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ARTICLE V. - SPECIAL EVENTS [\[47\]](#)

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FOOTNOTE(S):

(47) Editor's note— Ord. No. 3424-03-2007, § 1, adopted March 19, 2007, amended Article V in its entirety to read as herein set out. Former Article V, §§ 7-146—7-155, 7-171—7-182, pertained to special events, and derived from Ord. No. 1666-1-92, 1-20-92 as amended. See Code Comparative Table. [\(Back\)](#)

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DIVISION 1. - GENERALLY

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Sec. 7-146. - Short title.

This article shall be known as the "special events ordinance," may be cited as such, and will be referred to herein as "this article."

(Ord. No. 1666-1-92, § 1.1, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-147. - Purpose.

The purpose of this article is to provide requirements to safeguard life or limb, health, property and public welfare by regulating and controlling the location, duration, hours of operation and quality of materials and appurtenances for special events within the city.

(Ord. No. 1666-1-92, § 1.2, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-148. - Applicability.

As defined in [section 7-149](#), or unless otherwise exempted in [section 7-172](#), this article shall apply to events including, but not limited to parades, fairs, festivals, exhibits, block parties, street dances, carnivals, circuses, temporary commercial outdoor amusements, outdoor concerts, and sporting events when public or private property is to be used in excess of the intended and permitted use for the property (as defined by city codes).

(Ord. No. 1666-1-92, § 1.3, 1-20-92; Ord. No. 1703-7-92, § 1, 7-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-149. - Definitions.

For the purpose of this article, certain phrases and words shall be construed as specified in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context in which they are used.

Applicant shall mean any person who has filed a written application for a special events permit.

Arterial streets shall mean major streets in the city's street system that serve as avenues for the circulation of traffic into, out of, or around the city and that carry a high volume of traffic, designated on the thoroughfare plan as P6D, P4D.

Block parties shall mean one-time outdoor activities that require the temporary closing of one or more residential streets.

Carnival shall mean a temporary amusement area featuring rides, games and sideshows.

Chairperson shall mean the individual responsible for conducting the special event.

Circus shall mean a public entertainment with performances by acrobats, clowns, and/or trained animals.

City-operated event shall mean any permitted special event that is operated directly by the city using city resources and staff. Third-party sponsors might be solicited for city-operated events, but the city retains all final decision-making authority.

City-sponsored event shall mean any permitted special event that is operated by an outside party that has executed an agreement with the city naming the city as an event sponsor. Sponsorship can come in the form of cash, in-kind equipment, or in-kind personnel support contributed by the city according to the terms of the agreement. A council-approved waiver of fees, in and of itself, shall not be deemed to constitute a city-sponsored event.

Closure shall mean the time and equipment used to secure one street at one point from curb to curb.

Commercial outdoor amusement shall mean an outdoor area, portable building or portable and/or motorized equipment open to or used by the public, which provides entertainment or amusement for a fee or admission charge.

Department of community development shall mean the officer or his duly authorized representative charged with the administration and enforcement of this article.

Exhibits shall mean temporary displays of static art, artifacts, memorabilia, merchandise or other objects intended for public viewing that extend beyond the normal use of the property

or facility.

Fair shall mean a temporary outdoor activity involving three or more vendors or exhibitions.

Festival shall mean a one-time or recurring outdoor program of performances, attractions or competitions especially those requiring temporary street closures or other city support services.

Parade shall mean the assembly of three or more persons or vehicles whose gathering is for the common design and purpose of traveling in procession on a public thoroughfare from one location to another.

Sidewalk shall mean a paved path for pedestrian foot traffic.

Special event shall mean a temporary gathering of participants using either private or public property and involving one or more of the following activities:

- (1) Parades, fairs, festivals, exhibits, block parties, street dances, carnivals, circuses, temporary commercial outdoor amusements, outdoor concerts, and sporting events when public or private property is to be used in excess of the intended and permitted use for the property (as defined by city codes).
- (2) Closing a public street.
- (3) Blocking or restricting use of public property.
- (4) Temporary installation of a full sized stage, in excess of 400 square feet in size with or without overhead structural supports, band shell, portable building, portable and/or motorized equipment (except small generators less than 12,000 watts in size), grandstand or bleachers on public or private property.
- (5) Requirement of traffic control, placement of temporary traffic control signs in public rights-of-way, or public safety support, from the city, due to large anticipated crowds of people or traffic congestion beyond the capacity of the premises or surrounding public infrastructure.

Special events permit shall mean an official document issued by the department of community development authorizing performance of a special event.

Street shall mean a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, road, boulevard, or any other designation.

Street dances shall mean one-time outdoor activities that require the temporary closing of one or more public streets for the purpose of an interactive musical performance, but that do not include third-party vendors, exhibitions or attractions.

Vendor shall mean a person, organization, partnership, corporation or other entity that reserves space at a permitted special event for the purpose of selling products, goods or services to event attendees.

(Ord. No. 1666-1-92, § 4.1, 1-20-92; Ord. No. 1703-7-92, § 1, 7-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07; Ord. No. 3742-02-2010, §§ 1, 2, 2-1-10)

Cross reference— Definitions and rules of construction generally, § 1-2.

Sec. 7-150. - Preparation, conduct, etc.

All special events shall comply with the following requirements unless specific exemptions are noted on the special events permit:

- (1) *Barricades.* The traffic division of the public services department will provide, place, remove and control all required barricading for street closures.
- (2) *Notice of property owners.* When required, all owners of property abutting a special event location shall be notified in writing by the applicant of any upcoming event that may by scope and nature impact such owners.
- (3) *Parking.* Applicants shall submit evidence of adequate parking. Parking on property not owned by the applicant shall require a written agreement signed by the involved persons.
- (4) *Amusement rides.* Amusement rides and/or attractions associated with special events shall comply with rules and regulations set forth in § 2151.101 et seq., Occupations Code, as it now exists or may hereafter be amended. Proof of a current/valid ride safety certification inspection report is also required.
- (5) *Street closing.* Special events that require street closing (such as, but not limited to, block parties, festivals, fairs and street dances) shall be limited to four hours in length. Extended closings can be approved by the city council. The proposed hours and locations of all closures shall be specified in the special event permit application. If the permit application requests street closures that are the same or less than street closures that have been approved by city council for past events, then the director of community development may issue a permit to the applicant upon conformance with all other requirements of this article. Street closings for previously unapproved streets shall require submission to and approval by the city council. Block parties associated with residential street closings shall not require city council approval.
- (6) *Tent use, fire lanes.* Special events that include the use of tents, canvas material or any temporary structures shall comply with the requirements set forth in the fire and building codes as adopted by the city. When required, fire lanes shall be provided and maintained and the site shall be maintained in such manner that fire hazards are not created.
- (7) *Food service.* Where food service is provided, each food vendor shall comply with the rules and regulations outlined by the Texas Department of State Health Services (Texas Food Establishment Rules) In addition, each food vendor shall obtain necessary temporary food service permits from the Health and Code Enforcement Division of the City of Lewisville. Food vendors shall comply with insurance requirements outlined in this chapter. All food vendors are required to be inspected and approved prior to the start of sales to the public.
- (8) *Sanitary facilities.* Permanent and/or portable type sanitary facilities shall be provided on the premises and evenly distributed throughout. The number required shall be one toilet for every 200 people. For single user portable toilet units clustered at a single location, at least five percent but no less than one toilet unit complying with ADA standards must be provided. Accessible units shall be identified by the International Symbol of Accessibility.
- (9) *Animal waste; proximity of animals to other uses.* Waste from animals used in any event shall be removed daily by the applicant from public or private property. Animals shall not be kept closer than 300 feet to any residential use districts or commercial use districts during nonoperating hours of such event.
- (10) *City water.* When required, provisions for the purchase of city water shall be made through the customer service division.

- (11) *Solid waste.* Solid waste containers/dumpsters shall be required for all outdoor special events. Solid waste containers/dumpsters shall be contracted through waste management. Only waste management receptacles will be allowed per the city's solid waste franchise agreement (excludes trash cans and barrels).
- (12) *Liability insurance.*
- a. Required. An applicant for a special event permit shall furnish the city with a certificate of commercial liability insurance, with the city listed as an additional insured before such special events permit is issued. The certificate shall serve as evidence of a policy written by a company licensed in the state. The policy is to be in effect for the duration of the event, with minimum limits of liability of \$500,000.00 per occurrence, \$1,000,000.00 aggregate for bodily injury, personal injury and property damage, and workers' compensation limits as required by the Labor Code of the State of Texas and Employers Liability minimum limits of \$100,000.00 per injury, \$300,000.00 per occurrence and \$100,000.00 per occupational disease.
 - b. Food, alcohol and amusement vendors participating in a city operated or sponsored event shall furnish the city with a certificate of commercial liability insurance, with the city listed as an additional insured before such special events permit is issued. The certificate shall serve as evidence of a policy written by a company licensed in the state. The policy is to be in effect for the duration of the event, with minimum limits of liability of \$500,000.00 per occurrence, \$1,000,000.00 aggregate for bodily injury, personal injury and property damage, and workers' compensation limits as required by the Labor Code of the State of Texas and Employers Liability minimum limits of \$100,000.00 per injury, \$300,000.00 per occurrence and \$100,000.00 per occupational disease.
 - c. Exception. The provisions of subsection [7-150\(12\)](#) shall not apply to private parties that will not be open to the general public.
- (13) *Indemnification of city.* An applicant for any special events permit shall sign an agreement to indemnify and hold harmless the city, its officers, employees, agents and representatives, against all claims and liability in causes of action resulting from injury or damage to persons or property arising out of the special event. If the applicant is a governmental entity or state institution and unable by law to indemnify the city, it shall not be required to indemnify the city but shall instead sign an agreement that the applicant is responsible for the acts and negligence of its own officers, employees, agents and volunteers engaged in the special event.

(Ord. No. 1666-1-92, § 5.1, 1-20-92; Ord. No. 1703-7-92, § 1, 7-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07; Ord. No. 3742-02-2010, § 3, 2-1-10)

Sec. 7-151. - Prohibitions.

- (a) Safe and orderly movement of normal traffic shall not be substantially interrupted. "Substantially interrupted" shall be determined by the city.
- (b) The event shall not impede the movement of firefighting equipment or ambulances.
- (c) An event shall not conflict, in time and location, with any other event for which a permit has been issued.

(Ord. No. 1666-1-92, § 5.2, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-152. - Restrictions.

- (a) An event shall not require the diversion of so great a number of police, ambulances or

firefighting equipment that normal emergency services could be hindered.

- (b) The concentration of people, vehicles and animals at assembly points for any event shall not unduly interfere with fire and police protection or ambulance service to areas near such assembly points.
- (c) The city may prohibit or restrict, or require additional parking when it is deemed reasonable and necessary.

(Ord. No. 1666-1-92, § 5.3, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-153. - Events calendar.

The department of community development will maintain a special events calendar of events that have been reviewed and approved for permit.

(Ord. No. 1666-1-92, § 1.5, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-154. - Violations.

It shall be unlawful for any person to hold a special event or cause the same to be held in violation of this article.

(Ord. No. 1666-1-92, § 2.4, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Secs. 7-155—7-170. - Reserved.

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DIVISION 2. - PERMIT

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Sec. 7-171. - Required.

No special event shall be held without first obtaining a permit from the department of community development. Applications for special events will not be accepted more than 180 days

prior to the event.

(Ord. No. 1666-1-92, § 3.1, 1-20-92; Ord. No. 1703-7-92, § 1, 7-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07; Ord. No. 3758-04-2010, § 1, 4-5-10)

Sec. 7-172. - Exempt events.

- (a) A special events permit will not be required for the following:
 - (1) Funeral processions.
 - (2) Neighborhood crime watch groups utilizing block parties as a means of building support for the program shall have a one time per year exemption. The one time per year block party would require registration with the department of community development; all other block parties would require a permit and payment of fees.
- (b) Exemption from the permit requirement shall not be deemed to grant authorization for any special event to be held in violation of the provisions of this article or any other laws, ordinances or codes of the city.
- (c) Nothing in this article shall be construed to waive any other requirement for separate building, plumbing, electrical, mechanical, health, and fire prevention-related permits when these trades are applied.

(Ord. No. 1666-1-92, § 3.2, 1-20-92; Ord. No. 1703-7-92, § 1, 7-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-173. - Application; issuance.

- (a) *Contents of application.* To obtain a permit, the applicant shall first file an application in writing on a form furnished by the department of community development for that purpose. Every such application shall:
 - (1) Identify the type of special event to be covered by the permit for which application is made.
 - (2) Give the name, address and telephone number of the person, organization or company conducting the event.
 - (3) Give the name, address and telephone number of the event chairperson or responsible party.
 - (4) Identify the proposed location, parking areas and event dates and hours.
 - (5) For parades or similar events, identify the assembly area, starting point, route, disbanding area and the approximate time to complete the event.
 - (6) Indicate the approximate number of persons and vehicles, also the number and type of any animals.
 - (7) Indicate the purpose of the special event.
 - (8) Give such other data and information as may be required to obtain compliance with this article.
- (b) *Filing, review, issuance.*
 - (1) The application and other such data as may be required shall be filed with the department of community development at a minimum of ten working days prior to the proposed date of the event. The application shall be reviewed by the parks and leisure services department, department of community development, fire department, department of public services, police department and human resources department to verify compliance with this article or any other applicable laws, ordinances or codes of the city. When it has been determined the special event will conform to the requirements of this article and all other pertinent laws, ordinances and codes, and all fees have been

paid, the permit will be issued to the applicant.

- (2) If the application for permit contains information which shows that the request for particular arterial street closings is the same or less than particular arterial street closings which have been previously approved by the city council, then the director of community development may issue a permit to the applicant upon conformance with all other requirements of this article. Arterial street closings for previously unapproved streets and those wherein approval of the city council was not received shall require submission to and approval by the city council.

(Ord. No. 1666-1-92, §§ 3.3, 3.4, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-174. - Notice and verification of insurance.

When notification of special events to property owners and proof of insurance is required by this article, verification shall be provided prior to the issuance of any special events permit.

(Ord. No. 1666-1-92, § 1.4, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-175. - Modifications to event specifications.

Whenever there are practical difficulties involved with date, time, location or route, the city may propose an alternate date, time, location or route for special events and the permit applicant shall have two working days to accept or reject the alternate.

(Ord. No. 1666-1-92, § 1.6, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-176. - Scope.

The issuance of a permit for a special event shall not be construed to be a permit for any violation of any of the provisions of this article or any other ordinance or code of the city or any laws of the state.

(Ord. No. 1666-1-92, § 3.5, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-177. - Duration and frequency.

No single special event permit shall be valid for a period of more than 14 consecutive days. Setup and takedown related to a special event shall not exceed three days prior to the special event and shall not exceed three days after the special event. After takedown the location of the special event shall be restored to its use and condition prior to the event. No more than two special event permits shall be issued per premise within a 12-month period. Frequency for special even permits shall be no less than 180 days apart from the completion of takedown. The requirements of this section do not apply to city sponsored or city operated events.

(Ord. No. 3424-03-2007, § 1, 3-19-07; Ord. No. 3758-04-2010, § 2, 4-5-10)

Sec. 7-178. - Expiration.

Every permit issued under the provisions of this article shall expire by limitation and become null and void if the special event authorized by such permit is not held on the permitted date. Before such special event can be recommended, a new permit shall be first obtained to do so, and the fee shall be one-half the amount required for the first permit, provided the suspension has not exceeded 45 calendar days from the date of the first permit issuance. In order to renew after this expiration, the

applicant shall pay a new full permit fee.

(Ord. No. 1666-1-92, § 3.6, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-179. - Denial or revocation.

- (a) An applicant may be denied a special events permit when city staff determines from the information provided on the application that the special event will not comply with the requirements of this article, other city codes and ordinances, or the laws of the state.
- (b) The police chief, fire chief or director of community development may revoke immediately a permit issued under the provisions of this article whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or code, or any of the provisions of this article, or the laws of the state.

(Ord. No. 1666-1-92, § 3.7, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-180. - Fees.

- (a) The fees for each special events permit listed below shall be as set forth in [section 2-201](#)
 - (1) Administration.
 - (2) Carnival.
 - (3) Circus.
 - (4) Barricading:
 - a. First two closures.
 - b. Each additional closure.
 - c. Each additional traffic control sign.
 - d. Next-day inspection for multi-day closures.
 - e. Public services per man-hour.
 - (5) Police personnel, per man-hour.
 - (6) Fire department personnel, per man-hour.
 - (7) Fire fighting apparatus, stand-by (plus staffing), per hour.
 - (8) Emergency medical apparatus, stand-by (plus staffing), per hour.
 - (9) Parks and leisure services, per man-hour.
 - (10) Building, electrical, plumbing, mechanical, fire prevention and health permit fees will be separate and in addition to the above-listed fees.
 - (11) Commercial outdoor amusements.
- (b) The Lewisville Independent School District shall be exempt from all fees.
- (c) City operated events shall be exempt from all fees.
- (d) No waiver of fees may be granted, except by the city council.

(Ord. No. 1666-1-92, § 3.8, 1-20-92; Ord. No. 1703-7-92, § 1, 7-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-181. - Inspections.

Prior to, during and after the issuance of a special events permit, duly authorized members of the city shall perform inspections of the event premises at any time. If no hazardous conditions or violations of this Code are detected at the time of the inspection, or reinspection, the applicant shall be allowed to continue with the event. If at any time during the event a violation of this Code occurs, the applicant and/or their representative shall make correction immediately or within the time frame given by the city.

(Ord. No. 1666-1-92, § 3.9, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07; Ord. No. 3742-02-2010, § 4, 2-1-10)

Sec. 7-182. - Provision of public safety personnel.

After review, and at the discretion of the police chief and/or the fire chief, public safety personnel may be required to be on duty at a special event in order to ensure the safety of special events participants and nonparticipating citizens. The costs incurred by the city for providing public safety personnel when required by the city or when requested by the event organizer shall be included in the calculation of fees for permit (see [section 7-179](#)), and shall be paid prior to issuance of a special events permit.

(Ord. No. 1666-1-92, § 2.2, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Sec. 7-183. - Appeals.

The city council may hear and decide appeals of orders, decisions or determinations made by city staff. An applicant wishing to appeal shall submit his request in writing 15 working days prior to a regular city council meeting date in order to have his request placed on the city council meeting agenda.

(Ord. No. 1666-1-92, § 2.3, 1-20-92; Ord. No. 3424-03-2007, § 1, 3-19-07)

Secs. 7-184—7-200. - Reserved.