

Sec. 70-25. Use permits at all City Park.

Definitions. The following terms, when used in this chapter, shall have the following meanings:

Applicant shall include the person, or other entity applying for the special event permit. Applicant shall include, but not limited to, the event's sponsor, organizer, or promoter.

City means the City of Bay City, Texas.

City Park means any property in the City designated as a park, playground, recreational facility, swimming pool or hike and bike path, and shall include buildings, parking lots and driveways in such areas comprising the parks and recreation system of the city under the management and control of the director of parks and recreation or designee.

Permittee means the person to whom a Special Event Permit is granted pursuant to this Chapter.

Person means any individual, entity, association or organization.

Permit application fee shall mean the fee to be paid by the special event permit applicant at the time the application is filed with the city. Such fees shall be set by the city council.

Refundable deposit shall mean the amount of money required of a permittee by the city in order to assure adequate cleanup of the special event site. The deposit shall be returned to the permittee upon the completion of the event and approval of the parks and recreation department.

Special event means any meeting activity, gathering, or group of persons, animals or vehicles, or any combination thereof, having a common purpose, design or goal, upon a park, pavilion or building, where the special event substantially inhibits the usual flow of pedestrian or vehicular traffic, or which occupies any public area and preempts use by the general public. A special event shall include, but shall not be limited to a festival, celebration, concert, parade, athletic event and other similar gathering which has a substantial impact or requires substantial public services at a City Park or Facility. ~~which 1) is reasonably expected to have a substantial impact on such park; 2) is reasonably expected to require the provision of substantial public services; 3) is reserving an Le Tulle Park, USO, MOPAC Train Depot and the Sports Complex; 4) where alcohol is present; 5) erection of a tent; 6) installation of a stage, band shell, trailer, van, portable building, grandstand or bleachers; 7) placement of portable toilets; 8) placement of temporary no parking signs; and/or 9) placement of pedestrian boundary markers on City owned property.~~

Director shall mean Parks and Recreation Director or designee.

Special events permit shall mean the permit issued by the Parks and Recreation Director after the applicant has met all applicable reviews and requirements set forth in this chapter.

Special event vendor shall be a permitted vendor allowed to operate within entertainment areas during permitted special events.

Substantial impact on a park or other public place means an event which would preclude in whole or in significant part the public's normal and customary use of such park or public place.

Substantial public services means a material increase in the amount, scope, or level of necessary fire, police, traffic control, crowd control, or other public services above those that

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would normally be required without the event. With respect to police resources, "substantial public services" means resources for crowd management or traffic control required for the event over and above the normal deployment of police in that geographic area of the city at the time of day during which the event will occur.

Use for non-city sponsored events at all city parks:

(a) A permit shall be obtained from the Director before participating in park activities.

(b) Must be 21 years of age

(c) Alcohol will not be present

(d) A person seeking issuance of a permit under this article shall file an application with the Director. The application shall include:

- (1) The name, address, phone number, age and e-mail of the applicant;
- (2) The name and address of the person, persons, corporation or association sponsoring the activity, if any;
- (3) The day and hours for which the permit is desired;
- (4) The park or portion thereof for which the permit is desired;
- (5) An estimate of the anticipated attendance;
- (6) Age of participants; and
- (7) Type of use use/event

Use for non-city sponsored events when renting the entire Le Tulle Park or the entire Sports Complex

Permit Required

It shall be unlawful for any Person to hold a Special Event, sponsor a Special Event or cause a Special Event to be held without first having obtained a Special Event Permit from the City.

(a) A permit shall be obtained from the Director before participating in park activities.

(b) Must be 21 years of age

(c) The Special Event Permit Application shall set forth as a minimum the following information:

- (1) The name, address, e-mail, age and telephone number of all persons who will be the event representatives and who will be responsible for conducting the Special Event.
- (2) The proposed location(s) for the Special Event.
- (3) The purpose of the Special Event.
- (4) The date(s) and time(s) the Special Event will start and terminate.
- (5) The time at which on-site activities in preparation for the Special Event will begin.
- (6) Age of special event permits
- (7) Whether or not alcohol is present

Exception: A Special Event Permit is not required for city sponsored events.

A Special Event Permit shall not be issued until a completed Application, together with any additional information requested (i.e., insurance with city named as an additional insured), and payments of all applicable fees are received by the City. The Special Event must comply with this ordinance and other applicable laws.

Fees and Costs

- (a) The City Council to establish Special Event ~~Application, Alcohol and~~ Permit and Fees.
- (b) Applicant shall pay all required fees with the Special Event Permit Application. Applicant shall also be required to pay all fees and costs required by other City ordinances to conduct specific activities in conjunction with or as part of a Special Event.
- (c) If the City determines that a Special Event may require the special attention and involvement of City personnel or City facilities, the City shall notify the Applicant. Prior to issuance of a Special Event Permit:
 - (1) Applicant and City shall agree upon the additional costs the City will incur as a result of the Special Event and Applicant shall pay those costs to the City; and
 - (2) Applicant shall agree in writing to pay any additional costs to the City incurred as a result of the Special Event within five (5) days of the date upon which the City informs the Applicant of the amount of such additional costs.

Application Process and Review

The Special Event Permit Application will be processed and reviewed pursuant to the Special Events Rules and Regulations. The director may appoint an events committee or an individual designee responsible for the application process.

Special Event Rules and Regulations

The City Council authorizes the Director to develop and adopt Special Event Application, Rules and Regulations consistent with, and to further the purpose of, this ordinance.

- ~~(a) A permit shall be obtained from the appropriate director before participating in park activity.~~
- ~~(b) A person seeking issuance of a permit under this article shall file an application with the appropriate director. The application shall state:~~
 - ~~(1) The name and address of the applicant;~~
 - ~~(2) The name and address of the person, persons, corporation or association sponsoring the activity, if any;~~
 - ~~(3) The day and hours for which the permit is desired;~~
 - ~~(4) The park or portion thereof for which the permit is desired;~~
 - ~~(5) An estimate of the anticipated attendance; and~~

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~~(6) Any other information which the director shall find reasonably necessary to a fair determination as to whether a permit should be issued under this article.~~

The director shall issue a permit under this article when he finds that the:

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- (1) Proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- (2) Proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- (3) Proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (4) Proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city; and
- (5) Facilities desired have not been reserved for other use at the day and hour required in the application.

- (d) Within seven days after receipt of an application, the director shall apprise an applicant in writing of his reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within seven days to the parks and recreation advisory ~~committee~~ board, which shall consider the application under the standards set forth in any subsection ~~(e)~~ of this section and sustain or overrule the director's decision within 30 days. The decision of the parks and recreation advisory committee shall be final.
- (e) A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- (f) The person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.
- (g) The director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.
- (h) No person shall fail to produce and exhibit any permit from the director he claims to have upon request of any authorized person who shall desire to inspect for the purpose of enforcing compliance with any ordinance or rule.
- (i) No person shall disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.

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(Code 1985, § 21-62; Code 2000, § 70-112)

Sec. 70-29. Alcoholic beverages.

No person in a park shall:

- (a) Possess or drink alcoholic beverages in any park.
- (b) Possess any alcoholic beverage in a glass container at any time within ~~Riverside Park~~ any City park.
- (c) Enter upon or be at any park under the influence of intoxicating liquor or beverages.
- (d) Permitted events with alcohol will require certified Police Officers.

(e) Exceptions:

- a. When renting the entire Le Tulle Park, ~~MOPAC~~ Train Depot, USO/Service Center or Sports Complex with a special event ~~alcohol~~ permit.
- b. Within the confines of the individual campsites within Riverside Park.

~~e) Permitted events with alcohol will require certified Police Officers.~~

~~No person in a park shall:~~

- ~~(1) Possess or drink alcoholic beverages in any park except within the confines of the individual campsites within Riverside Park and the Sports Complex located on F.M. 3156, subject to the provisions of section 6-4.~~
- ~~(2) Possess any alcoholic beverage in a glass container at any time within Riverside Park.~~
- ~~(3) Enter upon or be at any park under the influence of intoxicating liquor or beverages.~~

(Code 1985, § 21-66; Code 2000, § 70-116)

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