matanuska-Susitna Borough Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Planning Commission hereby recommends approval of Assembly Ordinance 25-126.

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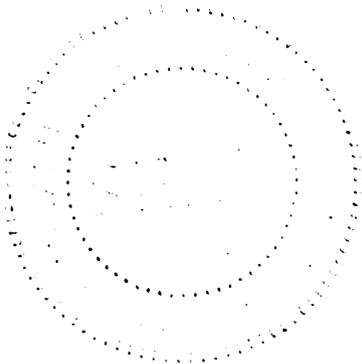
ADOPTED by the Matanuska-Susitna Borough Planning Commission  
on this 5th day of January, 2026.

  
FOR RICHARD ALLEN, Chair

ATTEST

  
LACIE OLIVIERI, Planning Clerk

(SEAL)



YES: McCabe, Collins, Scoggin, Carpenter, Zagorodniy

NO: