



SPECIAL EVENTS APPLICATION

Please use the following check list to help you plan your event:

*****CHECK LIST WILL BE USED TO REVIEW SUBMITTAL*****

- ❖ SITE PLAN
- ❖ EMERGENCY PLAN
- ❖ RADIO COMMUNICATION PLAN
- ❖ PARKING PLAN
- ❖ TRAFFIC PLAN
- ❖ MONEY PLAN
- ❖ WATER PLAN
- ❖ ELECTRICAL PLAN
- ❖ TENT PLAN
- ❖ TRASH PICK UP PLAN
- ❖ LIGHTING PLAN
- ❖ RV OR ANY OTHER FIFTH WHEEL PLAN
- ❖ VENDOR LIST
- ❖ VENDOR LAYOUT
- ❖ BEER/WINE GARDEN LOCATION
- ❖ INSURANCE
- ❖ ENTERTAINMENT LIST & SCHEDULE
- ❖ EVENT ACTIVITY SCHEDULE
- ❖ EXPECTED ATTENDANCE
- ❖ GATORS/GOLF CARTS/ATV
- ❖ EVENT EMERGENCY CONTACT LIST
- ❖ SECURITY DAY/OVERNIGHT
- ❖ NUMBER OF VEHICLES, ANIMALS, BIKES, OTHERS INVOLVED IN PARADE



SPECIAL EVENTS APPLICATION

APPLICANT INFORMATION *Application submittal does not guarantee permit approval*

Permit # _____ Permit Fee \$ _____ Today's Date: _____

Organization Name: _____

Email: _____

Type of Organization:

Charitable For-Profit Individual Non-Profit-501(c)3 Tax ID# _____

Other (please describe): _____

Applicant Name: _____ Phone: _____

Applicant Address: _____ Email: _____

Date of Birth: _____ TX Driver's License ID#: _____

(copy of photo ID required)

***Note:-Applicant will be the responsible party and main point of contact with the City of Van Alstyne**

On-Site Contact Mobile # _____

EVENT INFORMATION

Event Name (name used to advertise the event) _____

Event Location and Address: _____

Property Owner: _____ Phone: _____

(copy of photo ID required)

Property Address: _____ Email: _____

Purpose of the Event: _____

Day 1 - Event Date:	Start Time:	End Time:
Day 2 - Event Date:	Start Time:	End Time:
Day 3 - Event Date:	Start Time:	End Time:
Event Set-Up Date:	Start Time:	End Time:
Event Tear Down Date:	Start Time:	End Time:



SPECIAL EVENTS APPLICATION

Type of Event (check all that apply):

- Bicycle
- Carnival
- Concert/Performance
- Festival
- Fundraiser
- Parade
- Reception
- Private Gathering
- Rally/Run/Walk
- Timed Race
- Sporting Event
- Wedding
- Other (Explain) _____

Add Cross Streets & Boundaries for Non-Addressable Areas: _____

Is this a first time event: Yes No

If No, has the event previously been held in Van Alstyne? Yes No

If No, When was it previously held in Van Alstyne? _____ Were you the organizer? Yes No

***** Must submit description of Event and Itinerary for all activities occurring during Special Event *****

Total Estimated # of Participants at the Event: _____

Approximate Peak # of Spectators expected to attend the event _____

Is there a charge for Entry: Yes No If Yes, Amount _____

***** ALL EVENTS MUST INCLUDE A SITE PLAN AND ROUTE MAP *****

Is Site Plan Attached: Yes No

Is Route Map Attached: Yes No

- The Event must carry property, bodily injury, and municipal liability insurance of \$1,000,000.00 per occurrence. The City of Van Alstyne must be shown as an additional named insured party on the insurance declaration. One (1) original copy of Insurance must be submitted at least thirty (30) days prior to the Event.
- Does Cancellation Insurance cover the Event? Yes No
- The Fire Code required a Public Safety Plan for all events. The required plan must address how the organizer plans to alert both the attendees and emergency services personnel to the emergency, how they plan to move attendees to safety and provide Fire and Police access to the scene. This submittal does not provide enough detailed information to determine if this Plan is required for your event. Contact Van Alstyne Fire Department at (903) 482-6222 for specific guidelines and requirements.
- A fee of \$50.00 (non-refundable) is required per Application. Payment to the City of Van Alstyne is due upon receipt of Application and before the Application can be reviewed.
- Please answer all information pertaining to the event as accurately as possible. After completion of items listed under General Event Information, Description of Event, Operations and City Requirements, return to the City of Van Alstyne at 242 E. Jefferson St., Van Alstyne, TX 75495.
- Approximately 15 days following Application submittal, all city departments will have been provided a copy of the application and each will have reviewed and responded to the application. A meeting date will then be set, at least 30 days prior to the event, with all of the departments and with the Event Coordinator.



SPECIAL EVENTS APPLICATION

OPERATIONS

TRAFFIC CONTROL: Please describe the area of usage, course, street/alleys involved, requested modifications of standard usage. _____

Will any businesses be impacted by the proposed road closure? Yes No

Will any traffic signal operations be impacted by the event? Yes No

Will the event utilize Golf carts/Gators/ATV Yes No

If yes, please see event coordinator for information and permitting process.

All events that require a lane closure must submit a traffic control plan.

The Event is responsible for the rental of traffic control devised needed such as barricades, cones, etc.

The event is responsible for acquiring any additional permits or permission required, if any portion of route or course lies outside the jurisdictional limits of Van Alstyne.

PARKING:

Does the event have sufficient parking to accommodate all the participants? Yes No

Please describe the area of usage, course, street/alleys involved, requested modifications of standard usage. Please include all parking locations for the event along with written verification from land owner(s) which provided permission for parking. _____

POLICE / SECURITY SERVICES

Does the event desire to have Van Alstyne Police Officers? Yes No

Will the event have non-Van Alstyne Police Officers? Yes No

Number of Officers required. _____

Please list the locations for the Police Officer and time blocks. _____



SPECIAL EVENTS APPLICATION

FIRE / EMERGENCY SERVICES

Will the even have private First Aid & Medical Services on-site? Yes No
If yes, please list the provider and explain in detail: _____

Does the event desire to have Van Alstyne Fire/ EMT personnel? Yes No If Yes, how many? _____

Please list the locations for the Fire/EMT and time blocks, _____

RESTROOM FACILITIES, TRASH AND RECYCLING

Identify the # of permanent restroom facilities at event location? __Male__ Female __Other

Identify the # of portable restrooms being provided _____ List the company _____

List the locations(s) of permanent and portable restroom facilities: _____

of dumpsters/containers needed: _____ estimated delivery date: _____ Estimated pickup date: _____

The services provided by the City of Van Alstyne **MAY** include use of a dumpster, if requested prior to the event.

Place: _____

Outline how trash and recycling services will be property accounted for: _____

HEALTH, FOOD SAFETY, CONCESSIONS, ALCOHOLIC BEVERAGES

Will the event offer food/beverages? Yes No

Number of Non-Food Vendors or Booths? _____ Number of Food Venders: _____

Will the event require any food preparation on-site? Yes No

No food or food products shall be stored or prepared at home. Food vendor application and concessions information concerning Temporary Event Health Permits may be obtained from the Permits Department at City Hall (903-482-5426).

Will the event provide, sell or distribute alcoholic beverages? Yes No

Does concession require water / electricity? Yes No If yes what voltage? _____

How will electrical service be supplied? Generator Public Utilities Both

If yes to any question, attach list of providers, contractors, complete list of items offered, detail service process.



SPECIAL EVENTS APPLICATION

PUBLIC INFORMATION (NOISE / NOTIFICATION / SIGNAGE)

Will sound amplification be used at the event? Yes No

If yes, check all that apply: Recorded Music Live Music Other, explain _____

If yes, explain in detail: _____

How will residents affected by the event **be notified**: _____

Describe sponsors, directional, parking, registration information concerning signs, flags, banners, etc. _____

SIGNAGE

Events using any of the following signs must obtain permit application from Hall or by calling 903-482-5426. (Temporary signs, Directional, Flags, Banners, Inflatable, Flashing, other.)

DISPLAYS / PARADES

Will the event have a Firework and/or Pyrotechnic display(s)? Yes No

If yes, please list the vendor, property owner and explain proposed show in detail. _____

Parade? Yes No If yes, assembly location: _____

Number of participants _____ Number of Vehicles / Floats _____

The Same responsibility of litter control applies at entire staging site following parade and along parade route. Restrooms must be provided for parade participants during float preparation and staging. **No throwing candy, confetti, releasing balloons or any other loose articles.**

Tents or Structures? Yes No

If yes, list the number and sizes: _____

City reserves the right to close down or cancel any Event that is:

- a) In violation of any City Ordinance
- b) Deviation from this application.
- c) If public safety or affected department supervisors deem the event unsafe for public participation.



SPECIAL EVENTS APPLICATION

CITY OF VAN ALSTYNE AGREEMENT INDEMNIFICATION AND COST REIMBURSEMENT

I, THE UNDERSIGNED APPLICANT, HAVING AUTHORITY TO EXECUTE THIS AGREEMENT ON BEHALF OF MYSELF AND/OR THE ORGANIZATION AGREE TO IDENMIFY AND HOLD HARMLESS THE CITY OF VAN ALSTYNE, ITS OFFICERS, EMPLOYEES, AGENTS, AND REPRESENTATIVES AGAINST ALL CLAIMS OF LIABILITY AND CAUSES OF ACTION RESULTING FROM INJURY OR DAMAGE TO PERSONS OR PROPERTY ARISING OUT OF THE SPECIAL EVENT.

I FURTHERMORE AGREE TO REIMBURSE THE CITY OF VAN ALSTYNE FOR ANY ADDITIONAL COST INCURRED AS A RESULT OF THE SPECIAL EVENT WITHIN TEN (10) DAYS OF NOTICE FROM THE CITY OF SUCH COST.

Printed Name of Applicant

Applicant Signature

Date

Printed Name of Notary Public

Acknowledged before me this
_____ day of _____, _____

Notary Public

Notary Seal

AN ORDINANCE OF THE CITY COUNCIL OF VAN ALSTYNE, TEXAS, ADOPTING SPECIAL EVENT REGULATIONS; PROVIDING FINDINGS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Van Alstyne (the “City) is a Type-A General Law Municipality located in Collin County and Grayson County, Texas, incorporated in accordance with the provisions of the laws of the State of Texas ; and

WHEREAS, the City seeks to establish certain rules and regulations that will ensure public health and safety during large scale public events and celebrations; and

WHEREAS, The City seeks to establish rules and regulations that encourage such events and respect the rights of citizens to utilize public property; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VAN ALSTYNE, TEXAS:

SECTION 1: FINDINGS INCORPORATED. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: ADOPTION OF SPECIAL EVENT REGULATIONS. The following regulations for special events are hereby adopted:

DIVISION 1. GENERALLY

SECTION 1. DEFINITIONS

For the purpose of this article, the following definitions shall apply, unless the context clearly indicates or requires a different meaning:

Applicant. A person who has filed a written application for a special event permit seeking to hold the special event, including the applicant’s employees, agents, affiliates, successors, permitted assigns, and other persons controlled by the applicant.

Block party. The use of residential street(s) organized by a neighborhood association or group of citizens for a neighborhood function in which traffic control is required.

City. The City of Van Alstyne, Texas.

Committee review. The required review when the special event manager determines that the parade or special event permit application requires evaluation by the special event review committee to determine if additional City services, supplementary permits and follow-up inspections will be required.

Concession. Shall mean a facility at a special event where food or drink is offered to the public.

Costs. Shall mean all costs and expenses incurred by the applicant/permittee for activities associated with staging of the event, including, without limitation, any one or more of the following:

- (1) Utilities services provided to the special event, including all of the costs of installation, maintenance, and connection.
- (2) Barricades and cones.
- (3) Special event parking.
- (4) Food services inspection.
- (5) Repair, maintenance and removal of facilities in the event of a failure of applicant
- (6) Repair of streets, alleys, sidewalks, parks and other public property.
- (7) Police protection.
- (8) Fire protection.
- (9) Emergency medical service.
- (10) Garbage disposal and cleanup.
- (11) Traffic control.
- (12) Other direct costs associated with the special event.

Food service provider. Any person, business, or vendor working with unpackaged food, food equipment or utensils, or food contact surfaces.

Food service employee. An individual working with unpackaged food, food equipment or utensils, or food contact surfaces.

Licensee. The person to whom the parade or special event permit has been issued.

Non-profit. Non-profit shall mean an entity or organization recognized by the State of Texas and the federal tax code as a non-profit.

Parade. The assembly of persons whose gathering is for the common design of traveling or marching in procession from one location to any other location for the purpose of advertising, promoting, celebrating, or commemorating a thing, person, date, or event. Parade shall include runs, walks, relays, marathons, bicycle races/rides, or similar events.

Parade route notification. The required signage posted at the affected intersections or along the route system one week prior to the event.

Pavilion rental. All pavilion rental paperwork is managed and fees collected by parks and recreation, and are completely separate from any and all fees associated with the special event permit application process. The rotunda/pavilion located on the City's square shall be considered a pavilion.

Permit. Shall mean the City of Van Alstyne's agreement giving the applicant permission to hold the block party, parade or special event, on the terms and conditions stated in the permit and subject to the rules, regulations, and requirements of this article. The parade or special event should not be considered approved until committee reviewed permit applications are signed off by the special event review committee and issued to the applicant or non-committee reviewed applications are signed off by the special event manager and issued to the applicant.

Permittee. A person to whom a permit is granted pursuant to this ordinance.

Person. Any individual, assumed named entity, partnership, association, corporation, entity, or organization.

Sidewalk. That portion of a street between the curb lines or lateral lines of a roadway and the adjacent property lines, intended for the use of pedestrians.

Special event. A temporary event or gathering of persons for a common purpose, including but not limited to, a parade, rally, public entertainment venue, carnival, festival, or other similar event using either private or public property that involves one (1) or more of the following activities, except when the activity is for construction or house-moving purposes only:

- (1) Closing of a public street or interference with the normal flow of pedestrian or vehicular traffic;
- (2) Blocking or restriction of public property, including public rights-of-way;
- (3) Offer or sale of merchandise, food, or beverages on public or private property where otherwise prohibited by ordinance;
- (4) Sale of alcoholic beverages on public or private property where otherwise prohibited;

- (5) Erection of a tent or canopy on public or private property where otherwise prohibited by ordinance;
- (6) Placement of portable toilets on public or private property where otherwise prohibited by ordinance;
- (7) Installation of a stage, band shell, trailer, van, portable building, grandstand, or bleachers on public property, or on private property where otherwise prohibited by ordinance;
- (8) Activities such as, among others, a carnival, circus, fireworks displays, runs, events not wholly contained on city parks or building sites or public school district property; or
- (9) The need for special city services, including but not limited to, street closure, provision of barricades, provision of police or emergency services, or provision of special electrical services.

Special event/parade permit. The City's written authorization to hold a special event/parade. The parade or special event should not be considered approved until committee reviewed permit applications are signed off by the special event review committee and issued to the applicant or non-committee reviewed applications are signed off by the special event manager and issued to the applicant.

Special event manager. Shall mean the City official, or his/her designee, designated by the City Manager as primarily responsible for managing special event/parade applications.

Special events review committee. Committee consisting of a representative from each of the following city departments: building inspections, fire, parks & recreation, police, streets/public works, and additional city staff as determined by the special event manager upon review of the special event permit application. The special event review committee will meet on a monthly basis or as needed. The special event review committee shall review the parade or special event permit application and procure from the applicant such clarifications and additional information necessary for the approval, denial or revocation of the permit using the outlines within this ordinance.

Street. The entire width between the boundary lines of every way publicly maintained, when any part thereof is open to the use of the public for purposes of vehicular traffic.

Tent or canopy. As defined by the 2009 International Building Code (IBC) and the 2009 International Fire Code (IFC).

SECTION 2. APPLICABILITY; PERMIT REQUIRED; EXEMPTIONS; ADDITIONAL PERMITS

- (a) All special events, except those set forth in subsection (b) of this section, must conform to all applicable provisions of this ordinance.

(b) The following events are exempt from the provisions of this ordinance:

(1) An event wholly contained on property specifically designed or suited for the event and which holds a certificate of occupancy for such use including adequate parking.

(2) Block parties.

(3) A funeral procession proceeding by a vehicle under the most reasonable route from a funeral home, church, or residence to the place of service or place of internment.

(4) Events which are officially sponsored by the Armed Forces of the United States of America, the military forces of the State of Texas, political subdivisions of the State of Texas, and the forces of the police and fire departments acting within the scope of their duties.

(5) The event, including adequate parking, is wholly contained on school district property within the City of Van Alstyne.

(c) Specific permits must be applied for separately when such activities are conducted in conjunction with or as a part of a special event, whether on public or private property. Separate permits will not be required for loudspeakers in conjunction with the event. In any event in which concessions are located, temporary permits for food service shall be obtained by each food service provider by the county health inspector. In any event in which alcohol may be served or sold, the permittee/applicant shall be responsible for obtaining any necessary separate permits or approval from the Texas Alcoholic Beverage Commission.

SECTION 3/ PAYMENT OF ADDITIONAL COSTS INCURRED BY CITY

In the event the special event manager or the special event review committee determines, upon a review of the application, that a special event may require the special attention and involvement of city personnel or facilities, the City shall so notify the applicant. The City may require the applicant to submit additional information and planning documents for a special event to aid in determining the burden on public infrastructure and personnel due to the special event. In such event, prior to the issuance of a permit for a special event, the applicant and the City shall agree upon the cost of police protection, fire protection, emergency medical services, parks service, public works service, cleaning, and the closure of roads, and the applicant shall pay that amount to the City before a permit is issued. Prior to the issuance of a permit for a special event, the applicant shall agree in writing to pay any additional costs to the City incurred as a result of the special event within ten (10) days of the date upon which the City informs the applicant of the amount of such additional costs.

DIVISION 2. PERMIT

SECTION 4. REQUIRED; FEE; FILING OF APPLICATION

(a) It shall be unlawful for any person to conduct a special event without first having obtained a permit from the City and paying the prescribed fee. The fee for issuance of such permit shall be in accordance with the City's current fee schedule.

(b) A person seeking a special event permit shall file an application with the City upon forms provided by the City. The special events manager shall ensure that other licenses and permits, restrictions, regulations, fees for the City services, safeguards or other conditions deemed necessary by individual City departments for the safe and orderly conduct of a special event be requested, submitted and approved before the permit is granted (by way of example, health permit applications, agreement with police department for police coverage, agreement with fire department for fire and emergency services, and/or agreement with public works department regarding costs associated with street closures).

(c) A complete permit application for a parade or special event shall be submitted to the City not less than 60 days prior to the date and time of the commencement of the parade or special event. The special event manager and/or the special event review committee may waive the 60-day filing requirements for a parade or special event if the special event manager and/or the special event review committee determines that the permit application can be processed in less than 60 days, taking into consideration the type of parade or special event. If the parade or special event permit application is submitted later than the required time as stated above, an expedited review fee may be required. The amount shall be outlined in the City's fee schedule approved by City Council. Within ten business days of receipt of the complete permit application the committee shall notify the applicant if the permit is approved or denied.

(d) Parade or special event permit applications will be processed on a first come basis and no parade or special event will be considered an annual event tied to a specific date. Parade or special event permit applications will not be accepted more than a year in advance for a specific date.

SECTION 5. CONTENTS OF APPLICATION

The application for a special event permit shall set forth as a minimum the following information:

(1) The name, address, telephone number, date of birth, and copy of a valid state or federal issued government photo identification of the person seeking to conduct the event;

(2) If the event is to be held for or by an organization, the name, address, and telephone number(s) of the headquarters of the organization and the authorized and responsible heads of such organization, including a local or regional contact;

(3) If the event is to be held by or for any person other than the applicant, the applicant shall file a written statement from that other person showing authority to make the application;

(4) The name, address, telephone number, date of birth, and copy of a state or federal government issued photo identification of the person who will be the event chairman and who will be responsible for its conduct;

(5) The name, address, telephone number, email address, date of birth, and copy of state or federal government issued photo identification of the property owner(s) authorizing the use of the property for a special event;

(6) The proposed location and parking areas for the event;

(7) The approximate number of persons who are attending, including peak attendance and duration of peak and, if applicable, the number and types of animals and vehicles which will constitute such event;

(8) The location and size of tents, awnings, canopies, food service booths, stage, sound system, merchandise booths, barricades, traffic cones, proposed structures, fences, signs, banners, restroom facilities, or other temporary structures shall be shown;

(9) Details for any planned signage shall be included;

(10) When loudspeakers/stage sound system will be used, the location and orientation of those speakers shall be shown;

(11) The time at which on-site activities in preparation for the event will begin;

(12) The date(s) and time(s) the special event will start and terminate;

(13) A description of the parade or special event and the requested dates and hours of operation of the parade or special event;

(14) The time and location of street closings, if any are requested for the parade or special event;

(15) Details of how the applicant will clean up the area used after the parade or special event;

(16) The parade's commencement and termination time, the starting and termination points, and the specific route to be traveled provided in written format including detailed directions as well as in an illustrated map format;

(17) A general schedule of the order of parade participants;

(18) The estimated number, if any, of animals, animals and riders, animal-drawn vehicles, floats, motor vehicles, motorized displays, and marching units or organizations such as, but not limited to bands, color guards, and drill teams;

(19) If the event is to be held on private property, written permission shall be provided with contact information for the holding of the event from the owner of the property or his authorized representative;

(20) An itinerary for all activities occurring during the special event;

- (21) Admission pricing;
- (22) List of vendors and merchandise, food or alcoholic beverages to be sold including name, address, phone number, insurance coverage certificates, required permits, of the vendors;
- (23) List of live entertainment to be provided;
- (24) Requirement for electricity, water, and other utilities;
- (25) List of vendor and program for fireworks and/or pyrotechnic display(s)(such programs are subject to Fire Department review and approval);
- (26) List of aerial events (including but not limited to helicopters and hot air balloons) to be provided. Aerial events are subject to Fire Department review and approval, liability insurance requirements, and inspection permits;
- (27) List of amusement/carnival rides and attractions. Carnival rides and activities are subject to Fire Department review and approval, liability insurance requirements, and inspection permits;
- (28) Prior approval by the parks & recreation department to use the park facilities for a special event, if applicable;
- (29) Proof of non-profit status;
- (30) Copy of contract, agreement, or details outlining arrangement between applicant upon request;
- (31) Copies of permits and agreements with all City departments shall be included with the application for a special event permit; and
- (32) Any other information which the City shall find necessary relating to public health, safety and welfare.

SECTION 6. STANDARDS OF ISSUANCE OF SPECIAL EVENT PERMITS

(a) When considering approval of a permit application, the special event review committee may consider (without limitation) the following factors:

- (1) Whether the permit application allows for ample opportunity to properly plan and prepare for the parade or special event;
- (2) Whether, police, fire and other City services will be unduly burdened or adversely affected by the parade or special event;

(3) Whether the parade or special event is reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;

(4) Whether the special event will substantially interrupt the safe and orderly movement of traffic near its location or route; and

(5) Whether there will be adequate sanitation and other necessary public health facilities in or adjacent to any public assembly areas.

(b) The applicant should consider the parade or special event approved upon receipt of the permit application indicating approval executed by the special event review committee or special event manager prior to the start of the special event for (without limitations) the plans described below.

(c) The City, by approving such plans, assumes no liability or responsibility therefrom.

(d) The special event review committee may prescribe licenses and permits required by other City ordinances, or applicable law, restrictions, regulations, cost for City services, safeguards, and other conditions necessary for the safe and orderly conduct of a parade or special event, to be incorporated into the permit before issuance.

(e) The special event review committee shall provide the special event manager the estimated cost for City services provided by their respective department to ensure the safe and orderly operation of the parade or special event. The special event manager will prepare and provide the applicant with an invoice detailing these estimated costs. Payment will be required not less than five (5) days prior to the date of the parade or special event. If the actual costs for city services are less than estimated, the City will issue a refund to the special event applicant no less than two weeks after the special event.

(f) Special events and parades sponsored by the City of Van Alstyne or school district(s) within the City of Van Alstyne will be exempt from fees associated with this ordinance; however, non-profit organizations will not be exempt from fees associated with this ordinance unless otherwise granted an exception by the special events committee.

(g) In consultation with the Police Chief, the special events manager may provide for the issuance of permits for the use of golf carts, all-terrain vehicles, or similar vehicles for use at special events or parades. Such use shall be limited to those times and places indicated on the permit.

SECTION 7. DENIAL OR REVOCATION OF A PARADE OR SPECIAL EVENT PERMIT

(a) The special events manager may deny a special event permit if:

(1) The event will conflict in time and location with another event for which a permit has already been granted;

(2) The applicant/permittee fails to comply with, or the proposed parade or special event will violate an ordinance of the City or any other applicable law, unless prohibited conduct or activity would be allowed under this ordinance;

(3) The applicant makes or permits the making of a false or misleading statement or omission of material fact on an application for a special event;

(4) The applicant has been convicted of violating this ordinance, or has had a permit revoked within the preceding twelve (12) months or fails or has failed to pay a special event fee;

(5) The applicant fails to provide proof of a license or permit required by this ordinance or another City ordinance or by state law;

(6) The event, in the opinion of the Police Chief, Fire Chief or the special event committee, would severely hinder the delivery of normal or emergency services or constitutes a public threat;

(7) The applicant submits an incomplete application or fails to pay and special event fees;

(8) If a parade crosses or uses as a route, or as part of a route, any of the following:

- (A) Henry Hynds/US Hwy 75;
- (B) Waco Street/ SH 5
- (C) Jefferson Street/FM 121(D) FM 3133

(9) The event will unreasonably disrupt the orderly flow of traffic and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available;

(10) The event begins and/or ends outside the City limits, unless or until the applicant receives approval from the adjacent city or county jurisdiction where the parade or special event begins or ends;

(11) The applicant fails to adequately provide for:

- (A) The protection of event participants;
- (B) Maintenance of public order in and around the special event location;
- (C) Crowd security, taking into consideration the size and character of the event;
- (D) Emergency vehicle access; or
- (E) Safe sanitary conditions for preparation or operation of food concessions;

(12) The applicant fails to provide a certificate of liability insurance naming the City of Van Alstyne as additional insured in the amount designated by the City Manager. Applicant must also provide the certificate of liability insurance and an endorsement agreement not less than ten days prior to the date of the parade or special event;

(13) The applicant fails to provide proof that he possesses or is able to obtain all licenses and/or permits required by this ordinance or other City ordinances or by other applicable law for the conduct of all activities included as part of the parade or special event;

(14) The applicant fails to notify the businesses affected by the parade or special event, in writing, of proposed street closures fourteen (14) days prior to the event;

(15) The applicant fails to submit the required fees and agree in writing to reimburse the City for the estimated costs for the proposed parade or special event;

(16) The proposed parade or special event would unduly burden city services.

(17) The applicant failed to provide a certificate of liability insurance and endorsement agreement naming the City of Van Alstyne as additional insured in the amount designated ten (10) days prior to the event; or

(18) The applicant failed to pay any outstanding fees or estimated costs owed to the City for the parade or special event permit.

(b) Should the applicant for a parade or special event permit reveal that the route requested would interfere with the orderly flow of vehicular and pedestrian traffic, the special event review committee shall have the authority to establish a reasonable alternate route and regulate the width of the event.

(c) The special events manager or other designated city official shall revoke a special event permit if:

(1) There are findings that any of the provisions of this ordinance, another City ordinance, or state law is being violated;

(2) In the judgment of the special events manager, a violation exists which requires immediate abatement;

(3) The applicant made or permitted to be made a false or misleading statement or omission of material fact on an application for a special event permit;

(4) The applicant fails to comply with the special event permit, an ordinance of the City, or any other applicable law; or

(5) The parade fails to begin in a timely manner as determined by the Police Chief, Fire Chief, special event manager, or their designees.

(d) No permit application shall be denied solely on the basis of the content or particular message of any event.

SECTION 8. APPEALS OF DENIAL OR REVOCATION

If the special events manager or the special event review committee denies the issuance of or revokes a permit application, the special event manager shall send to the applicant or permit holder, by certified mail, return receipt requested, written notice of the denial or revocation and of the right to an appeal within a reasonable period of time not to exceed more than five (5) business days after the committee renders its decision. The decision of the special events manager or special event review committee is final unless the applicant or permit holder appeals the decision within three business days to the City Manager, in writing. The City Manager shall, within three (3) business days after the appeal is filed, consider all the evidence in support of or against the action appealed and render a decision either sustaining or reversing the denial or revocation. The decision of the City Manager shall be final.

SECTION 9. TERM

The permit granted under the terms of this ordinance shall not exceed a period of fourteen (14) days.

DIVISION 3. CONDUCT AND REQUIRED FACILITIES

SECTION 10. NOTICE TO ABUTTING PROPERTY OWNERS

The special events manager shall have authority to require that applicant send notices of upcoming events to abutting property owners when, in his judgment, the event is of a scope and nature that will impact those owners.

SECTION 11. PARKING REQUIREMENTS

(a) The applicant shall submit evidence that sufficient parking has been provided to accommodate the projected number of users with a 10% surplus. If said parking is to be on private property adjacent to the event, written evidence that the applicant has a right of possession of said property through ownership, lease, license, or other property interest must be provided. When the location is not an established parking area, a plan shall be submitted which will show how the needed parking will be achieved and arranged. The number of parking spaces and layout of parking area, including aisle widths and size of parking spaces, shall be included in the submittal.

(b) When adequate parking is not available at or immediately adjacent to the site of the event, off-site parking may be used. Plans shall be submitted which will show how off-site parking and transfer of attendees will be accomplished. This section shall not apply to events wholly contained in the downtown historic district.

SECTION 12. AUTHORITY OF CITY TO RESTRICT OR PROHIBIT PARKING ALONG STREETS

The City shall have the authority, when reasonably necessary as determined by the police department, to prohibit or restrict the parking of vehicles along a street or highway or part thereof adjacent to the site of the special event. The City may give five (5) days' advance notice or post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

SECTION 13. TRAILERS OR OTHER VEHICLES OCCUPIED AS LIVING QUARTERS

Trailers or other vehicles may be temporarily occupied as living quarters at the site of such events. Such vehicles and trailers shall be parked not less than 300 feet from any residential district.

SECTION 14. AMUSEMENT RIDES

Rides and/or attractions associated with special events shall conform to the statutory rules and regulations set forth in Texas Occupations Code, Chapter 2151, designated the Amusement Ride Safety Inspection and Insurance Act, as amended.

SECTION 15. HOURS OF OPERATION

A special event may be conducted only between the hours of 7:00 a.m. and 10:00 p.m. daily. The police department shall be responsible for enforcing this provision. The special events manager may waive the time limit on certain events when good cause is demonstrated by the sponsors. Appeals of time limit restrictions shall be heard in accordance with Section 8.

SECTION 16. FIRE PROTECTION; TENTS AND TEMPORARY STRUCTURES

Any special event which includes the use of a tent, canopy, or temporary structure shall meet the requirements in the fire code or other relevant safety codes adopted by the City. Fire lanes for emergency equipment must be provided and the site prepared in a manner so as not to be a fire hazard as determined by the fire chief.

SECTION 17. FOOD SERVICE

Where food service is provided, said operation shall be in compliance with all provisions of the food establishment ordinances of the city, county as well as all other applicable state and local laws.

SECTION 18. SANITARY FACILITIES

A minimum of two portable type sanitary facilities for each gender must be provided on the premises of the event, or such additional units as may be determined necessary by the City based on anticipated attendance.

SECTION 19. ANIMAL WASTE

Waste from animals used in any such event shall be removed daily from the grounds. Should animals be kept within the City limits at night, they shall be kept not less than 300 feet from any residential or commercial districts.

SECTION 20. WATER USE; DISPOSAL OF WASTEWATER

(a) Any special event or related activity desiring use of water from the City water system must coordinate with the utility operations department to obtain a temporary meter. Deposit for the meter and payment for water used shall be in accordance with ordinances of the City.

(b) The applicant shall submit a plan for the disposal of wastewater and the plan shall be approved by the City.

SECTION 21. SOLID WASTE DUMPSTERS

Commercial solid waste dumpsters sufficient for the size of the event must be provided on-site at all outdoor special events. Applicants should make arrangements for the provision of such dumpsters with the commercial solid waste disposal company currently under franchise contract with the City.

SECTION 22. LOUDSPEAKERS

When loudspeakers will be used in conjunction with the event, the location and orientation of speakers shall be indicated along with the planned hours of use. Speakers which are positioned so as not to adversely affect an adjacent residential district may be used between the hours of 7:00 a.m. and 10:00 p.m. when a special event permit has been obtained. Any use of loudspeakers other than described shall first obtain the approval of the special events manager.

SECTION 23. SIGNS

Signage used in accordance with the event shall comply with the sign regulations of the City under the provisions for promotional signage. Signs advertising the event or directing potential customers to the event site are expressly prohibited from placement in the city rights-of-way.

SECTION 24. ALCOHOLIC BEVERAGES

Sales or service of alcoholic beverages must be in compliance with all other local ordinances and applicable provisions of the Alcoholic Beverage Code and Texas Alcoholic Beverage Commission rules. Notwithstanding the prohibition of alcohol on City property, alcohol may be allowed during a special event if a special events permit has been issued.

SECTION 25. GENERAL OPERATING OF PARADE OR SPECIAL EVENT

(a) A parade or special event shall not substantially interrupt the safe and orderly movement of traffic near the block party, parade or special event.

(b) The City has the right (but not the obligation) to postpone, cancel or close early the parade or special event because of hazardous weather or other acts of God or for public safety and welfare. The City shall have no liability for such postponement, cancellation, or closure. Further, the City shall have no liability from the failure to postpone, cancel, or close early the parade or special event under such conditions.

(c) Each permittee granted permission for a special event shall be required to attend a pre-planning meeting with City staff at least once at a minimum of 90 days before the special event or parade. The permittee shall ensure that designated representatives of each primary event participant is in attendance.

(d) A parade shall move from its point of origin to its point of termination without unreasonable delays en route.

(e) Any child participating in a parade or special event must have adult supervision.

(f) Each marching unit, organization or entry in the parade will only be allowed to conduct stationary performance at specified and approved locations.

(g) A parade or special event shall not interfere with proper fire and police protection of, or ambulance service to, areas near the block party, parade or special event or unreasonably require the diversion of police and fire protection and ambulance service from other parts of the City.

(h) A permit holder shall comply with all directions and conditions contained within the permit and with all city ordinances and other applicable laws.

(i) The City, when reasonably necessary, may prohibit or restrict the parking of vehicles along a street or highway or part thereof on a parade route or part thereof or on the approach to a parade or special event. The City shall post notice to such effect at least twenty-four (24) hours prior to the event; and it shall thereafter be unlawful for any person to park, leave, or strand any unattended vehicle in violation thereof.

(j) The City, when reasonably necessary, may temporarily close or restrict the use of city streets or other public property for a parade or special event. The director of public works is authorized to install temporary traffic control devices for the temporary closure or restriction of city streets and public property for parades or special events. It shall be unlawful for any person to disregard or disobey any such temporary traffic control device unless otherwise directed by a police officer.

(k) The City, when deemed necessary, may require the applicant of a parade or special event to utilize chip timing.

(l) The driver of any vehicle shall obey the instruction of any traffic control device applicable thereto placed in accordance with the City's ordinances or the Texas Transportation Code, unless otherwise directed by a police officer.

(m) Speeds of a parade vehicle greater than 10 miles per hour are not reasonable and prudent. A person operating a parade float or other parade vehicle at a speed greater than 10 miles per hour is subject to removal from the parade by a police officer or other designated parade official.

(n) Operators of parade floats and other parade vehicles will make every attempt to keep a maximum of thirty (30) feet between their float and the walking parade participants and float operated directly in front of them. Operators of parade floats and other parade vehicles that continually lag behind the steady course of the parade may be removed from the parade by a police officer or other designated parade official.

(o) Operators of specialized vehicles or performance-enhanced vehicles in the parade are subject to laws set forth in the Texas Transportation Code as they relate to the safe operation of motor vehicles, especially § 545.401, reckless driving; offense: (a) A person commits an offense if the person drives a vehicle in willful or wanton disregard for the safety of persons or property. Additionally, any operator of a vehicle participating in an exhibition of acceleration will be cited by law enforcement officers and immediately removed from the parade.

(p) Riders of floats must keep all appendages contained within the float and away from any and all wheel wells.

(q) Decorations, equipment and paraphernalia must be firmly attached to the float or deemed safe by city personnel enforcing the special event article.

(r) The throwing, tossing, or distribution of candy, beads, or other material from a parade float or other vehicle is specifically prohibited. Candy, beads, or other material may be distributed to spectators by walkers adjacent to parade floats or other vehicles provided that such distribution does not interfere with the orderly movement of the parade and no spectators are required to move into the parade path to retrieve said material. Any violation of this provision will result in the parade float or vehicle removal from the parade.

(s) All floats or decorated vehicles utilizing portable generators shall carry a 2A:10BC fire extinguisher with a current inspection tag.

(t) Float length shall not exceed 55 feet, including the tow vehicle, nor shall the width or height exceed 14 feet.

(u) The operator of any animal shall obey the instruction of law enforcement personnel as well as any traffic control device set up for the parade.

(v) All animal and riders participating in a parade or special event must be able to demonstrate to designated representatives for the City an acceptable level of desensitization on the part of the animal(s). Animal must demonstrate they do not have any uncontrollable "fight or flight" mechanism when around crowds, noises, flags and numerous distractions that are possibly around or close by the animals at such events.

(w) All animal riders who wish to participate in any parade or special event in the City shall attend a pre-parade planning meeting. Failure to attend shall eliminate the rider or group of animal riders from participating in that particular parade or special event.

(x) All animal riders and/or the parent or guardian of animal riders, shall sign a standard liability release, which will be collected by City representative(s) at the pre-planning meeting.

(y) All animal riders must also show their ability to handle their mount in activities such as a parade or special event where there are crowds and distractions. The actions of any animal entered into a parade or special event are the responsibility of the rider/keeper. If an animal displays behavior that seems to jeopardize the safety of parade entrants or bystanders, the animal will be subject to removal from the parade or special event by parade officials.

(z) Animal riders under 17 years of age must show an acceptable ability to handle their mount at such events and under the conditions stated above. There must be a ratio of 2:1 17-year-olds or older for every rider under 17 years of age in the parade. Additionally, animals ridden by riders under 17 years of age must have either a "catch rope" assembly or halter and lead rope rigging attached to the animal during the course of the event to aid in gaining control of the animal immediately if the animal were to show signs of becoming uncontrollable. Riders of this age group must have either an experienced animal man/animal person by them at all times during the parade or special event either on animal back or walking whereas this person can take immediate control of the animal using the catch rope or halter/lead rope device ensuring the safety of the rider and individual(s) that might be in close proximity to the animal(s).

(aa) The equestrian/animal unit shall provide a list of participants and proof of insurance liability that would cover the rider and animals as well as the city from any liability resulting from any incident that might occur during the parade or special event ten days prior to the special event or at the pre-parade planning meeting.

(bb) Each equestrian/animal unit shall provide their own clean-up crew and equipment. The clean-up crew shall be positioned directly behind the unit.

SECTION 26. LIABILITY INSURANCE

(a) When a special event or parade as defined in this article is partially or fully contained on the City rights-of-way or property(s), the applicant for a special event permit shall furnish the special events manager with a certificate of insurance complying with standards established by the City Manager. Insurance shall include property, bodily injury, and municipal liability coverage. The City of Van Alstyne must be shown as an additional named insured party on the insurance

declaration. One (1) original copy of insurance must be submitted at least thirty (30) days prior to the special event and/or parade.

(b) The City shall have the right to lower, waive, or increase the public liability insurance limits based upon the type of event, equipment, machinery, location, number of people involved and other pertinent factors or risks associated with the event.

(c) An applicant shall have the right to show cause why the insurance requirement should be reduced or waived, and to present such request to the special events manager. Upon receipt of such request, the special events manager shall consult with the city manager or his designee. The City shall respond to an applicant's request for lower insurance or waiver within five (5) days from the date of request.

(d) If a mutually agreeable insurance limit cannot be agreed upon, the application shall be considered denied.

SECTION 27. INDEMNIFICATION OF CITY

When a special event as defined in this ordinance is partially or fully contained on City property, the applicant for a special event permit shall sign an agreement provided by the City to indemnify and hold harmless the City, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the special event.

SECTION 28. SURETY BOND

(a) When a special event ordinance is partially or fully contained on City property, a surety bond shall be deposited with the City in the amount of \$10,000.00 conditioned that no damage will be done to the City property, streets, sewers, trees, irrigation system, or adjoining property and that no dirt, paper, litter, or other debris will be permitted to remain upon the city property or streets or upon any private property by the applicant. The surety bond shall be returned to the permittee within ten (10) days after said permit expires upon certification by the special events manager that all conditions of this ordinance have been complied with. Should actual costs for policing, repairs of damages, and cleaning not exceed this amount, the remainder shall be reimbursed to the permittee by the City. In the event that actual costs exceed this amount, the permittee shall pay such additional sum to the City within ten (10) days from the date of notification. If that amount is not paid, no future permits shall be issued to the same permittee for a period not to exceed five years and until said amount is paid. Nothing herein shall preclude the City from enforcing any legal or equitable remedy against the permittee in addition to the bond. The applicant shall have the right to show evidence why the bond should be lowered or waived to the special events manager. Appeals shall be heard in accordance with provisions of this ordinance.

(b) When an event is fully contained on private property, all paper, litter, or other debris shall be removed from the event site within three (3) days. If after the third day the event site is not cleaned to the satisfaction of the Police Chief, or his designee, a citation may be issued to the permittee. A separate citation may be issued for each day the permittee fails to remediate the litter

or debris. If the City incurs costs for cleaning, the entire amount shall be reimbursed. If a citation is issued or the City incurs costs for cleaning, no future permits shall be issued to the same applicant/permittee for a period not to exceed five (5) years. Nothing herein shall preclude the City from enforcing any legal or equitable remedy against the applicant/permittee. Appeals shall be heard in accordance with provisions of this ordinance.

SECTION 29. VIOLATIONS

(a) A person commits an offense if he commences, aids, or holds a special event or parade without a permit, with a permit that has expired or been revoked, or fails to comply with any requirement or condition of a permit of this ordinance.

(b) A culpable mental state is not required for the commission of an offense under this section to the extent permitted by the Texas Penal Code.

(c) It is determined that this section governs public health, safety and welfare, including fire safety, and therefore any person who violates a provision of this article shall be guilty of a misdemeanor and upon conviction shall be subject to a fine not to exceed two thousand dollars (\$2,000.00) for each offense, and each and every day such violation shall be deemed to constitute a separate offense.

(d) In addition to the penalties set forth above the City may seek injunctive relief in a court of competent jurisdiction for the purpose of enforcing this ordinance.

SECTION 3: SAVINGS/REPEALING CLAUSE

All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: SEVERABILITY

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Van Alstyne hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5: EFFECTIVE DATE

This Ordinance shall become effective from and after its date of passage and publication in accordance with law.

PASSED AND APPROVED by the City Council of the City of Van Alstyne, Texas this the 12th day of August 2014.

Teddie Ann Salmon, Mayor
City of Van Alstyne, Texas

ATTEST:

Jennifer Gould, City Clerk
City of Van Alstyne, Texas

Date(s) of Publication: August 15, 2014, Van Alstyne Leader