

**ORDINANCE NO. 2007-11-06-25**

**AN ORDINANCE AMENDING CHAPTER 1, SECTION 14, PARK REGULATIONS, CODE OF ORDINANCES, CITY OF ELGIN, TEXAS; PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES OR RESOLUTIONS.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ELGIN, TEXAS, THAT:**

**I.**

That Chapter 1, Section 14, Park Regulations be amended by adding Sub-Section I, Park Event Policy, Code of Ordinances, City of Elgin is hereby amended to read as follows:

**1. PARK EVENT POLICY**

This policy governs the use and availability of designated special events venues by organizations other than the City of Elgin.

**(1) DEFINITIONS**

AMPLIFICATION DEVICE means an apparatus for the amplification of sound.

ANNUAL EVENT means a special event that has occurred for three consecutive years or more in compliance with City ordinances and rules.

COMMUNITY EVENT means an event with free admission to the public whose purpose is to promote community enrichment through cultural, historical or community spirit activities.

EVENT DAY means a day in which attendees are expected to participate in event activities.

LARGE EVENT means an event with an anticipated or actual attendance of more than one hundred (100) persons.

NON-PROFIT ORGANIZATION means a group as defined by the Internal Revenue Service.

OVERNIGHT EVENT means an event that lasts 24 hours or more.

PARADE means a public procession including but not limited to motorized vehicles, walking pedestrians, animals, etc.

SET UP means the limited use of a venue prior to an event day for purposes of installing equipment and preparing the grounds.

SPECIAL EVENT means an event with an expected and/or actual attendance of two hundred and fifty (250) or more persons that will reasonably require planning to handle matters concerning traffic/parking, security, emergency medical services, litter/waste and toilet facilities.

SCHOOL EVENT means an event authorized by the Elgin Independent School District.

SPECIAL EVENTS VENUE means a location designated by the City Manager or his designee as appropriate for use in holding a special event.

TAKE DOWN means the limited use of a venue after close of an event for purposes of removing installations or equipment and clearing the grounds.

(2) **DESIGNATED SPECIAL EVENTS VENUES**

Special events shall be held only in special events venues. The following are designated special events venues.

- Veterans' Memorial Park –
- Elgin Memorial Park –
- Elgin Memorial Park Softball and/or Baseball Fields-
- Elgin Memorial Park Volleyball Courts-
- Elgin Memorial Park Tennis Courts-
- Elgin Park and Ride
- Thomas Memorial Park –
- Thomas Memorial Park Softball Field -
- Morris Memorial Park –
- Morris Memorial Park Pool –

(3) **FEE CALCULATION**

**See Chapter 1, Section 14F for Fee Schedule.**

A clean up and damage deposit will be required for each event. Direct and indirect expenses not recoverable by the deposit will be charged back to the event sponsor, payable in full within fourteen (14) calendar days. Refundable Deposit and Permit fees are not subject to reduction.

**Percentages of fees to be paid by event organizers shall be as follows:**

	<b><u>11/06/07</u></b>	<b><u>10/1/08</u></b>
Community Event	10%	20%
Non-Profit Organization	15%	25%
Others	100%	100%

**(4) SOLID WASTE PLAN/PORTABLE TOILETS**

A solid waste plan is required for special events. The plan is to include number and type of portable toilets, location, delivery and removal dates, trash collection locations and trash receptacle removal time frame. The City Manager or designee must approve solid waste plan.

**(5) ALCOHOLIC BEVERAGE CONSUMPTION/SALES**

A Texas Alcoholic Beverage Commission (TABC) permit is required for sale of alcoholic beverages. For all events where alcohol is served, proof of purchase of a liquor liability insurance policy in the amount of **\$500,000** naming the City of Elgin as an additional insured is required.

Event sponsors and vendors shall comply with all laws and regulations servicing the sale, possession or use of alcohol.

**(6) TRAFFIC PLAN**

Special events must file traffic and parking plan with the City of Elgin for approval a minimum of 30 days prior to the event. Traffic and parking plan shall address street closures, parking and motorized vehicles on park grounds. Plans involving TXDOT roadways must be filed 60 days prior to the event. The parking plan shall be designed to minimize the event’s impact on business districts and/or residential neighborhoods.

The parking plan shall include the proposed process for informing those businesses and residences affected by the event of any disruptions they will experience. Written notification shall be provided fourteen (14) days in advance to businesses. Signs shall be posted in residential neighborhoods. All proposed closures and traffic plans must comply with the street closure requirements of the City of Elgin and, where applicable, TXDOT.

Event planners shall provide a plan for reducing the number of vehicles utilized during the event and minimizing the number of vehicle trips made on park land, that shall be approved by City Manager or his designee.

**(7) ELECTRICITY**

Event sponsor shall pay for any electrical improvements required for their event. Such improvements must be authorized by the City Manager or his designee prior to installation of electrical improvements. All electrical work must be completed by a licensed electrician.

**(8) SOUND POLICY AND EVENT CLOSURE**

Event sponsors intending to use amplification devices shall observe the requirements of the City Code (noise ordinance) and the following provisions.

1. Sponsors rental agreement, and agreement by sponsors with performers, shall state the time period and decibel limits for amplified sound.
2. Sponsors shall make a diligent effort to minimize the impact of amplified sound on surrounding neighborhoods and businesses, i.e., placement of stage and direction of speakers.
3. All sound may be measured and monitored by the Elgin Police Department.
4. Event sponsors shall notify affected businesses and neighborhoods at least fourteen (14) days in advance and shall post signs of the special event at the venue reserved. The Parks and Recreation Department must approve the signs.

**(9) SAFETY and SECURITY**

The City Manager or his designee shall determine safety and security needs for each event.

Special Events shall have at least one staffed First Aid Station with a minimum of a first aid kit and communication equipment.

The City may refuse to make available a special events venue for a proposed event if the City of Elgin determines that, the safety of the participants or park patrons cannot be adequately assured and or if significant damage to park property may occur.

**(10) FENCING/EXITS**

If fencing is required for an event, a fence plan shall be provided to the City of Elgin thirty (30) days prior to the event. Such plan shall provide adequate opening for safe ingress and egress in the event of an emergency. Fencing should be installed during set up and be removed during take down. The time allowed for installation and removal of fencing will be twenty-four (24) hours prior to the event and removed twenty-four (24) hours after the event.

**(11) SITE PLAN**

A site plan, of the venue that includes but is not limited to, the location of fencing, stage/booths, tents, portable toilets, bicycle spaces, first aid stations, and any other pertinences.

**(12) CARNIVALS**

A carnival permit is required per City Ordinance.

**(13) EVENT DURATION AND TIMES OF USE**

A special event shall not exceed three (3) event days' duration except a carnival or an overnight. If a holiday falls on Tuesday or Wednesday, event sponsors may request four (4) days' duration.

Events shall end by **10:30 p.m.** Sunday through Thursday and by **12:00 midnight** on Friday and Saturdays except overnight events. Overnight events shall observe a quiet period after the above listed times.

**(14) ALLOCATION OF EVENT DAYS**

Annual events shall have preference in the reservation of a special events venue over other requested reservations for an upcoming year. Event sponsors must submit a letter not later than thirty (30) days after the conclusion of the event to reserve the upcoming year's event dates. Reservations for event dates are subject to cancellation if fees, agreements, permits and other required submissions are not timely received by City of Elgin.

**II.**

- A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.
- B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provision thereof.
- C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

**Effective Date:** This Ordinance shall be effective as of November 6, 2007.

READ and APPROVED this the 6<sup>th</sup> day of November 2007.

ATTEST:

/S/ Gladys F. Markert  
GLADYS F. MARKERT, MAYOR

/S/ Shirley Garvel  
SHIRLEY GARVEL, City Secretary