

**City Council
Agenda Memo**



**City Council
Meeting Date: December 19, 2013**

TO: Larry D. Gilley, City Manager
FROM: Megan R. Santee, Director of Public Works
SUBJECT: Written Resolution approving the Special Event License Policy and Fee

GENERAL INFORMATION

Staff is proposing the adoption of a Special Event License Policy, in conjunction with the Special Event License Ordinance addition, for the purposes of providing the City a means to review and approve public events that take place in the city right-of-way in order to protect the health, safety, and welfare of our citizens. This policy sets forth an application process for staff to review and approve events and apply the appropriate level of oversight needed to ensure the safety of participants as well as any citizen that will come into contact with the event. The policy delineates three categories of events, labeled as A, B and C, as well as defining processions and parades. The policy will be administered through the City of Abilene's Police Department as well as the Department of Public Works.

In order to accomplish this goal, the City will need the ability to reimburse staff time and resources. This can be done through establishing a license fee. This fee must be approved by Council.

STAFF RECOMMENDATION

Staff is recommending approval of the Special Event License Policy and Fee.

ATTACHMENT

Resolution
Exhibit A – Special Event License Policy and Fee

Prepared by: Name: Megan R. Santee Title: Director of Public Works	Item No. <u>7 . 1</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied <input type="checkbox"/> Other _____ City Secretary
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RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS
ADOPTING THE SPECIAL EVENT LICENSE POLICY
AND APPROVING A SPECIAL EVENT LICENSE FEE**

WHEREAS, Every year multiple public events take place within the City of Abilene right-of-way, which without proper oversight, can pose a risk to the public; and,

WHEREAS, The Special Events Public Property Use License policy, was adopted by City Council in 2000 to serve such a purpose; and,

WHEREAS, Several annual events have been established in recent years by various groups in the community, and the current policy does not address the use of the street and city services with regard to those events ; and,

WHEREAS, The Special Event License Policy addresses the use of the street and city services with regard to the current annual events and requests of the public which have been made in recent years; and,

WHEREAS, The Special Event License Policy will be referenced by ordinance under Chapter 29, "Streets and Sidewalks", Article IX, "Special Events License"; and,

WHEREAS, The Special Event License Fee must be adopted by the City Council; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF ABILENE, TEXAS:

PART 1: The City Council hereby adopts the Special Event License Policy, as shown on Exhibit A.

PART 2: That the fees for the Special Event License is hereby approved as shown on Exhibit A.

PART 3: That the fees for the Special Event License shall be kept on file in the City Secretary's Office.

ADOPTED on the _____ day of _____, A.D., 2013

ATTEST:

City Secretary

Mayor

APPROVED:

City Attorney

EXHIBIT A
SPECIAL EVENT
LICENSE POLICY

Applicability

This policy shall apply to all parades and special events which utilize city right-of-way. For such events a Special Event License may be necessary. Closed course races and any events which do not qualify as Category A, B, C or Parades shall require a Street Use License. Some events may be so small that a license is not necessary. The city reserves the right to categorize events.

Funeral processions are not governed by this policy. Please contact the Abilene Police Department (APD) for information on funeral processions.

The reservation of City of Abilene Park and Recreation facilities and the City Hall lawn is not governed by this policy. Any event utilizing or entering park property or the City Hall lawn requires a request to use park facilities. Please contact the Community Services Department to reserve park facilities or the City Hall lawn.

Street Use Licenses are not governed by this policy but are referenced for comparison on the Quick Reference Table at the end of this policy. Please contact the Public Works Department for information on Street Use Licenses.

Category A

Category A events are defined as events not requiring the use of cones, barricades, or other traffic control devices in traffic lanes, and shall occur only on established routes on local/minor streets which are maintained on file at the police department. Some routes require police traffic control at designated intersections. Category A excludes the use of streets in the Downtown Area as depicted on Attachment A.

Category B

Category B events are defined as requiring full or partial control over the use of the street and are less than a calendar day in duration. Category B events are restricted to local/minor streets and streets in the Downtown Area. Except for processions, Category B events shall not occur during the hours of 7:30 a.m. to 5:30 p.m. Monday through Friday on North 1st, Pine, Cypress, Oak, or Chestnut Streets within the Downtown Area unless the event takes place in the Street Festival Area, as depicted on Attachment B.

Category C

Category C events are defined as requiring full or partial control over the use of the street and are either a multiple day event or a single day event with a community-wide focus or major impact. Events utilizing fireworks shall be Category C events. Category C events may not occur on arterial streets except in the Downtown Area. They may not occur during the hours of 7:30 a.m. to 5:30 p.m. on North 1st, Pine, Cypress, Oak, or Chestnut Streets in the Downtown Area unless the event takes place in the Street Festival Area, as depicted on Attachment B. The street restrictions do not apply to processions.

Processions

A procession is a number of people or vehicles moving forward in an organized fashion in the right-of-way. Processions on a local street adjacent to residentially zoned property do not require a license when organized by residents. All other processions require a Category B or C License and paid police escort.

Parades

Parades are defined as processions occurring on the established route in the Downtown Area, as depicted on Attachment C, which is closed to regular vehicular traffic. Parades shall follow the approved route on the north side of the Downtown Area, and staging shall occur within the staging area in and adjacent to the south side of the Downtown Area. Dates, times, duration and other parade elements are subject to review as part of the licensing process.

Application

Every event applicant must fully complete the application form. Applications shall be made during normal business hours Monday through Friday.

The application for Category A, B, C events, and Parades must be made at the Abilene Police Department (APD), located in the Law Enforcement Center at 450 Pecan Street, Abilene, Texas 79604.

Applications for the following categories of events must be submitted before the following deadlines:

- Category A event--no later than **seven (7) days** prior to the event.
- Category B event--no later than **fourteen (14) days** prior to the event.
- Category C event or Parade--no later than **sixty (60) days** before the event.

Applications for Category C events and Parades will be reviewed by departments including but not limited to: APD Traffic, AFD Fire Marshal, Public Works Traffic & Transportation Division,

Risk, Legal, Community Services, and Environmental Health. The City shall set a time for a review meeting, and **the applicant or event organizer shall have a representative in attendance.**

License Fee

The license fee for a Special Event License is follows:

- Category A event--\$25.00.
- Category B event--\$50.00.
- Category C event--\$100.00.
- Parade--\$200.00.

Agreement and Insurance

Commercial public liability insurance naming the City of Abilene as an additional insured shall be required for Category B and C events, and for Parades.

Approval of Category B and C events, and Parades are conditioned on the execution of a written agreement between the responsible party and the City of Abilene.

City Services

Unless the City co-sponsors an event through a formal written agreement, no city services will be donated as part of the issuance of a Special Event License. Certain city services such as security, police escorts, street sweeping, and refuse collection may be available on a contract basis, but must be arranged outside of the special event process. Otherwise all required services will be the sole responsibility of the event organizer or responsible party, either through volunteer or through privately contracted services. Event organizers shall coordinate security with APD. All necessary services must be clearly addressed and are subject to review by the licensing department.

Quick Reference Table

	Category A	Category B	Category C	Parades	Street Use License
Criteria	no control over the street; staff pre-approved route; not in Downtown Area	less than 24 hours in duration; requiring control of local/minor streets and Downtown Area with restrictions	multiple day event or major impact; requiring control of streets; Downtown Area with restrictions	Closed streets, approved route in the Downtown Area	Any other private use upon any public street, alley, sidewalk or public way.
Application Available	APD	APD	APD	APD	Public Works
Application due before event	7	14	60	60	30 days before City Council meeting
Applicant must attend review meeting	No	No	Yes	Yes	
Agreement	by signing application	Formal Agreement	Formal Agreement	Formal Agreement	Formal Agreement with City Council approval
Indemnity required	Yes	Yes	Yes	Yes	Yes
Insurance required	No	Yes	Yes	Yes	Yes
License Fee	\$25.00	\$50.00	\$100.00	\$200.00	\$300.00 application fee
Coordinating City Department	APD—Traffic Division	APD	APD	APD	Public Works and City Admin.

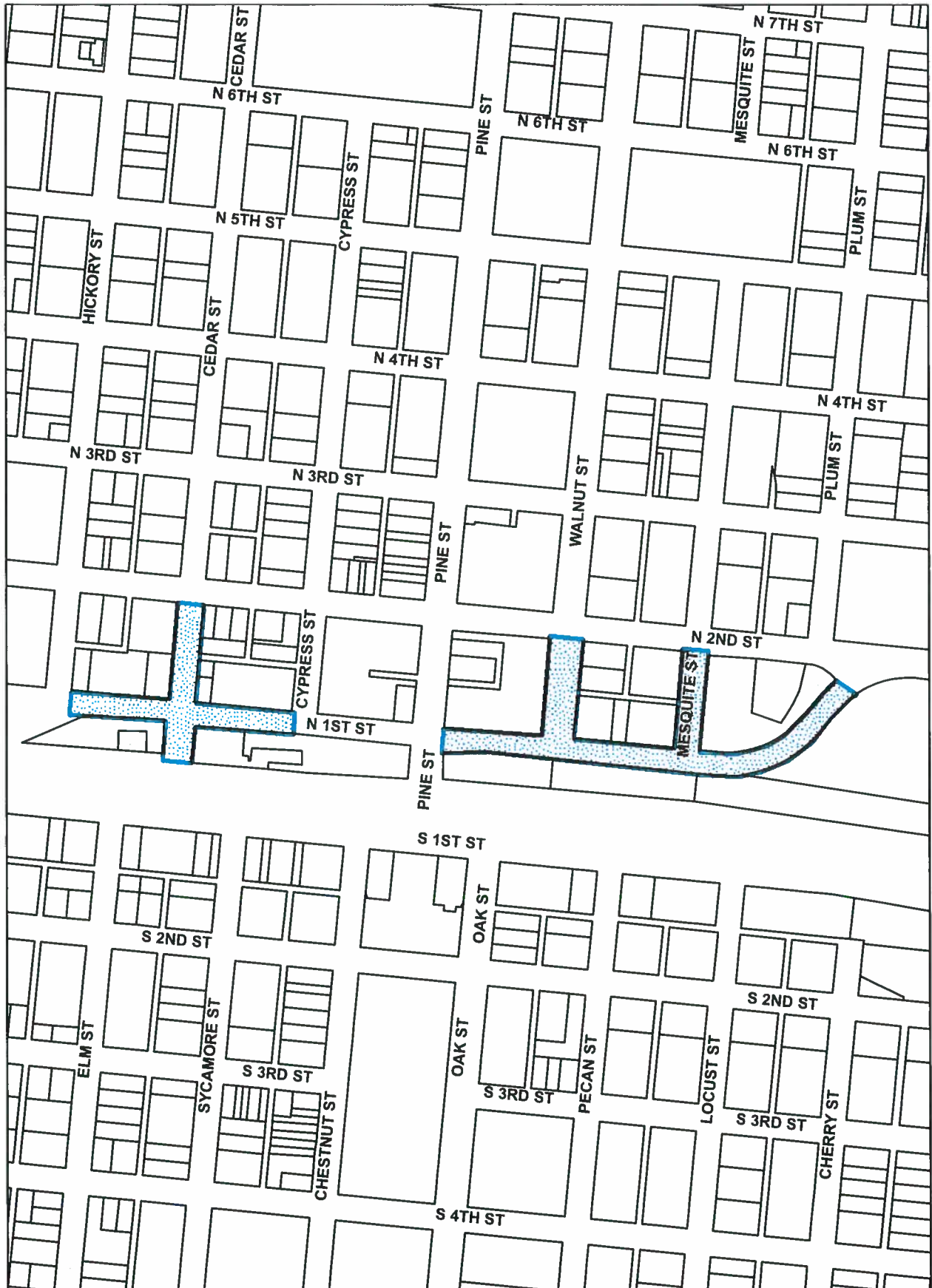
ATTACHMENT A



DOWNTOWN AREA



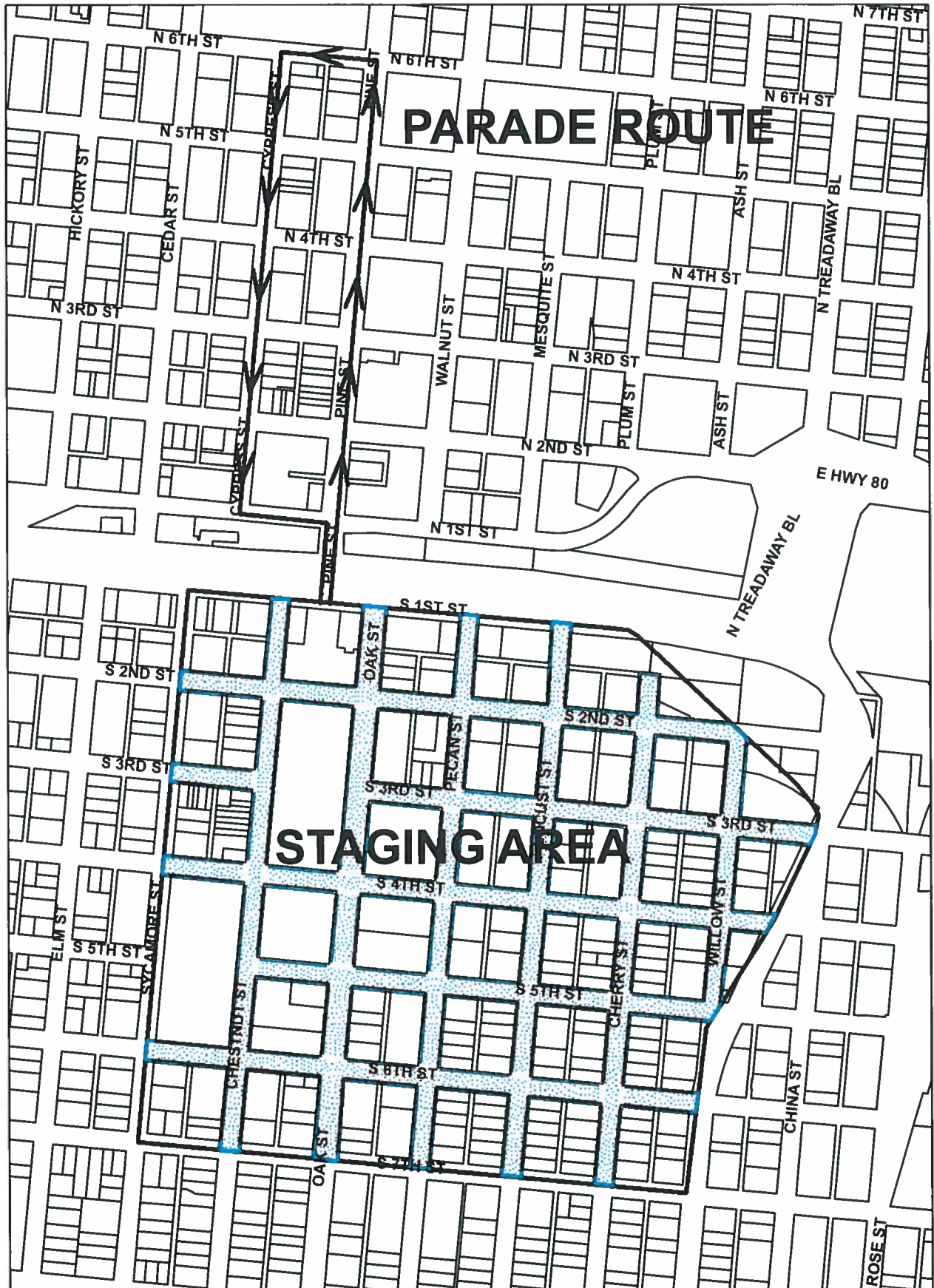
ATTACHMENT B



FESTIVAL AREA



ATTACHMENT C



DOWNTOWN AREA

