

# City of Pflugerville 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, safety and infrastructure.

## Section 2- Criteria

Events requiring a Special Event Permit include:

- A. Events on City property to include park land.
- B. Events requesting road closures
- C. Events within City limits that may impact operations, services, or infrastructure.
- D. 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 is deemed to be unsafe, unsuitable, or does 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.

#### **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 from when 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 requirements set by the affected departments to receive a full sign off and approval to hold their special event.

#### **Section 6 - Marketing, Sponsorship, and Signage**

The City of Pflugerville does not promote, or market permitted events 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. For Applicants interested in an over-the-road banner, the Applicant must submit a request to the City of Pflugerville's Public Works Department and meet required guidelines.

#### **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**

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 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 is required and 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.

**Police Department:** 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.

**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 or postpone 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.

### **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 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 1 or at least 10% of total toilet facilities at your event shall 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 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 Tourism Subsidy Review Committee. The City of Pflugerville will accept applications (see Exhibit A) for subsidy funding from October 1 through November 15 of each year. The committee will review applications from any event that meets the subsidy guidelines. All requests for funds must be submitted in writing and accompanied by the official Special Event Application. Applications received after the deadline may resubmit the following year.

The Tourism Subsidy Review Committee, comprised of city tourism staff, parks and recreation representatives and representatives from the hotel and tourism industry, may consider providing a subsidy for events using funds established in the annual budget. The recommendation of the Tourism Subsidy Review Committee will be considered at the first Council meeting in December of each year. While exceptions may occur, funding may be provided in \$2,500 increments or less for subsidies meeting standard eligibility.

### Eligibility and Priority for Subsidy Request:

Events and entities will be prioritized based on their ability to generate visitors to Pflugerville and hotel night stays. New events that attract unique, broad audiences and provide a community-wide benefit will also be prioritized. Events with an outstanding balance prior to adoption of this policy will be considered paid. After the effective date of this policy, any organization or event owing an outstanding balance to the City for previous services rendered will not be eligible until their debit is paid in full.

Additional event priority is given to events:

- Taking place on a day that the City doesn't already have a large festival or event, allowing staff support as needed and expanding hotel impact.
- Held in Pflugerville City limits.
- Acknowledging Pflugerville in its naming convention and promotion.
- Having a proven history and documentation of securing overnight hotel stays.

- Seeking in-kind subsidy and reimbursable investment.
- Bringing 25 or more night-stays to Pflugerville hotels.
- Advertising in multiple geographic areas outside Pflugerville city limits (Houston, Dallas, San Antonio).
- Having potential for multi-year occurrence to return tourists to Pflugerville.

Events can prove the potential to generate overnight visitors through:

- Historical information on the number of room nights used during previous event.
- Reserved hotel block to accommodate anticipated overnight guests.
- Estimated information on the number of guests at hotel or other lodging facilities that attended the funded event.
- Providing examples of marketing programs and activities that are likely to generate and encourage visitors to stay overnight at local properties.

Partnerships: The City of Pflugerville encourages all event organizers to consider partnership agreements with other entities to promote events. Cooperation between entities can result in more effective use of funds. Priority will be given to applications that show cooperative efforts between entities and community organizations.

Tourism Support: Events that receive funding can expect the following support:

- Support announced on the City's Explore Pflugerville tourism website and social media
- Logo materials provided for promoting Explore Pflugerville with the event.

### **Section 17 – Event Fees and Additional Services**

Event and services fees are included in the adopted annual budget. All staffing and city resources are subject to availability based on coverage for city programs, events and offerings.

## Exhibit A

### Special Events Tourism Subsidy Program and Application

**Mission:** The mission of the Special Events Tourism Subsidy Program is to provide subsidy support to events and activities which increase tourism and hotel usage in Pflugerville, Texas. Further, this subsidy increases awareness of the tourism opportunities in Pflugerville.

**Program Guidelines:** The Tourism Subsidy Application Committee will accept applications for the program annually.

**Subsidy Application Period:** October 1 through November 15

The committee will accept and review applications from any event that meets the funding guidelines outlined in this policy. All requests for funds should be submitted in writing accompanied by the official application after submitting the special events application. Applications are submitted to [tourism@pflugervilletx.gov](mailto:tourism@pflugervilletx.gov) for initial review. Please note that each applicant may be asked to attend a meeting to answer any questions regarding the application. Subsidies will be awarded based on the Tourism Subsidy Review Committee recommendation. 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.

The Tourism Subsidy Review Committee may consider providing a subsidy for events using in-kind support with scholarship funds established in the annual budget. Subsidy requests will require review and approval by the City Council at the first Council meeting in December of each year. While exceptions may occur, sponsorship allocations are in \$2,500 increments or less for subsidies meeting standard eligibility.

**Eligibility and Priority for Subsidy Request:** Subsidy requests are provided in-kind or with a reimbursable investment. (ie: city services, equipment to help offset event expenses). Event must be in the Pflugerville City limits.

Criteria	Points	Amount selected
<b>Audience</b> - Is the event generating visitors and hotel night stays?	50 points	
<b>Experience</b> - Is the event attracting unique, broad audiences or a new community-wide experience? Is the event unlike other existing Pflugerville community event offerings?	15 points	
<b>Date/Time</b> – Is the event taking place on a day that the City doesn't already have a large festival or event? <i>(this allows staff support as needed and expands hotel and tourism impact potential)</i>	10 points	

<b>Advertisement campaign</b> – Has the event invested and established an advertising campaign in multiple geographic areas outside Pflugerville? (Houston, Dallas, San Antonio, other state)	10 points	
<b>Name</b> – Is Pflugerville mentioned in the event name?	5 points	
<b>Future potential</b> – Does the event offer a multi-year occurrence which will return tourists to Pflugerville?	5 points	
<b>Representatives</b> – Is the event local? Is the coordinator or a local partner organization tied to Pflugerville? Are multiple organizations and volunteers working together to ensure the event will be a success. Cooperation between entities may result in a more effective use of subsidy.	5 points	

Hotel Occupancy Tax funds prioritize putting “heads in beds.” Hotel night stays will be verified through hotel blocks, prior year successful hotel tracking and hotel rooms paid for and reserved by the event. Events are encouraged to turn in their marketing plan to generate and encourage visitors to stay overnight at local Pflugerville hotel properties.

Once events are established and able to operate without a subsidy, they will be released from the subsidy program and from future consideration. Established events are those that are making profit and have enough community-wide attendance to afford necessary services and equipment for their event. Events requesting sponsorship for more than 3 years may be released from the subsidy program.

**Events that receive funding can expect the following support from the Tourism Division:**

- Support announced on the City’s Explore Pflugerville tourism website.
- Logo materials provided for promoting Explore Pflugerville with the event.



## Tourism Subsidy Application

### Organization Information

Name of Organization applying for funding: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Website Address for Event or Sponsoring Entity: \_\_\_\_\_

Is your organization: For Profit ☐ Nonprofit ☐ Private/For Profit ☐ Tax ID # \_\_\_\_\_

Name of Event or Project: \_\_\_\_\_

Partner Entity (if applicable): \_\_\_\_\_

Date of Event or Project: \_\_\_\_\_

Start Time/End Time of the Event: \_\_\_\_\_

Primary Location of Event or Project: \_\_\_\_\_

Has this Event been held before? If yes, please list the years: \_\_\_\_\_

Please list any additional Co-Sponsors of the Event: \_\_\_\_\_

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_____	_____
_____	_____
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_____	_____
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_____	_____

Please list any other organizations, government entities that have offered financial support to your project:

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_____

Do you intend to request support from businesses in the form of sponsorships, donations, materials, or other means that will assist you in executing the event? Yes \_\_\_ No \_\_\_ (please include your sponsorship tiers sheet)

Is this a ticketed Event/Facility? yes \_\_\_ no \_\_\_

If yes, please list the price of the ticket, admission, and entry fee: \_\_\_\_\_

How are you tracking ticket sales? \_\_\_\_\_

How will funds be dispersed? \_\_\_\_\_ (attach budget)

HOT Amount Requested: \_\_\_\_\_

*The use of funds is subject to audit and a post-event report. The applicant further understands that if the post-event form is not returned within two months of the event concluding, it will disqualify the organization from receiving any further funds.*

### **CRITERIA #1**

Every expenditure must DIRECTLY enhance and promote tourism AND the convention and hotel industry. Under the Tax Code, every event, program, or facility funded with hotel occupancy tax revenues must be likely to do two things:

1. Directly promote tourism.
2. Directly promote the convention and hotel industry.

“Tourism” is defined under Texas law as guiding or managing individuals who are traveling to a different city, county, state or country. A ‘direct’ promotion of the convention and hotel industry has been consistently interpreted by the Texas Attorney General as a program, event, or facility likely to cause increased hotel or convention activity. This activity may result from hotel or convention guests that are already in town and choose to attend the hotel tax-funded facility or arts or historical event, or it may result from individuals who come from another city or county to stay in an area lodging property, at least in part, to attend the hotel tax-funded event or facility.

If the funded event or facility is not reasonably likely to directly enhance tourism and the hotel and convention industry, local hotel occupancy tax revenues cannot legally fund it. State law is strict in terms of how the local hotel occupancy tax revenues can be spent.

### **CRITERIA #2**

Every expenditure of the hotel occupancy tax must clearly fit into one of the nine statutorily provided categories for expenditure of local hotel occupancy tax revenues.

Please select from the categories below that meet your organizations request.

- \_\_\_\_\_ 1. Funding the establishment, improvement, or maintenance of a convention center or visitor information center.
- \_\_\_\_\_ 2. Paying the administrative costs for facilitating convention registration.
- \_\_\_\_\_ 3. Paying for advertising, solicitations, and promotions that attract tourists and convention delegates to the city or its vicinity.
- \_\_\_\_\_ 4. Expenditures that promote the arts.
- \_\_\_\_\_ 5. Funding historical restoration or preservation programs.
- \_\_\_\_\_ 6. Funding certain expenses, including promotional expenses, directly related to a sporting event within counties with a population of under a million.
- \_\_\_\_\_ 7. Funding the enhancement or upgrading of existing sports facilities or sports fields for certain municipalities.
- \_\_\_\_\_ 8. Funding transportation systems for tourists.
- \_\_\_\_\_ 9. Signage directing tourists to sights and attractions that are visited frequently by hotel guests in the municipality.

**Please provide a brief description of your agency's history and background.** (May be provided on a separate page). Points are awarded based on how established your program is, past successes, etc.

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**Your Event Mission Statement:**

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**Event total budget:**

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Provide a copy of the event budget for review.

**Expenses:**

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**Total Income** \_\_\_\_\_

How many years have you held this Event or Project: \_\_\_\_\_

Estimated attendance: \_\_\_\_\_

How many people attending will use hotels in Pflugerville city limits?

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How many nights will they stay \_\_\_\_\_

Do you have a room block for this event at a hotel within the Pflugerville city limits? Which locations and how many nights?

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**Advertising:**

Budget: \_\_\_\_\_

What areas does your advertising and promotion reach? List marketing platforms (newspaper/website/media)

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**Supplemental Information Required with Application:** Along with the application, please submit a Proposed Marketing Plan for Funded Event Schedule of Activities or Events Relating to the Funded Project.

Please feel free to attach any additional information about your organization or event that you think is relevant to this application.

*I understand the limitations placed on using Hotel Occupancy Tax funds and certify that the requested funds will be used only for the purposes described in this application or as approved by the City of Pflugerville. I understand the use of funds is subject to audit and a post-event form must be submitted to include hotel locations used during the event. The applicant further understands that if the post-event form is not returned within two months of the event concluding, it will disqualify the organization from receiving any further funds.*

*If awarded Subsidy funds for the event, I agree to include the following information on all collateral materials: In partnership with Explore Pflugerville. In addition, I agree to add the City of Pflugerville Explore Pflugerville logo and website address to promotional materials and advertisements. I also agree to offer the City of Pflugerville Tourism the opportunity to provide visitors with information at a booth space provided by our organization at the event and promotional materials in event packets/bags/materials.*

Signature \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

**Eligibility and Priority for Hotel Tax Funds:** Priority will be given to events and entities based on their ability to generate overnight visitors to Pflugerville. If an event will not generate any meaningful hotel night activity, it may not be eligible for receipt of hotel occupancy tax funds.

**Use of Revenues from Event:** A portion of the revenues from any event and/or project receiving any type of funding assistance from the HOT funds should be channeled back into the future costs of operating that same event in Pflugerville or the continued operation of the project.

### **Post Event Report**

Due within 60 days post event/project completion.

Organization \_\_\_\_\_

Event \_\_\_\_\_

Amount of funds awarded: \_\_\_\_\_

Name of person submitting report \_\_\_\_\_

Title \_\_\_\_\_ Phone \_\_\_\_\_

Email \_\_\_\_\_

Date of event/project completed \_\_\_\_\_

Participants/Spectator/Visitor Information

1. Number of attendees to the event (if multiple day event, list by date)

Visitors: \_\_\_\_\_ (provide list of areas from if able)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Total attendees \_\_\_\_\_

2. How was the attendance taken at the event?

3. Total # room nights purchased and documentation.

*(Hotel documentation may be provided and/or registrant information to show out of town guests)*

**Event Financials**

Event expenses \_\_\_\_\_

Event income \_\_\_\_\_

(include budget showing breakdown of expenses and income)

Will the event return to Pflugerville next year? \_\_\_\_\_

*I certify that the above information is true and correct to the best of my knowledge.*\_\_\_\_\_  
Name (printed)\_\_\_\_\_  
Title\_\_\_\_\_  
Name (signature)\_\_\_\_\_  
Date