

**CITY OF COOLIDGE SPECIAL EVENTS AND TEMPORARY OUTDOOR SALE ORDINANCE:**

**ORDINANCE NO:** 11-11-14

**GENERAL PROVISIONS:**

The following general provisions apply to both a "Special Event" and a "Temporary Outdoor Sale" event and shall be followed by the permitted at all times during the event/sale.

1. Local Businesses and property owners within the City of Coolidge may grant permission to a person or entity eligible to receive a permit to hold a temporary sale or event on their property or in their parking lot. Written permission must be obtained from the property owner and must accompany the application for a Temporary Outdoor sale or Special Event unless otherwise specified in this ordinance.
2. Sidewalks and pedestrian access ramps are required to have a minimum of six (6) feet clearance at all times and meet the requirements of the Americans with Disabilities Act, as it currently exist or may be amended.
3. If food and/or drinks are served, the applicant must meet any and all health requirements of the City, local and state laws pertain, as they exist or may be amended. The applicant must also provide trash bins with lids and bags and dispose of trash accordingly.
4. Temporary lighting and/or security lighting may be used at an event/sale location. Electrical permits are required for temporary power and any other electrical installations at the premises. Electrical contractors must be a registered contractor. Electrical work installed requires inspection by an inspector. Any lights located on the premises may not flash, blink, move, fade, travel or scroll.
5. Any items used for a sale/event shall not block and fire lanes, fire hydrants, public access areas or means of egress (exit) pathways as determined by a City Official.
6. Equipment used for any event/sale (IE display areas, jump houses, and/or any other related items) shall comply with all ordinances of the City of Coolidge, the Texas Penal Code, and the Texas Alcohol Beverage Codes.
7. Any event/sale that exceeds 100 people must also provide portable toilets if the event/sale is to held in a facility without proper plumbing or is to held outdoors.
8. Off street parking must be provided on site and may consist of concrete, asphalt or gravel. Off site or soft surface parking areas must have a parking plan submitted as part of the application. No required parking spaces (ie fire lanes, business parking lots unless otherwise agreed upon with owner, or sides or streets) may be used.
9. Safe and orderly movement of normal traffic flow shall not be substantially impeded. The City may require the permit holder to provide additional temporary signage for traffic control and safety related issues. If any event is located next to, on or close to a

TXDOT controlled road, a TXDOT sign permit must be obtained and signs must be posted before the event permit is issued. The police department will review the event traffic flow, and parking plan and may require the permit holder to hire an off duty police officer to direct traffic. Those current fees, or as may be amended, are thirty-five (\$35.00)/hour with a four hour minimum. During inclement weather (rain, snow, ice, extreme cold/heat) the fee is forty (\$40.00)/hour with a four hour minimum. Any event that occurs on a recognized holiday is forty-five (\$45.00)/hour and fifty (\$50.00)/hour in inclement weather with a four hour minimum.

10. All applications for Temporary Outdoor Sales permits and Special Events/ Block Parties will be reviewed by the Mayor, Police Chief, Fire Chief, and Public Works officials and/or their designees, for traffic control, fire, medical, security, safety and other related issues.
11. The permit holder shall obey a noise limit at all times during the event. The noise limit will be any time any noise and/or music can be heard fifty (50) feet from the event property. Any violations of this can be cited/ticketed by the Coolidge Police Department per the officers discretion.

#### **Terms for Temporary Outdoor Sales:**

The following are terms specific to Temporary Outdoor Sales events. The permit shall be valid for a maximum of thirty-five (35) days for a period of four (4) weeks before and one (1) week after the Valentine's Day, Halloween, Easter, Thanksgiving or Christmas holidays.

1. Seasonal products may lawfully be sold during periods approved by the City of Coolidge city council, Mayor and/or his/her designee.
2. The sale of seasonal products shall not involve more than one tent or temporary building on a lot and no more than one motor home, recreational vehicle, travel trailer or similar vehicles for the sales operators' use. If the applicant elects to install a temporary tent or temporary building, the applicant must meet all town requirements for said installation, as they exist or may be amended.
3. Livestock (ie horses, cows, sheep, lambs, goats, pigs ect), fowl, rodents, reptiles, amphibians, or any other animal does not qualify for a temporary outdoor season sale.
4. Proof of a current state sales tax permit must be submitted at the time of application, if applicable.

#### **TERMS FOR SPECIAL EVENTS/BLOCK PARTIES:**

The following terms and conditions apply only to special events and/or block parties. The permit shall be valid for a maximum period of seven (7) days after its issuance.

1. Special events requiring street closures or other participation from the town will be allowed only with the approval of the Mayor or his/her designee.
2. The following events are not considered a special event and are, therefore, exempt from this article:
  - a) Events which require the approval or sanctioning of, or are officially sponsored by, the town or CISD and:
    - i. The event is wholly contained on a town park or building owned, or leased by the City of Coolidge or CISD property;
    - ii. The impact on traffic and surrounding neighborhoods was evaluated and found insignificant by the town police department before approval for the event was granted by the town; and
    - iii. The event conforms to the other general criteria of this article.
  - b) Private parties which the public is not invited, if less than 50 persons are in attendance.
  - c) An event wholly contained on property specifically designed or suited for said event and which holds a certificate of occupancy for such use, including but not limited to, adequate parking.
  - d) Funeral processions, to include wakes, dinners, and other such gatherings designed for the purpose of paying respect to the deceased and bringing comfort to the deceased's family.

#### **PERMIT REQUIREMENTS:**

The following are general provisions pertaining to any permit request application in which a permit may be issued on a case by case basis:

1. Written application for a permit shall be provided on the application , available at the City office, no less than fifteen (15) days prior to the start date of said event.
2. The application for a permit shall contain the following:
  - a) Name, address, and telephone number of the person, organization, or company conducting the event;
  - b) Requested date or dates and operating times of the event.
  - c) A plan showing in detail the different component parts of the event including but not limited to portable toilets and the location of each, concessions, amusements, businesses, and trash bins.
  - d) A written lease or agreement from the owner of such property stating permission to the applicant to operate the event on the property.
  - e) Proposed location and size of the parking area(s).

- f) The approximate number of persons who are attending, if applicable. If the event attendance is over one hundred (100) person in any eighty-hour period, town approved security must be provided at event coordinators expense. The police department requires one off duty officer per one hundred people in attendance. If alcohol is involved, then the requirement is two off duty officers per one hundred (100) people, at the discretion of the police chief or Mayor. The established fee for off duty police officers providing security will be 1 ½ times the compensation for the officer's normal hourly rate with a minimum of one hundred dollars (\$100.00) per four hour event, with four hours being the minimum time charged for off duty officers services.
  - g) In regards to neighborhood block parties, the permittee is responsible for the actions/activities of all guests at the location of the permitted party and will ensure reasonable enforcement of all applicable City Ordinances, the Texas Penal Code, and the Texas Alcohol Beverage Codes.
- 3. Waste from animals shall be removed and properly disposed of daily from the premises. Animals shall not be kept closer than three hundred feet (300') to any residence, commercial establishment, or food establishment.
  - 4. All signs must conform with the City's Code except that signs adjacent to a TXDOT controlled road will be limited to two (2) signs not to exceed twenty (20) square feet.

#### **DENIAL OF A PERMIT:**

A permit for an event may be denied by the City of Coolidge if any of and/or more than one of the following applies:

- 1. A permit has been granted for another event at the same place and time
- 2. The proposed event will unreasonably disrupt the flow of traffic and means of rerouting traffic or otherwise meeting traffic needs is unavailable, as determined by the town.
- 3. The application is incomplete.
- 4. The applicant fails to comply with or the event will violate a town code, ordinance, rule, regulation, or other applicable law, unless the prohibited conduct or activity would be allowed under this article.
- 5. The applicant makes a false statement of material fact on an application for an event permit
- 6. The applicant has had a permit revoked within the preceding twelve (12) months or the applicant has committed two (2) or more violations of a

condition of a provision of this article within the preceding twelve (120 months).

7. The proposed event would unduly burden town services or unreasonably disrupt the public order, as determined by the town.
8. The past history of noncompliance with city ordinances, and state law, in regards to the permitted/sponsor within the last thirty-six (36) months as indicated by previous citations, arrests, or calls for service for that address/applicant.

#### **PERMIT FEES:**

The following are the permit fees for a Temporary Outdoor Sales and Special Event/Block Party permit:

1. Temporary Outdoor Sales or Special Event fees are two hundred (\$200.00) per permit.
2. The applicant shall provide a two hundred and fifty dollar (\$250.00) deposit at the time of the original application for clean up after the event. If the applicant cleans up within twenty-four (24) hours after the event the deposit fee will be returned within fourteen (14) business days.
3. Permit fees may be waived by city officials for the following circumstances:
  - a) Town organized events such as Mesquite Tree Festival, Volunteer Fire Department or FFA fundraisers,
  - b) CISD sponsored and supervised events
  - c) Nonprofit organizations providing a copy of its valid federal and/or state tax identification numbers and/or any other documentation required by city officials.
  - d) Religious intuitions when the event if sponsored solely by the institution

#### **OTHER PROVISIONS OF THIS ARTICLE:**

In the event a permittee/owner/host/sponsor or any other is proven in violation of this ordinance or any ordinance, state or federal law the owner shall be notified promptly by verbal or written notice, posting a notice at the event location or by letter addressed to applicant and/or property owner at the premises as recorded in the appraisal district records.

Any applicant, owner, tenant, agent or individual who fails to comply with the demand for compliance may be issued a citation and/or their permit revoked or suspended. The City of Coolidge may do work or make improvements required to abate violations, pay for work to be done or improvements made and charge all expenses to the owner, tenant, individual, applicant or agent.

Any person, firm, corporation, or business entity violating this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed the sum of five hundred (\$500.00), unless the violations pertains to fire safety, zoning, or public health and sanitation, including dumping and refuse in which case(s) the fine shall not exceed the sum of two thousand (\$2,000.00). Each continuing day's violation under this article shall constitute a separate offense.

PASSED AND APPROVED THIS THE 11 DAY OF  
November, 2014.

A handwritten signature in cursive script, appearing to read "G. H. Hanger", written over a horizontal line.

CITY SECRETARY

A handwritten signature in cursive script, appearing to read "James A. ...", written over a horizontal line.

MAYOR