

AN ORDINANCE RELATING TO SPECIAL EVENTS; WITH NAMES OF TRAILRIDE, RIDING CLUB, ATV RIDE, BLOCK PARTY, DJ 936, DJ 59, IN MEMORY OF, OR ANY PARTY OR GATHERING OF 25 PEOPLE OR MORE WILL BE GATHERED WILL BE REQUIRED TO OBTAIN A PERMIT FROM THE CITY OF TENAHA, TX AND SECURITY BY A LICENSED TEXAS PEACE OFFICER MUST BE PRESENT. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TENAHA TEXAS.

PART 1. FINDINGS. The council finds the following.

1. Special events range from very small neighborhood-level events to large-scale, multi-million-dollar productions.
2. Events held in the city impact public safety and impede the flow of pedestrian and vehicular traffic.
3. The City's public safety personnel are better able to respond to issues affecting public safety when they are alerted in advance to the timing, location, and nature of events occurring in the City.
4. A special event permit application will allow the city to manage the competing uses of its public safety personnel and resources.
5. The special events team will be able to assist event organizers in obtaining all necessary permits and facilitate the timely and efficient processing of permit application.

CHAPTER SPECIAL EVENTS

ARTICLE 1. GENERAL PROVISIONS

- A. ATTENDEE means a participant, an athlete, or the event staff present during a special event. This term includes a vendor or volunteer.
- B. EVENT ORGANIZER means any person who conducts, manages, or organizes a special event.
- C. IMPACT means to impede, obstruct, impair, or interfere with normal vehicular or pedestrian traffic.
- D. SOUND EQUIPMENT means a loudspeaker, microphone, public address system, amplification system, turntable, or other similar digital or analog device that amplifies sound.
- E. SPECIAL EVENT means an event that.
 - I. Has 35 or more attendees per day at a city facility, or anywhere within the city limits of Tenaha, TX including Private Property.
 - II. Impacts a city street, sidewalk, alley, walkway, or other city public right-of-way.
- F. SPECIAL EVENT IMPACT AREA means the geographic area surrounding a special event location or private property that is subject to the requirements in Ordinance.
- G. SPECIAL EVENT LOCATION means the property where the special event will occur.
- H. SUPERVISING POLICE OFFICER means the Certified Licensed Texas Peace Officer representative approved by the City of Tenaha, Texas.
- I. WASTE MANAGEMENT means collection of solid waste, recyclables, organics, and hazardous waste for disposal or diversion and includes litter control and street cleaning.

ARTICLE 2. SPECIAL EVENT PERMIT

(A) Except as provided in Subsections (B) and (C), a special event permit issued under this chapter is required to conduct, manage, or operate a special event.

(B)

- I. A special event, which may include food or non-alcoholic beverage service, was conducted with less than 25 people.
- II. A funeral service held within a church or School gym.
- III. A Church Service held for worship service, Family Church Night, Vacation Bible School, Or any church activities.
- IV. A high school football game or any Academic activity on school grounds.
- V. A town parade hosted by the city of Tenaha, TX or Tenaha ISD.
- VI. An event Hosted by the City of Tenaha for celebration.
- VII. An event Hosted by the Tenaha VFD.

CATEGORIES OF SPECIAL EVENTS.

A special event application will be designated into one of 2 tiers in accordance with this section.

A. Tier 1 event is a special event that does not include the consumption of alcohol and:

- I. A stationary, impacts only one block of a sidewalk or a city right-of-way that is not a street, and only needs a permit.
- II. Is moving and consists exclusively of people in a police officer escorted bubble.
- III. Is an assembly at a city facility, lasts less than five hours, and does not include food or beverages or a request to increase the permanent occupancy limit.
- IV. A church Function.
- V. A school gathering such as football games, basketball games or Baseball games.

B. Tier 2 event is a special event that:

- I. An Event that serves Alcohol or allows alcohol to be consumed.
- II. Has Food Vendors that sell, Cook, Prepare or Serve Food.
- III. An Event that Charges an entry fee to attend the event.
- IV. An event with loud music that could disturb the peace of neighboring residence or businesses.
- V. An Event that involves Horses, ATVs, or UTVs.
- VI. An Event labelled as a Tailride, Riding Club, Car show, block party, In Memory of, ATV ride, Horse Riding or any event that could draw a group of 25 or more people to where Alcohol may be served or consumed.

LIMITATIONS ON THE PROVISION OF CITY SERVICES; COSTS AND FEES.

- A. Issuance of a special event permit or the approval of a special event permit application does not obligate or require the City to provide services, equipment, or personnel in support of an event.
- B. Except as provided Subsection if the city provides services, equipment, or personnel in support of a special event, the city will charge the event organizer the actual cost of:
 - I. Texas Peace Officer Presence @ a rate of \$150.00 per hour minimum of (6) hours.
 - II. The use of city equipment, city-contracted services, and other non-personnel expenses; and
 - III. any clean-up activity directly related to the special event, not provided by the event organizer that is required to restore the area to the same condition that existed prior to the special event.
- C. The city may also charge any other fees set by separate ordinance to recover costs associated with special events.
 - I. Damaged water meters are caused by parking in ditches.
 - II. Damage to city property.
 - III. Spinning tires on the city pavement.
 - IV. Any Damage done to city property.
- D. An event organizer shall pay to the City a fee for the permit in the amount of \$1,500.00 NON-REFUNDABLE permit fee. There will also be a \$1,000 refundable deposit collected to ensure there is no damage to do city property or streets.
- E. **INSURANCE REQUIRED.**
 - I. The event organizer must possess or obtain insurance to protect the City against loss from liability imposed by law for damages.
 - II. The insurance shall name the City as an additional insured and must be maintained for the duration of the special event.
 - III. Failure to maintain insurance immediately preceding, during the special event, and until the conclusion of the permit period is grounds to revoke the special event permit.
 - IV. The City will determine the necessary amount of insurance.

INDEMNIFICATION.

An event organizer who applies for a special event permit must execute a written agreement to indemnify the City and its officers and employees against all claims of injury or damage to persons or property, whether public or private, arising out of alleged willful or negligent acts or omissions of the event organizer, its officers, agents, or employees in connection with the special event.

- I. An event organizer shall pay an application fee set by separate ordinance. An event organizer must submit a special event application no later than the following number of days prior to the first day of the proposed event:
 - I. No Permit required for Tier 1 event.
 - II. 30 calendar days for a Tier 2 event.

CONTENTS OF SPECIAL EVENT APPLICATION

- II. Detailed Information for Permit Issuance:
 - I. The number of bands or other musical units.
 - II. The proposed size, location, and orientation of speakers.
 - III. The ancillary activities that will be associated with the event.
 - IV. The kinds of animals anticipated to be a part of the event.
 - V. The types of non-emergency vehicles to be used for the event; and
 - VI. Names of Texas Peace Officers performing work with PID numbers with Letters from the employing Police Agency.
 - VII. Food and alcohol are required to comply with
 - VIII. The proposed location of portable sanitation facilities. With a Contract from a Rental Company.
 - IX. Insurance Binder showing the Property has a 1 million Dollar (\$1,000,000.00) Liability Policy.
 - X. A Money order or Cashier Check made payable to City of Tenaha in the Amount of \$1,500 Non- Refundable with a \$1,000 refundable Deposit.

PUBLIC SAFETY

A public safety plan is required for any special event and must be approved by the City of Tenaha, Texas.

- XI. On-site security for attendees.
 - Peace Officer Ratio Per Attendee
 - 25 -50 Requires 1 Police Officer
 - 51 – 80 Requires 2 Police Officers
 - 81 – 100 Requires 3 Police Officers
 - 101 – 150 Requires 4 Police Officers
 - 151 – 250 Requires 5 Police Officers
- XII. On-site medical coverage, number of and level of certification of emergency medical responders, and the 911-access that will be utilized for the special event.
- XIII. Fire safety plan.
- XIV. Documents will be required showing the expected number of attendees and the emergency plans in place.

Signed: Neal Jones Jr
Mayor

Date: 8-28-2023

Attest: Amanda J. Street-Brock
City Secretary

Date: 8-28-2023