

CITY OF KELLER	POLICY NAME: Special Events
PAGE: 1 of 7	POLICY NUMBER: 09.15.2009

1.00 ADMINISTRATION

REVISION DATES:

APPROVED AND DISTRIBUTED:
City Council (09/15/2009)

REVIEWED DATES:

APPROVED BY ADMINISTRATION:
Dan O’Leary

DATE:
09/15/09



Special Events Policy

Introduction and Application Process:

Introduction: The City of Keller strives to work with residents, businesses, area organizations, schools, churches, and other entities in the provision of special events that are well coordinated, safe, and enjoyable. In doing so, the City has established a Special Event Review Team (SPERT) consisting of representatives from the departments of Police, Fire, Parks and Recreation, Community Development, Public Works, and Administration. The SPERT group is responsible for accepting applications, reviewing proposals, and working with applicants to ensure that the process is as efficient as possible and the events are in keeping with City guidelines and policies. The SPERT group and the City of Keller are committed to achieving a process that is responsive to the applicant, provides accurate and clear information, and encourages community events that are safe, enjoyable and well coordinated. The City welcomes input and suggestions that may further improve this process and encourages Applicants to submit a comment form included as part of the application.

Application Process: City staff are available to assist and work with the Applicant during any part of the application process. The process is intended to be convenient to the Applicant and involves several easy steps:

Step 1 – Obtain and fill out a Special Event Application available on-line (www.cityofkeller.com) or by contacting the Community Development Department (817-743-4110). Staff is always available to assist should any questions arise during the submittal process.

Step 2 – Submit application to the Community Development in person, via e-mail at communitydevelopment@cityofkeller.com, or by fax (817-743-4123).

CITY OF KELLER	POLICY NAME: Special Events
PAGE: 2 of 7	POLICY NUMBER: 09.15.2009

Step 3 – The Special Event Review Team will review the application, request follow-up information if necessary, consider the application including costs, if any, and provide a response to the applicant in most cases no later than twenty working days from receipt. Approvals are forwarded immediately and in some cases following receipt of an insurance certificate, if applicable.

(For the purposes of this document the term City shall be used to represent both the governmental organization and Special Event Review Team).

Section 1 – Purpose:

The purpose of this policy is to facilitate activities which are safe, enjoyable, and well coordinated and to provide guidelines by which the reviews, approvals, administration, and implementation of special events are consistent in nature and attention is given to the use of City resources and infrastructure in support of such activities.

Section 2 – Definition:

Special events are defined as any request(s) by residents, businesses, community organizations, schools, churches, or other organizations to conduct specific activities and events on a non-regular basis that are open and available for attendance by the general public and may impact City operations, services, and infrastructure.

Section 3 - Location of events:

In an effort to promote an enjoyable and safe atmosphere, special events conducted on either public spaces or private property shall be reviewed by the City on a case-by-case basis and evaluated to confirm that the proposed location does not cause a public nuisance, evoke safety concerns, promote the misuse of public resources, or result in any damage to infrastructure.

Section 4 - Frequency of events:

As a means to reduce the impact on any particular area of the community, no more than four special events per twelve-month period may occur in any one location without the consent of the City Manager. Under this same philosophy, the total number of special events within the City that require the closure or disruption of City streets and/or pedestrian pathways shall also be limited to no more than four per calendar year within the same general location, excluding the Town Center and Old Town Keller districts, without the consent of the City Manager.

CITY OF KELLER	POLICY NAME: Special Events
PAGE: 3 of 7	POLICY NUMBER: 09.15.2009

Section 5 – Applicant:

Applicants requesting a special events permit must be twenty-five (25) years of age or older.

Section 6 – Applications:

Applications should be completed in full using the approved City application form. To promote effective and timely reviews, applications should be submitted no sooner than one (1) calendar year in advance of the event and no later than thirty (30) calendar days prior to the event. Due to time restrictions, reviews of applications received less than thirty (30) calendar days in advance of the requested special event date are not guaranteed to be considered during this time frame. Unfortunately, in most cases, the City is unable to accept applications received less than fourteen (14) calendar days prior to a proposed special event date due to time constraints.

Section 7 – Security:

Security of an event should always remain a top priority for both the community and the Applicant. As such, the City of Keller, at its sole discretion, reserves the right to require event security in all instances in which the City determines circumstances may warrant security in order to protect the health, welfare and safety of the citizens of Keller and/or event participants. The Applicant shall be responsible for staffing costs resulting from the use of a security firm or may request to use police officers to provide necessary event security. The Applicant must hire licensed security personnel or peace officers who have jurisdiction within the City of Keller. The City shall determine the number of security personnel or peace officers an event warrants. Security is required for any special event in which alcohol is served or sold. Security may be required for any event with admission fees and any event in which the anticipated attendance or the planned activity may affect public safety. To arrange for off-duty Keller Police officers to control event security, please call (817) 743-4522.

Section 8 – Cleanliness:

We ask the Applicant to help us protect our City resources by returning the public spaces to a clean and orderly condition and placing all City property back in its original location. 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 from the use thereof. In order to preserve and protect the aesthetics of our community the Applicant shall refrain from applying any permanent or semi-permanent markings to roads and pedestrian pathways.

CITY OF KELLER	POLICY NAME: Special Events
PAGE: 4 of 7	POLICY NUMBER: 09.15.2009

Section 9 - Damage or loss of materials:

Because these events are not operated or sponsored by the City, the City shall not be responsible for damage or loss of materials used or left in any public spaces and does not assume liability on groups or individuals attending an event within said public spaces.

Section 10 - Denial of future use:

In an effort to provide for a well coordinated, enjoyable and safe event, it is important that Applicants abide by City Ordinances, State and Federal laws, and this and other City of Keller Policies. Unfortunately, failure to do so may result in the denial of usage of the public space(s) and/or the issuance of a special event permit both at the time of the infraction and in the future.

Section 11 – Indemnity:

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 Applicants 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.

Applicant must further agree that they shall, at all times, exercise reasonable precautions on behalf of, and be solely responsible for the safety of its officers, agents, employees, participants, visitors, and other persons, as well as their property, while in or on the public spaces or involved in activities in connection with or incidental to the permitted use of the public spaces under this permit. It is expressly understood and agreed that City shall not be liable or responsible for the negligence of Applicant, their agents, servants, employees, customers, visitors and participants.

It will be further agreed with respect to the above indemnity, that City and Applicant will provide the other with prompt and timely notice of any event covered in any way, directly or indirectly, contingently or otherwise affect or might affect the Applicant or City, and City shall have the right to compromise and defend the same extent of its own interests.

Applicant will further agree that this indemnity provision shall be considered as an additional remedy for the City and not as an exclusive remedy.

CITY OF KELLER	POLICY NAME: Special Events
PAGE: 5 of 7	POLICY NUMBER: 09.15.2009

Section 12 – Insurance:

To protect the City and its citizens, the Applicant shall agree to provide liability insurance insuring the above indemnity provisions, and products/completed operations coverage, where applicable, in the following amounts:

- Bodily injury: \$100,000 per person
\$500,000 per occurrence
- AND
- Property damage: \$100,000 per occurrence

Applicant shall further expressly agree that with respect to the above required insurance, the City shall:

- A. Be named as additional insured/or an insured as their interest may appear.
- B. Prior to execution of a permit, be provided with the original certificate of insurance or their insurance policy evidencing the above requirements.

Section 13 - City Services:

In certain instances, the Applicant may request services from the City in order to conduct their special event. The City will make every effort to assist the Applicant while keeping costs to a minimum; however, the City cannot guarantee the availability of these services and must also remain cognizant of the impact on City resources. If requested and agreed to by the City with the granting of a special event permit, the Applicant shall be responsible for expenses to the City connected with the holding of a special event. This may include such things as additional clean up, barricades, police officers, damage, or other expense to the end that the City shall be protected from the gross expenditure of funds. If applicable, Applicant may be required to deposit with the City the estimated sum in full for services the City has agreed to provide in accordance with the approved schedule of City Service Costs (Attachment “A”) prior to the issuance of a permit.

The Applicant must also provide to the City a permit fee and security deposit in accordance with the approved schedule of City Service Costs (Attachment “A”). The application fee shall be waived for non-profit entities. Unused portions of the deposit(s) will be returned to the Applicant within thirty (30) days of the close of the permitted event and in the event expenses exceed the amount of the deposit, Applicant agrees to reimburse the City for all amounts exceeding the deposit. The City Council, at the request of the Applicant, shall retain the ability to waive or modify any and all fees.

Section 14 - Special Provisions:

A. Food or beverage sales: If serving food and/or beverage to the public, the Applicant must coordinate through the Tarrant County Health Department at (817) 871-7255 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. To serve or sell alcoholic beverages at public events, it is the responsibility of the Applicant to obtain the proper licensing and training from the Texas Alcoholic Beverage Commission.

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.

C. Trash Removal: If not properly managed, the accumulation of trash and debris can create a nuisance both during and after an event. In an effort to avoid this, the Applicant is responsible for the removal of trash and litter during and after the event. Groups in excess of 100 persons are required to remove bags of trash from the public space the same day of the event and depending upon the number of anticipated participants and type of activity may be required to rent a front-load or roll-off container through the City's contracted solid waste provider. After the event, the public space shall be left in as good or better condition than existed prior to the event.

D. Parking: In order to deter traffic disruptions and create a safe environment for pedestrians, Applicants must ensure that adequate permitted parking is secured for the special event. Applicant agrees that parking on non-paved surfaces shall be limited to only those areas specifically designated by the City if on public property.

Section 15 - Assignment/Transfer:

It is expressly understood that any permit issued is exclusive to the parties named therein and is not assignable or transferable.

CITY OF KELLER	POLICY NAME: Special Events
PAGE: 7 of 7	POLICY NUMBER: 09.15.2009

ATTACHMENT "A"
Schedule of City Service Costs

Permit Fee	\$25.00 **
Security Deposit	\$250.00
Police Officer (Security Detail)	\$30/hr. minimum 2 hours
Police Officer (Traffic Detail)	\$35/hr. minimum 2 hours
Maintenance Staff	\$25/hr. minimum 2 hours
Supplies	At cost plus 10%
Fire Apparatus w/crew	\$400/hr. min. 2 hours
Brush Truck w/crew	\$200/hr. min. 2 hours
Ambulance w/crew	\$250/hr. min. 2 hours
ATV Ambulance w/crew	\$150/hr. min. 2 hours
Inspector	\$75/hr. minimum 2 hours
Standby Firefighter	\$60/hr. minimum 2 hours

** Permit Fee shall be waived for non-profit entities. Proof of non-profit status is required.