

City of Pflugerville
Draft Special Events Policy

The City of Pflugerville strives to work with residents, businesses, community organizations, and other entities in the permitting of special events within the city limits of Pflugerville. In doing so, the City has established this Special Event Policy to ensure that each event can be permitted in a safe and organized manner without increasing any risk or liability to the City of Pflugerville and its residents. All special event requests will be reviewed by a member of Police, ESD/Fire, Parks and Recreation, Public Works, Communications, Planning and Development Services and City Manager's office, as needed. The City is responsible for accepting applications, reviewing proposals, and working with applicants to ensure that the process is as efficient as possible and that events adhere to city guidelines and policies. This policy and the application process pertains to all external events not hosted currently by the City of Pflugerville. The City of Pflugerville is committed to achieving a process that is responsive to the Applicant, provides accurate and clear information, and encourages community and private events that are safe, enjoyable, and well-coordinated.

Section 1 – Definition

Special events are defined as any request(s) by residents, businesses, community organizations, or other organizations to conduct specific activities and events within the City limits that may impact City operations, services, and infrastructure.

Section 2- Criteria

Events requiring a Special Event Permit include:

- A. Events on City property
- B. Events requesting road closures
- C. Events requesting the use of City of Pflugerville resources, such as:
 - Mobile stage
 - Barricades, cones, or other barricades
 - Site prep or other services rendered pre-event
 - Water/Utilities
 - Staff (public safety or other department staff)
 - City funding/donation of in-kind services

The City reserves the right to deny any special event request that are deemed to be unsafe, unsuitable, or that do not abide by applicable City policies, ordinances, or regulations. Also, any event request that exceeds the capabilities of city operations and staff, may also be denied.

Events not meeting the above criteria should consult the City's Unified Development Code Section 4.7 for Temporary Use Permits.

Section 3 – Location

The location will be evaluated to confirm that the proposed location is within the city limits and does not cause a public nuisance, evoke safety concerns, promote the misuse of public resources, or result in any damage to infrastructure. A preliminary site plan will be required during the initial submittal process, and any concerns related to the plan will be followed up with and addressed by City staff as needed.

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Section 4 – Applicant Criteria

Applicants requesting a special events permit must be in good standing with the city and be able to make legal decisions on behalf of the agency/person requesting the permit.

Section 5 – Applications

To promote effective and timely reviews the application and information on applications will be provided on the City's website. Applications should be submitted no sooner than one (1) calendar year in advance of the event and no later than ninety (90) calendar days prior to the event. Due to time restrictions, reviews of applications received fewer than ninety (90) calendar days in advance of the requested special event date are not guaranteed to be considered during this timeframe. The following steps are required in order for an event to be considered:

Step 1 – Complete the Special Event Application available online.

Step 2 – Submit a preliminary site plan of the event including a traffic control plan for any event requesting a road closure.

Step 3 – Respond to comments regarding the application issued by the City.

Step 4 – Applicant meets with the City. This meeting will be scheduled between the Applicant and the City within the first forty-five (45) days of the submitted application has been accepted by the City as complete. The Applicant will then have thirty (30) days to make any changes and/or meet the requirement by the affected departments to receive a full sign off on their special event.

Section 6 - Marketing, Sponsorship, and Signage

The City of Pflugerville does not promote, or market permitted event on our platforms, but the applicant is required to submit a marketing plan to include social media, flyers, and event signage for any event impacting city roads and infrastructure. A finalized list of event sponsors must be provided to the City Manager's Office fifteen (15) days prior to the event.

Per Chapter 154 of the Code of Ordinances, all signs must be approved by the City and must follow all City ordinances and regulations. No signs shall be allowed on public property or in the public right-of-way, except for those specifically licensed or permitted by the City. Any sign installed or placed in violation of the City Code of Ordinances, shall be forfeited to the public and subject to confiscation. Permitted signs may be placed up to seven (7) days prior to an event and shall be removed within 24 hours after the end of the event.

Section 7 – Clean-up

The Applicant is required to return the public space to a clean and orderly condition and place all City property back in its original location. Applicants are responsible for the removal of trash, immediately upon the conclusion of the event. Larger events may be required to provide additional trash containers and the City reserves the right to require Applicants to supply roll-off containers as needed.

Section 8 – Security, Safety, and Emergency Medical Services

- A. Security and Safety: To ensure the security and safety of an event the City, at its sole discretion, reserves the right to require the Applicant to provide event security personnel and safety

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equipment (ex. barricades, safety cones) to protect the health, welfare, and safety of the citizens of Pflugerville and event participants as determined by the City. The estimated attendance will be required and will be used to determine the requirements for security, safety and emergency medical services (EMS). Security will be required for any event in which alcohol is served or sold, regardless of estimated attendance. A traffic control plan will be required for any event which utilizes the roadway.

The Pflugerville Police Department has the first right of refusal to provide security for all event requests. For all events in which security is required, the Applicant must submit a request to the City of Pflugerville Police Department, utilizing the Pflugerville Police Department for the Off-Duty Request, for the number of personnel required. If the City of Pflugerville Police Department does not have the personnel available for the event, then other licensed peace officers may be utilized at the rate and process established by the officer hired for the event. The Applicant will be required to show proof that the appropriate number of personnel have been secured for the event.

- B. **Emergency Medical Services:** To ensure the health and safety of the community, including the participants of the event, the Applicant will be required to submit a safety plan as part of the application. These requirements are the framework for identifying the minimum emergency medical resource levels necessary to ensure adequate emergency medical resources are available for participants and attendees of permitted events in the City of Pflugerville. Events that range over a broad geographic area may require additional resources if a response time from a strategic location is anticipated to exceed ten (10) minutes. Every safety plan will include an emergency medical plan that describes the total number of EMS personnel planned to be used for the event, including their level of training and a map showing resource deployment. Depending upon the type of event and its location, a communication plan may also be required. Once the City has reviewed the application the City will provide a list of emergency medical resources required for the event. A list of approved ambulance providers will be provided by the City. The City also reserves the right to require an Incident Action Plan dependent on size and safety requirements of an event.

Section 9 – Cancellation

The City may cancel a Special Event without prior notice for any significant change in weather conditions or storm event which may adversely affect the public health or safety of the community or for any condition that would place city facilities, grounds, or other natural resources at risk of damage or destruction if the event were permitted to take place. In addition, the City Manager or their designee and City public safety officials have the authority to place additional restrictions on the event if it is deemed that public health safety or welfare is being jeopardized. Should any permit holder fail to meet or comply with any of the terms and conditions of the special event policy or permit issued by the City, the City may cancel that permit at their discretion.

Section 10 – Denial of Future Events

To provide for a well-coordinated, enjoyable, and safe event, Applicants are required to abide by City ordinances, state and federal laws, and City policies. Failure to do so may result in the denial of future requests to reserve public space(s) for the Applicant and event organizers.

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Section 11 – Damage or Loss of Materials

The City shall not be responsible for damage or loss of materials used or left in any public space and does not assume liability for groups or individuals attending an event within the public space. The Applicant shall agree to pay for the cost of replacement or repair of any damage to the facility or equipment within that public space caused by the event. Applicants hosting events on City property maybe required to submit liability insurance in accordance with Section 12 of this policy, listing the City as an additionally insured.

Section 12 – Indemnification

Applicant must agree to indemnify, hold harmless and defend the City, its officers, agents and employees from and against all liability for any and all claims, suits, demands, and/or actions for damages, injuries to persons (including death), property damage (including loss of use), and expenses including court costs and attorney's fees and other reasonable costs occasioned by or arising out of Applicant's use of public spaces and/or activities conducted in connection with or incidental to the requested permit and arising out of or resulting from the intentional acts or negligence of Applicant, its officers, agents, employees or persons participating in the event sponsored by Applicant.

Section 13 – Insurance & Liability

A valid insurance certificate may be required depending on the size and projected impact of the event. The insurance certificate must afford one million dollars (\$1,000,000.00) of general liability coverage per occurrence and contain the following information:

- General liability coverage (property and bodily injury) as evidenced by an insurance certificate with an endorsement naming the City of Pflugerville as ADDITIONAL INSURED and guaranteeing 30 days prior notice to change or cancellation of the policy.

The permit holder shall be accountable for the actions and omissions that create any damage to the City's premises, turf, equipment, and/or property from the actions and omissions. If additional maintenance is deemed required (in excess of normal services/time) to restore the premises, turf, equipment, and/or property to reasonable use by others, the permit holder shall be debited accordingly.

The City disclaims responsibility for any circumstance, harm, responsibility, loss, or injury to person or property because of unauthorized property/field use.

Section 14 – City Services

If the event requires City support or services in order to conduct the event, the Applicant will be responsible for covering the cost of the personnel and/or services provided by the City. Fees for initial year of this policy (FY23) can be found in Section 18, and future fees can be found within the adopted City budget.

Section 15 – Special Provisions

- A. Food or beverage sales: Food vendor applications and concessions information concerning Temporary Event Health Permits may be obtained from the City of Austin Public Health Department. The Applicant must coordinate through the proper authority to obtain necessary permits and information on proper dispensing and handling procedures. The Applicant must have City approval to serve or sell alcoholic beverages on public property as part of an event. It is the responsibility of the Applicant to obtain the proper licensing and

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training from the Texas Alcoholic Beverage Commission. All events where alcohol is served or sold are required to have Police on-site. All food vendor placement will need to be approved by City staff and follow City code in regard to food trucks and safety precautions.

- B. Restroom Facilities: For special events, it is the responsibility of the Applicant to provide an adequate number of toilet facilities, including mobility impaired accessible units, at the expense of the Applicant. Unless the applicant can substantiate the availability of both ADA accessible and non-accessible facilities in the immediate area of the event site available to the public during the event. The City will determine the total number of portable toilet facilities on a case-by-case basis. The City of Pflugerville requires 1 portable toilet per every 100 attendees. A minimum of 10% of toilet facilities at your event should be ADA accessible.
- C. Parking: Applicants must ensure that adequate parking is secured for the special event to possibly include securing permission for overflow parking and in the arranging of a shuttle system should that need arise. City officials will verify any shuttle/transportation service vendor and include their USDOT/ TXDOT Operating Authority and TX Vehicle registration and the driver's CDL and passenger vehicle endorsement. Vehicles may be inspected at the by the Pflugerville Police Department. All inspections of the vehicle and actual driver(s) need to take place 48-72 hours prior to the service.
- D. Sound: All events are required to meet the provisions established in Section 94.05 of the Code of Ordinances and shall not exceed 85 decibel (db) levels. The City of Pflugerville has a temporary noise permit application which may be required for the event based on the details of the event.

Section 16 – Request of Subsidy

Requests for City subsidy of an event that serves Pflugerville's diverse population in a community-oriented environment may be considered on a case by case basis by the City Manager's Office. The City Manager or their designee, may consider providing a subsidy for an event up to the amount established in the annual budget. For subsidy requests over the annual budgeted amount will require review and approval by the City Council.

Section 17 – Fees and Additional Services

Attached are the fees for FY23. These fees will be reviewed annually in the annual budget process. All staffing and city resources are subject to availability based on coverage for city programs, events and offerings.

Section 18 – City Event Fees (FY 23; refer to adopted budget for the fee schedule beginning in FY24):

- Special Event Permit Fee \$50.00
- Security Deposit \$500.00
- Pflugerville Police Personnel and Vehicles Refer to Off-Duty Request Form
- Park Maintenance Staff \$30/hour
- Public Works Staff \$30/hour
- Cones (rental) \$2 per cone, \$50 minimum
- Cones (replacement cost) \$27.50 per cone
- Barriers (rental) \$6.00 per barrier
- Barriers (replacement cost) \$115 per barrier

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- Water Barriers (rental) \$40.00 per barrier to include water
- Water Barriers (replacement) \$500.00 per barrier