

**AMENDED ORDINANCE 2007-\_\_**  
**TOWN OF PINE ISLAND, TEXAS**

WHEREAS, the authority of the Town of Pine Island to institute an ordinance proper for the government, interest, welfare or good order of the Town is granted in Texas Government Code Sections 51.051 and 51.012; and

WHEREAS, the Town of Pine Island is a general-law municipality and has exclusive control over the highways, streets, and alleys of the municipality (Texas Transportation Code 311.002); and

WHEREAS, the authority for the Town to suppress or prevent any disorderly assembly in any public or private place in the municipality is granted in the Texas Local Government Code Section 217.003(b); and

WHEREAS, the Town wishes to amend its ordinance previously passed to restrict the use of public or private property within the municipality for any such outdoor assembly;

NOW, THEREFORE, IT IS ORDERED that no person shall conduct an organized outdoor gathering within the city limits of the Town of Pine Island without first obtaining a permit from the Town of Pine Island.

“Organized” is defined as coordinated and planned, promoted or advertised to the public or to a particular group of people.

“Outdoor gathering” is defined as a gathering that is held out of doors within the city limits of the Town of Pine Island at which persons will remain for five continuous hours or more, or for any amount of time during the period beginning at 9 p.m. and ending at 5 a.m.

Such a gathering includes, but is not limited to, a camp for an organized trail ride.

**GUIDELINES:**

The Applicant is responsible for his/her party at all times, and will control all participants and confine them to the event area at all times. The Applicant is responsible for making sure that all participants follow the law, and act responsibly and safely at all times. The Applicant will have a site safety plan.

The Applicant will not allow firearms to be discharged at the event. Discharge of firearms at or during the event will be considered disturbing the peace, and will be reported to the Waller County Sheriff's Office. Violation of this provision shall result in the denial of future permits to the Applicant or group.

The Applicant will make sure that there is NO PARKING in the streets of Pine Island, which impedes the normal flow of traffic. All parking must be confined to the event area. Any vehicle parked in a way that impedes the flow of traffic may be towed at the owner's expense.

The Applicant will maintain the noise level of any music played at the event so that it does not disturb those outside the event site. All music will be discontinued at 10:00 p.m.

The Applicant and is be responsible for cleaning up and removing all trash and debris at the close of the event, and disposing of it properly.

The Applicant is responsible for hiring his/her own security for the event.

The Applicant will not allow four-wheelers, ATVs, motorcycles or other motorized vehicles to run up and down any of the roads, racing and disturbing the peace and safety of the community. These types of vehicles will not be allowed to be a part of a trail ride. Violation of this provision will result in the denial of future permits to the Applicant or group, and violators will be reported to the Waller County Sheriff's Office.

Any person wishing to apply for such a permit must file a permit application with the Mayor of the Town of Pine Island (at least forty-five (45) days before the organized outdoor gathering is scheduled to be held. Contact the Town at 36722 Brumlow Road, Pine Island, Texas 77445.

The application must include:

- a) The name, address and telephone number of the Applicant and of any other person or organization on whose behalf the Application is made;
- b) Date requested for the gathering, and the proposed schedule of start and stop times;
- c) Location (include a map) of the proposed gathering;
- d) Site plan, including
  - 1) parking area available for participants (no street parking)
  - 2) location of first aid stations and number of emergency medical personnel;
  - 3) location, type & provider of restroom facilities;
  - 4) location and description of water stations;
  - 5) location and number of food stands;
  - 6) location, number, type and provider of solid waste containers;
  - 7) location of the headquarters of the gathering;
  - 8) Plan to provide lighting adequate for safety and comfort of participants
  - 9) Provision to allow health inspectors onsite;
  - 10) Provision for 10:00 p.m. noise curfew;

- e) Name, address and telephone number of the property owner;
- f) Proof of permission from the property owner for the use of the property for the gathering (including any property owned by the city or State);
- g) A brief description of the proposed activities, including the proposed placement of event staff and equipment;
- h) A letter from the agency that will be providing security for the event, including a contact name and telephone number;
- i) The estimated number of persons to participate in the gathering;
- j) A non-refundable Application fee of \$50.00;
- k) A written indemnity agreement, indemnifying and holding harmless the Town, its officers and employees against all claims damages, or causes of action arising from the gathering resulting in injury, damage or death to persons or property, whether public or private.

The town council will meet to review and approve or deny any such application. If the application is approved, the applicant shall pay the Permit fee of \$100 per day. The town council, in its sole discretion, may reduce or waive the Permit fee for family events, such as family reunions, weddings and receptions.

The Mayor or designee shall revoke a permit if he/she has reasonable grounds to believe that the ride or race is being conducted in a manner constituting a danger to any person or property. The Mayor or designee shall revoke a permit for failure to comply with any aspect of this ordinance. If a permit is revoked the town council may, in its sole discretion, refund all or part of the Permit fee.

Violation of this Ordinance is punishable by a fine not to exceed \$500.00 (Texas Local Government Code 54.001).

From and after the passing of this Ordinance it shall be lawful and mandatory upon the town council to enforce the above prohibition.

PASSED and ADOPTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Signed:

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Steve Nagy, Mayor of the Town of Pine Island, Texas

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Trey Wren, Commissioner, Town of Pine Island, Texas

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Mike Garrett, Commissioner, Town of Pine Island, Texas