

ORDINANCE NO. 2025-09-002

AN ORDINANCE OF THE TOWN OF PINE ISLAND TEXAS, TEXAS, PROVIDING RULES AND REGULATIONS FOR MASS GATHERINGS; REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT OR INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FOR SEVERABILITY; PROVIDING A PENALTY NOT TO EXCEED \$2,000; PROVIDING OR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the health, safety, and welfare of the public are of paramount concern to the Town Council of the Town of Pine Island, Texas, ("Town"); and

WHEREAS, the Town Council finds that providing rules and regulations for certain mass gatherings in the Town is in the best interest of the Town, its citizens, members of the public, visitors, and travelers; and

WHEREAS, the Town Council finds that mass gathering events have increased the need for public safety resources and contacts, including law enforcement, emergency medical services, sanitation, and traffic control; and

WHEREAS, past gatherings in the Town and elsewhere have demonstrated the potential for serious public safety hazards, including overcrowding, blocked emergency access, insufficient sanitation, noise disturbances, traffic congestion, and the potential for violence and property damage; and

WHEREAS, unregulated mass gatherings may pose public health risks, particularly when adequate food, water, waste disposal, and medical services are not provided; and

WHEREAS, the Town has the legal authority to under State law to regulate public assemblies and enact ordinances to protect the public health and safety; and

WHEREAS, Town staff must ensure adequate public safety resources are available to respond to complaints associated with mass gathering events; and

WHEREAS, this Ordinance is enacted to provide a clear permitting process for mass gatherings, to require reasonable plans for emergency services, crowd control, waste management, and public health protections, and to ensure appropriate coordination with public agencies;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PINE ISLAND, TEXAS:

Section 1. Incorporation of Premises. The facts and recitations contained in the preamble to this ordinance are true and correct and incorporated herein for all purposes.

Section 2. Purpose. The purpose of this ordinance is to establish regulations for mass gatherings in order to protect public health, safety, and welfare, and to ensure that adequate planning and resources are in place for events that attract large groups of people.

Section 3. Mass Gatherings.

2.01. Definitions.

Mass gathering means any event, public or private, of which any part of the gathering is held inside the limits of the Town of Pine Island and that attracts or is expected to attract:

- (1) One hundred (100) or more individuals at any given time, including property owner(s), promoter(s), security, vendors, entertainers, volunteers, guests and ticket holders; and
- (2) At which the persons will remain for more than two (2) continuous hours; or for any amount of time during the period beginning at 5:00 p.m. and ending at 6:00 a.m. on any day.

Person means an individual, group of individuals, firm, corporation, entity, partnership, or association.

Promote means to organize, manage, publicize, advertise, finance, or hold.

Promoter means a person who promotes, organizes, publicizes, advertises, or sells tickets, or collects a fee to a mass gathering, often responsible for event planning, marketing, crowd expectations, and overall execution, who may or may not own the venue or land.

2.02. Permit requirement. Any person who wishes to hold a mass gathering shall submit the Town's current Mass Gathering Event Application to the City Manager, or designee, for any mass gathering event that meets one or more of the following criteria:

Any part of the event is held on private or public property within the Town limits and:

- (1) Requires or may require the presence of EMS, police, or fire personnel;
- (2) Requires road closures or otherwise restricts or impedes traffic flow and access by emergency personnel or the general public;
- (3) Any event, that escalated or may escalate in terms of crowd size, nuisance, or criminal activity, or any event that has or may strain public safety resources or poses risks to the community; or
- (4) Any event that involves one or a combination of amplified sound or music, entertainment, or activities that are likely to incite unruly, dangerous, or disruptive

behavior, such as but is not limited to, trail rides , rodeos, outdoor concerts and DJ events, “pop-up” parties, or any combination of factors combined with open alcohol service.

A person may not promote, advertise, hold, attend, or participate in a mass gathering without approval from the City Manager, or designee and the issuance of a permit. A separate permit is required for each mass gathering.

2.03. Application submittal and review procedure.

- (a) At least ninety (90) days before the date on which a mass gathering will be held, the promoter and property owner shall file a Mass Gathering Event Application with the City Manager, or designee, including all required supporting documents, site plans, and information requested by the City Manager, or designee, along with payment of the application fee outlined in the Town’s Master Fee Schedule Ordinance. Applications submitted without the required information and fee will not be considered. Applications submitted less than ninety (90) days prior to the event may still be considered at the City Manager’s discretion.
- (b) The City Manager, or designee, may approve, approve with conditions, or deny the application based on public safety considerations, event history, availability of emergency personnel, or other risk factors.

2.03(A). Required Safety Plans and Supporting Information.

A Mass Gathering Event Application will not be considered complete unless it includes all required safety plans and supporting information, as determined by the City Manager or designee. At a minimum, the application must include:

1. Emergency Medical Plan – identifying on-site medical personnel, equipment, and arrangements for EMS access.
2. Public Safety and Security Plan – including crowd control measures, security staffing, and traffic/parking management.
3. Sanitation and Waste Management Plan – detailing restroom facilities, handwashing stations, waste collection, and removal.
4. Noise Management Plan – if amplified sound is proposed, including hours of operation and methods of compliance with the Town’s noise curfew and regulations.
5. Emergency Access and Evacuation Plan – showing fire lanes, emergency exits, and procedures for severe weather or other emergencies.
6. Insurance and Indemnification – proof of event liability insurance and signed indemnity agreement as required under this ordinance.

2.03 (B). 2.25. Standards for Application Evaluation.

In reviewing any Mass Gathering Event Application, the City Manager, or designee, shall evaluate the application against the following objective criteria to ensure adequate planning and public safety protection:

Public Health and Sanitation

1. Sanitation Standards – A minimum of one (1) toilet per seventy-five (75) attendees for the first 500 attendees, with additional facilities required for larger events, and sufficient handwashing stations proportionate to attendance.
2. Waste Management Plan – A documented waste collection and removal schedule, including proof of contract with a licensed waste disposal vendor.
3. Water Supply – Potable water stations shall be provided at a minimum of one (1) access point per 250 attendees, with additional points as needed for outdoor or summer events.
4. Dust Control – Events held on unpaved lots, arenas, or open fields must implement dust suppression measures, such as periodic water spraying, soil stabilizers, or ground cover, to prevent airborne dust that could impair air quality, cause respiratory irritation, or create traffic hazards.

Emergency Preparedness

1. Medical Response – A detailed emergency medical plan must be provided, including certified EMT presence for gatherings of 500 or more attendees.
2. Evacuation and Emergency Access – An evacuation plan with clearly marked exits and unobstructed fire lanes/emergency access routes must be demonstrated.
3. Severe Weather Protocols – Outdoor events must include weather monitoring and emergency shelter/evacuation procedures for heat, storms, flooding, or other severe weather events.

The City Manager, or designee, may waive one or more of these requirements for small-scale events where risks to public health and safety are minimal.

2.04. Permit fee requirement. Following approval, the applicant must remit the required applicable Mass Gathering Event permit fee. Events where alcohol is served will be charged an additional fee. Events that involve a trail ride will be charged an additional fee. All fees are outlined in the Town's Master Fee Schedule Ordinance which is incorporated herein for all purposes.

2.05. Payment of Sales Tax. For any event where an admission fee is charged, the admission fee is subject to applicable sales tax. Any person holding such an event is responsible for collecting and remitting the appropriate sales tax to the Town in accordance with state and local regulations. Failure to do so may result in penalties or fines.

2.06. Changes to the Mass Gathering Event after approval by City Manager. Any changes to the mass gathering event plan after receiving approval, will require additional approval by the City Manager, or designee. The City Manager, or designee, may approve, approve with conditions, or deny the changes based on public safety considerations, event history, availability of emergency personnel, or other risk factors.

2.07. Permit revocation. The City Manager, or designee, may revoke a permit issued under this ordinance if the City Manager finds that the preparations for the mass gathering will not be completed by the time the mass gathering will begin, for the failure to meet any of the requirements determined and identified pursuant to this ordinance, for failing to comply with approved plans, or that the permit was obtained by fraud or misrepresentation.

2.08. Appeal. In the event of denial, a promoter or a person affected by the granting, denying, or revoking of a permit may appeal that action to the Town Council. The appeal must be submitted in writing to the Town Secretary, or designee, City Manager, or designee, and Mayor, within five (5) business days of receiving the denial notice. The request for appeal will be placed on the agenda for the next regularly scheduled Town Council meeting prior to the scheduled date of the event. Town Council may uphold, modify, or overturn the City Manager's decision at its discretion. If time does not permit for a Town Council meeting to be called, the appeal can be filed with a district court having jurisdiction in Waller County.

2.09. Inspections.

- (a) The City Manager or any designee of same may inspect a mass gathering during the mass gathering to ensure that the minimum standards for ensuring public safety and order as prescribed by state and local laws, rules, and orders are being maintained. If any official determines a violation of the minimum standards is occurring, the official or designee may order the promoter of the mass gathering to correct the violation or terminate the event.
- (b) The Code Enforcement Officer may investigate preparations to ensure they are consistent with the Town's ordinances, policies, approved site plan-as presented to and approved by the City Manager, or Town Council, if applicable.
- (c) The City Manager, or designee, may conduct any additional investigation that the manager considers necessary.

2.10. Events held where horses are present. For any event where horses are present or involved, all horse owners must provide proof of a negative Equine Infectious Anemia (EIA), commonly known as a Coggins test, dated within the twelve (12) months prior to the event, as required by 4 Tex. Admin. Code § 49.1.

2.11. Indemnity clause. The applicant shall indemnify and hold the Town harmless from all costs, expenses (including reasonable attorney's fees) and damages to persons or property arising directly or indirectly as a result of the mass gathering.

This provision is not intended to create a cause of action or liability for the benefit of third parties but is solely for the benefit of the applicant and the Town.

2.12. Firearms prohibited. Firearms and other weapons are strictly prohibited on the event grounds, regardless of permit or license status, except expressly authorized by law. This policy is in place to ensure the safety and security of all attendees and participants.

2.13. Noise. Any unreasonably loud, disturbing or unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity of the mass gathering, or any noise of such character, intensity and continued duration which interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is prohibited and is hereby declared a nuisance. All other regulations in regarding noise shall apply to mass gatherings.

2.14. Noise curfew. A noise curfew will be in effect from 10:00 p.m. until 7:00 a.m. daily. During these hours, all event-related activities must be kept at a minimal noise level to avoid disturbance to surrounding areas. Failure to comply may result in penalties and/or removal from the premises.

2.15. Compliance with other laws. All mass gatherings must comply with all federal, state, and local laws, including, but not limited to, public health, zoning, noise, and fire safety regulations.

2.16. Exceptions to permit and fee.

- (a) The following types of mass gathering events, known or expected to attract 300 persons or more at any given time, including property owner(s), promoter(s), security, vendors, entertainers, volunteers, guests and ticket holders, are required to notify the City Manager or designee, ten (10) days prior to the event, but are not required to obtain a Mass Gathering Event permit or to pay any fees established under article - provided that the same type of event has not, in the past, escalated in a manner that strained public safety resources and posed a risk to the community:
 - (1) Church events held either on church-owned property, or on Town-owned property managed by another entity under terms of a contract;
 - (2) Town, school, county, or other governmental entity events held on property owned, maintained and managed by the governmental entity;
 - (3) Family gatherings;
 - (4) Youth sporting events; or
 - (5) Any other exceptions approved by Town Council.

- (b) Events that were previously exempt may be reclassified at the discretion of the City Manager, or designee, if, in the past, they have:
 - (1) Resulted in emergency response calls;
 - (2) Impeded emergency vehicle access or general traffic;
 - (3) Involved public disturbances, fights, nuisances, or property damage; or
 - (4) Otherwise strained police, fire or EMS resources.

In such cases, future events of that type may be required to complete a Mass Gathering Event Application and comply with all permitting and fee requirements.

2.17. Tow-away zones.

- (a) Any street, alley or Town-owned property or part thereof that is designated as a road closure or a no parking zone under this ordinance will also be designated as a no parking tow-away zone.
- (b) The promoter shall properly mark the road closures and no parking zones designated under a permit that is granted under this ordinance giving notice thereof.
- (c) No person shall park a vehicle in any area designated as a no parking tow-away zone under this ordinance.
- (d) Any person designated by the Town may authorize the removal of a vehicle parked in no parking tow-away zone. The owner and operator of the vehicle shall be liable for all reasonable towing and storage fees incurred in the removal and storage of the vehicle.
- (e) This section works in conjunction with any other no parking tow-away ordinances for the Town.

2.18. Insurance Requirement. All promoters must provide proof of liability insurance for the event, naming the Town as an additional insured. Minimum policy amounts will be determined by the City Manager or designee based on the size and risk level of the event.

2.19. Performance Bonds. For large-scale events, the Town may require a refundable performance bond to cover cleanup, property damage, or other unforeseen costs. The bond amount shall be set by the City Manager or designee.

2.20. Cleanup Requirement. As a condition of permit approval, the promoter shall be responsible for the prompt and thorough cleanup of the event site and any surrounding areas affected by the mass gathering, including but not limited to roadways, parking areas, and adjacent properties impacted by trash, debris, or other event-related waste. Cleanup must be completed within twenty-four (24) hours of the conclusion of the event, unless otherwise approved by the City Manager, or designee.

Failure to comply with this cleanup requirement shall constitute a separate offense under this ordinance, subject to fines and penalties in accordance with Section 6. Each day the violation continues shall be considered a separate offense. The Town may also draw upon any performance bond, if required, to cover cleanup costs incurred by the Town.

2.21 Property Owner Responsibility. In addition to the responsibilities of the promoter, the property owner on which a mass gathering is held shall be jointly and severally responsible for compliance with all requirements of this ordinance, including but not limited to cleanup, indemnification, and compliance with safety plans. If a promoter fails to perform required duties, including event cleanup, the property owner shall remain liable for ensuring that such duties are fulfilled. The property owner's responsibility shall include payment of any fines, penalties, or costs incurred by the Town as a result of noncompliance by the promoter. Failure by the property owner to comply with these responsibilities shall constitute

a separate offense under this ordinance, subject to the penalties outlined in Section 6.

Section 4. Repeal. Ordinance No. 2007-003 is hereby repealed in its entirety. Any other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

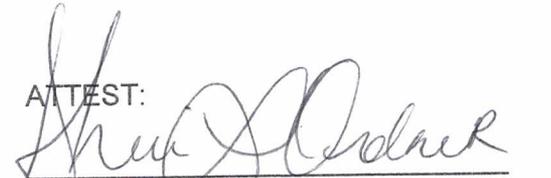
Section 5. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of provision hereof other than the part declared to be invalid or unconstitutional; and the Town Council of the Town of Pine Island, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. Penalty. Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the Town shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). If such rule, ordinance, or police regulation governs fire safety or public health and sanitation, other than the dumping of refuse, the fine or penalty shall not exceed two thousand (\$2,000.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

Section 7. Effective Date. This ordinance shall become effective immediately and enforceable when published as required by law.

PASSED AND APPROVED ON THIS 8th DAY OF September, 2025.


STEVE NAGY, MAYOR

ATTEST:

SHERI ORDNER, TOWN SECRETARY