

ORDINANCE NO. 15-2025

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AMENDING CHAPTER 29 “STREETS AND SIDEWALKS,” ARTICLE IX “SPECIAL EVENT PERMIT,” OF THE CODE OF THE CITY OF ABILENE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; DECLARING A PENALTY; AND CALLING A PUBLIC HEARING.

WHEREAS, Chapter 29, Article IX of the Abilene Code of Ordinance sets forth the procedure and guidelines to issue a special event permit; and

WHEREAS, the City of Abilene seeks to revise the Ordinance to issue special events permits, and to streamline and clarify the parameters via the Ordinance, policy and fees.

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

Part 1: That Chapter 29, Article IX, “Special Events Permits” of the Code of Ordinances, City of Abilene, Texas, is hereby amended as set out in Exhibit A, attached and made a part of this ordinance for all purposes.

Part 2: That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of a competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

Part 3: That any person, firm, or corporation violating the provisions of this ordinance shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of the Code of Ordinances, City of Abilene, Texas.

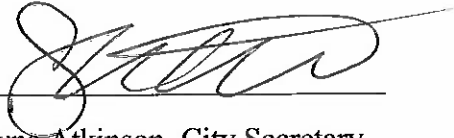
Part 4: Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said offense, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

ADOPTED on first reading on the 19th day of December, 2024.

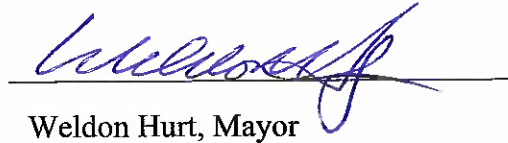
A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 9th day of March, 2025, the same being more than 24 hours prior to a public hearing being held in the Council Chambers of City Hall in Abilene, Texas, at 8:30 a.m. on the 13th day of March, 2025, to permit the public to be heard.

ADOPTED on the second and final reading on this 13th day of March, 2025.

ATTEST:

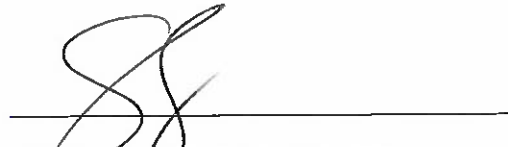


Shawna Atkinson, City Secretary



Weldon Hurt, Mayor

APPROVED:



Stanley Smith, City Attorney



Exhibit A

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• **ARTICLE IX. - SPECIAL EVENTS PERMIT**

Sec. 29-160. - Purpose of article.

The purpose of this article is to ensure the health, safety, and welfare of the public at parades and special events held in the City of Abilene by creating a permitting process for these parades and special events.

• **Sec. 29-161. - Definitions.**

The following words and phrases, when used in this chapter, shall have the meanings ascribed to them by this section:

Applicant. The person, group, organization, or business who is normally named as the event organizer and retains responsibility for the special event or parade listed on the permit application.

Application fee. The fee for any special event application, as approved by the City Council. No application for a permit will be processed until the required application fee and permitting fees are paid. The fee is nonrefundable and shall not be prorated.

Business day. Any calendar day except Saturday, Sunday or any City of Abilene holiday.

City. The City of Abilene, Texas.

City approved parade. A parade that has been approved by the City to be supported with city services at no additional costs to the special event permit holder.

City Manager. The City Manager of the City of Abilene, Texas, or his or her designee.

Commercial Event. A special event held by for-profit organizations which is open to public participation, for a fee or free, which is anticipated to attract one thousand (1,000) or more people, and may include, but is not limited to, a fair, festival, exhibition, or carnival, centered around music, art, culture, food, cars/trucks/vehicles. A donation by the for-profit organization to a non-profit does not constitute the event being a non-commercial event.

Fireworks/Pyrotechnics/Specialized Equipment Event. A special event that poses a special hazard to the general public and property due to the nature of the equipment involved, including fireworks or pyrotechnics. Specialized equipment includes, but is not limited to, drones.

Float. One or more vehicles with or without a trailer or forty (40') of occupied space within the parade procession.

General Event. Private events, ceremonies, social gatherings, and parties that are not otherwise defined herein, and where parking can be accommodated onsite for the total number of attendees.

Local Streets. A type of thoroughfare: arterial, collector, minor arterial, or an expressway that is primarily used within the city limits. Street closures are not authorized on arterial streets, except on North 1st between Walnut and Cedar.

Official. City of Abilene Peace Officers, or the City Manager or designee who administers, implements, or enforces the provisions of this chapter.

Parade. When one or more street closures are required, a concerted walk, column, march, procession of any kind, or similar display consisting of twenty-five (25) or more individuals, or five (5) or more floats, moving together in or upon any public roadway, sidewalk, or other public property in a place within the regulatory jurisdiction of the City.

Procession. When a street closure is not required, a concerted walk, column, march, procession of any kind, or similar display consisting of twenty-five (25) or more individuals moving together in or upon any public roadway, or other public property in a place within the regulatory jurisdiction of the City.

Public Property. Any property held for public use by any department or branch of government, federal, state, county, school or municipality. Public property does not include private property.

Special Event. A special event is a nonroutine, pre-planned activity that brings a group of people together for a specific purpose, usually for a limited time. Special events can be held on public or private property, and can include, but are not limited to, activities such as concerts, festivals, carnivals, fundraisers, rallies, races, and walks/runs.

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Special Event Application. The initial step in the special event permitting process. The application is a form to present event intentions and requests for review.

Special Event Permit. A final signed permit authorizing the event as detailed..

Special Event Permitting Office. The office of the City of Abilene responsible, under the special event permit policy, for accepting and processing applications for a Special Event Permit.

Special Event Policy. A written policy created by the City to regulate parades and special events in conjunction with the Special Event Permit Ordinance.

Support Services. Resources, such as security, fire, EMS, waste management, or street services, which may be required to support a special event. City support services may be available for a fee, but all support services are the responsibility of the Applicant.

Tournament. A special event being a pre-planned temporary series of games or contests involving use of a City sports complex or field(s), customarily held for purposes of competitions aimed at drawing crowds that may impact surrounding neighborhoods, traffic flow, or the community as a whole.

- **Sec. 29-162. - Permit requirements and exemptions.**

(a) Any special event or parade shall comply with the permitting requirements of this article and the special event permit policy adopted by City Council and kept on file with the City Secretary.

(b) This article does not apply to events which require a street use license under article V of this chapter.

(c) This article shall not apply to funeral processions, university, college, secondary and primary school events when supervised by the school, neighborhood parades or neighborhood processions on residential streets, Federal, State and Local Governmental bodies or units of the City including the Armed Forces of the United States of America, and the forces of the police and fire departments acting within the scope of their duties.

(d) All permit holders shall be regulated by the requirements of this article and also by the City's Special Event Policy. In the event of a conflict between this article and the City's Special Event Policy, this article's provisions shall control.

(e) Permit requirements or exemptions do not exclude requirements that may be found in other laws, ordinances or regulations.

- **Sec. 29-163. - Application.**

Applications for special event permits under this article shall file an online application with the City's special event permitting office.

- **Sec. 26-164. - Required fee.**

(a) The fee for a special event permit shall be approved by the City Council. No application for a permit will be processed until the required fees are tendered to the City. The permit fee is nonrefundable and shall not be prorated.

(b) Expenses for any additional costs for City services necessary for the event shall be billed separately. These expenses include, but are not limited to, costs for police escort, security, traffic control, refuse collection and street sweeping.

- **Sec. 29-165. - Issuance.**

Upon completion and approval of the application, the City shall issue a permit to the applicant within the timelines indicated in the special event permit policy.

- **Sec. 29-166. - Expiration.**

All permits issued under the provisions of this article shall expire at the termination of the permitted event.

- **Sec. 29-167. - Transfer.**

No permit issued under the provisions of this article shall be transferred or assigned.

- **Sec. 29-168. - Denial.**

An application for a special event permit may be denied to a person under this article for the following reasons:

- (1) An investigation reveals that the applicant falsified information on the application.
- (2) An official has determined that the health, safety or welfare of the citizens would be impaired by allowing the special event to occur as requested.
- (3) An application is incomplete or submitted after the application due date.

- **Sec. 29-169. - Revocation.**

(a) Permits issued under the provisions of this article may be revoked for any of the following reasons by any official of the City:

- (1) Fraud, misrepresentation or false statement contained in the application for a special event permit.
- (2) Fraud, misrepresentation or false statement made in the course of carrying out the permitted special event.
- (3) The applicant refuses to comply with the terms of the permit.
- (4) The applicant has not provided proof of insurance, if required.

(b) Notice of revocation of a special event permit shall be given verbally or in writing, and state the grounds of the revocation.

(c) When the applicant receives notice that their special event permit has been revoked, they shall immediately surrender their permit to the revoking official and immediately cease the special event.

- **Sec. 29-170. - Appeals.**

(a) An appeal from any act of denial or revocation of any special event permit shall be filed with the City Manager within five (5) business days from the date of denial or revocation.

(b) Such appeal shall be taken by filing with the City Manager a written statement setting forth fully the grounds for the appeal.

(c) The City Manager shall issue a written decision on the denial or revocation in writing within five (5) business days of receipt of the appeal.

(d) The revocation or denial is not stayed pending the City Manager's decision.

(e) The decision of the City Manager on such appeal shall be final and may not be appealed further.

- **Sec. 29-171. - Penalty for violation.**

Any person, firm, partnership, corporation, association, agent or employee thereof who violates any of the provisions of this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not exceeding five hundred dollars (\$500.00) for each offense. Each and every day that such violation shall continue shall be deemed to constitute a separate offense.

- **Secs. 29-172. - Additional regulations for parades.**

(a) Parade floats shall not exceed twelve feet (12') in height, and shall not exceed forty feet (40') of occupied space within the parade procession.

(b) Items shall not be thrown from parade floats by parade participants.

(c) An itemized list of each group representing a float shall be submitted to the special events office no later than seven (7) days prior to the parade.

(d) Parades shall not exceed the float limit as provided in the Special Event Policy.

(e) Parades shall not exceed ninety (90) minutes in duration.

(f) Parades shall be required to follow the established downtown parade route and applicable staging areas that are maintained within the special events office. Street closure barricades or other equipment shall be removed within one hour after the end of a special event or parade. Dates, times, duration, location, and other special event or parade elements are subject to review and approval as part of the permitting process.

- **Secs. 29-173—29-180. - Reserved.**