

ORDINANCE NO. 2024-11-54

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE CODE OF ORDINANCES ADDING A NEW DIVISION “CENTRAL EVENTS DISTRICT” TO ARTICLE 1.05 SPECIAL EVENTS OF THE CITY OF LANCASTER CODE OF ORDINANCE; AND THE OVERALL REVISIONS OF THE ARTICLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:

WHEREAS, the city council finds it in the best interest to amend the 2004-06-18 ordinance for the purpose of including a new division for public and private event use of the Central Events District; and

WHEREAS, to comply with the goals and objectives of the City Council to establish a Central Events District to provide a safe, healthy, and aesthetically pleasing environment for general public use, special events and entertainment; and

WHEREAS, the Central Events District is a public space that is intended to be used for various purposes, including a gathering place for citizens, a place to hold public and private festivals, activities, events and celebrations, and a place to provide access to entertainment venues; and

WHEREAS, this division is enacted to allocate the space in Central Events District among potential competing users to ensure that there will be sufficient access to the Central Events District for police, fire, and medical personnel in emergency situations, to provide for the orderly flow of pedestrian traffic in Central Events District, to protect and preserve property dedicated for public use, and to protect the public health, safety, and welfare of persons using the Central Events District; and

Now, therefore be ordained:

SECTION 1. That Article 1.05 of the Code of Ordinances of the City of Lancaster, Texas is hereby amended to read as follows:

“ARTICLE 1.05 - SPECIAL EVENTS

Division 1: Special Events and Parades

Sec. 1.05.001 DEFINITIONS.

The following words and phrases, when used in this Article, shall, for the purpose of this article, have the meanings respectively ascribe to them in this section;

Applicant means a person who has filed a written application for a special event.

Central Events District means the real property owned by the City of Lancaster consisting of the area bounded by Cedar Street on the south; 3rd Street on the north, North State Avenue to the east; and the properties fronting the west side of Dallas Avenue on the west.

City means the City of Lancaster, Texas.

City Produced Event means a Special Event in which the City is a participant in organizing, planning, or implementing.

City Services means additional services (fire, police, EMS, traffic, etc.) required to protect the health, safety, and welfare of the public and arising as a direct result of a General Rental or Special Events.

Commercial Purposes means an activity intended to promote, or that results in, a commercial transaction, other than a Solicitation.

Concession means a facility at a special event where food or drink is offered to the public.

Confirmed Central Events District Reservation means written confirmation for the date of interest provided to the applicant by the Special Events Coordinator. A reservation will be granted only when all reservation requirements are found to be satisfied by the Special Events Coordinator.

General Rental means the utilization of the Central Events District for the purpose of hosting an event which does not impact public property by exceeding the capacity of the area requiring additional City Services. By definition, General Rentals are not Special Events.

Licensee means the promoter or person to whom the parade or special event permit has been issued.

Material Fact means an issue of fact that is or would be important, significant, or essential to the City, its Special Event Review Committee, or its employees, officers, or staff in deciding whether to approve or disapprove an application under this Article.

Non-Profit means not maintained or organized for profit, as recognized by the State of Texas and the Federal Tax Code.

Parade means the assembly of three or more persons whose gathering is the common design and purpose of traveling or marching in procession from one location to another location on a public thoroughfare or right-of-way to express feelings and beliefs on political, religious or social issues. Parade shall include runs, walks, relays, marathons, or similar events.

Person means any individual, assumed name entity, partnership, association, corporation or other organization.

Permit shall mean the City of Lancaster's agreement giving the Promoter permission to hold the Special Event, on the terms and conditions stated in the Permit and subject to the rules, regulations, and requirements of this Ordinance.

Promoter means the person seeking to hold the special event, including the Promoter's employees, agents, affiliates, successors, permitted assigns, and other persons controlled by the Promoter.

Public Space means any sidewalk or improved area located in the Central Events District intended or designed for pedestrian use.

Reimbursable Costs means all costs and expenses incurred by the City for activities associated with staging of the event, including, without limitation, the following:

Utilities services provided to the special event, including all of the costs of installation, maintenance, and connection.

Barricades and cones.

Special Event parking.

Food services inspection.

Repair, maintenance and removal of facilities in the event of a failure of promoter.

Repair of streets, alleys, sidewalks, parks and other public property.

Police protection.

Fire protection.

Emergency medical service.

Garbage disposal and cleanup.

Traffic control.

Other direct costs associated with the special event.

Renter means the person in charge of the General Rental or Special Event and who is responsible for all reservations, application submittals, and fee payments.

Sidewalk means that portion of a street intended for the use of pedestrians that is located between the curb lines, or lateral lines of a roadway, and the adjacent property lines.

Solicitation means to:

- (a) Request a donation of money or other thing of value from another person by the spoken, written, or printed word, or by other means of communication, for a commercial purpose, and includes providing a nominal or token gift in return for the donation; or
- (b) Sell or attempt to sell any item to another person for money or other thing of value, for commercial purposes.

Special Event means a temporary event or gathering, other than those events defined in this ordinance as a parade, using either private or public property, which involves one or more of the following activities:

- (a) closing a public street; or
- (b) blocking or restriction of public property and streets; or
- (c) offer of merchandise, food, or beverages on public property or on private property where otherwise prohibited by ordinance; or
- (d) erection of a tent on public property, or on private property where otherwise prohibited by ordinance; or
- (e) installation of a stage, band shell, trailer, van, portable building, grandstand or bleachers on public property, or on private property where otherwise prohibited by ordinance; or
- (f) placement of portable toilets on public property, or on private property where otherwise prohibited by ordinance; and or
- (g) placement of temporary no parking signs in a public right-of-way.

No special event application or permit required where otherwise allowed by ordinance.

Special Event Coordinator shall mean the city employee, as designated by the City Manager, responsible for reviewing the initial special event application, coordinating meetings between the applicant and city representatives, collecting special event permit fees, and enforcing the Special Events Ordinance.

Special event/parade permit means approval from the City or its designated representative for a parade or special event.

Special Event Review Committee shall mean a committee consisting of a representative from each of the following city departments: Building Inspections, Emergency Management, Fire, Risk Management, Parks & Recreation, Police, Streets, and additional city staff as determined by the Special Event Coordinator upon review of the Special Event application. The Special Event Coordinator shall head this committee. The Special Event Review Committee will meet on a monthly basis.

Street means the entire width between the boundary lines of every way publicly maintained, when any part is open to the use of the public for purposes of vehicular travel.

Street Performer means a person who engages in acting, singing, playing musical instruments, pantomime, mime, magic, dancing, artistry, or similar presentation.

Sec. 1.05.002 PERMIT REQUIRED; EXEMPTIONS

A. A person commits an offense if he engages in, participates in, aids, or commences a parade or special event within the city without first making written application for and receiving a permit from the City.

B. No permits shall be required under this article for the following:

1. the Armed Forces of the United States of America, the military forces of the State of Texas, political subdivisions of the State of Texas, e.g., City I.S.D. and County, and the forces of the police and fire departments acting within the scope of their duties.
2. a funeral procession proceeding by a vehicle under the most reasonable route from a funeral home, church, or residence to the place of service or place of internment.
3. a peaceful demonstration at a fixed location which is not a street.
4. a sidewalk procession which observes and complies with the traffic regulations and traffic control devices, using that portion of a sidewalk nearest the street, but at no time using more than one-half of the sidewalk.

C. City recognized HOA and Neighborhood Association/Political Subdivisions that meet the following conditions with special event application, will be subject to refund and/or permit.

1. cleanup - leave all public property in neat orderly working condition.
2. must return all city property in condition is was obtained.
3. must have completed HOA/Neighborhood City registration form.
4. must be in compliance with all federal, state, and municipal codes.

Exempt from application and permit fee. Must place a \$25.00 deposit.

Sec. 1.05.003 APPLICATION

- A. A person desiring to hold a parade or special event shall apply for a permit by filing with the Special Event Coordinator a written application upon a form provided for that purpose. Each parade and special event permit application shall be accompanied by a non-refundable, except where otherwise noted, application fee in the amount determined and set out in the City's Master Fee Schedule approved by City Council. An application for a parade or special event shall be made not less than thirty days prior to the date and time of the commencement of the parade or special event. The Special Event Coordinator and/or the Special Event Review Committee may waive the thirty-day filing requirements for a parade or special event if the Special Event Coordinator and/or the Special Event Review Committee determines that the application can be processed in less than thirty days, taking into consideration the type of parade or special event. If the application is submitted later than the required time as stated above, an expedited review fee may be required, the amount shall be included in the City's Master Fee Schedule approved by City Council.
- B. An application must contain the following information:
1. the name, address, telephone number, email address, date of birth, and driver's license number of the applicant, and, of any other persons responsible for the conduct of the parade or special event;
 2. a description of the parade or special event and the requested dates and hours of operation of the parade or special event.
 3. the estimated number of persons participating in the parade or special event and a set of detailed plans showing the area or route to be used during the parade or special event including proposed structures, tents, fences, barricades, signs, banners, and restroom facilities; which will include Americans with Disabilities Act (ADA) accountability;
 4. the time and location of street closings, if any are requested;
 5. details of the offer of merchandise or serving of food or alcoholic beverages at the special event;
 6. details of how the applicant will clean up the area used after the parade or special event;
 7. the parade's commencement and termination time, the specific route to be traveled, and the starting and termination points;
 8. the estimated number of persons to participate in the parade;
 9. the estimated number, if any, of animals, animals and riders, animal-drawn vehicles, floats, motor vehicles, motorized displays, and marching units or organizations such as, but not limited to bands, color guards, and drill teams;

10. application fees required by the City. All City of Lancaster sponsored events shall be exempt from fees;
11. prior approval by the Parks & Recreation Department to use the trail system or park facilities for a special event, if applicable;
12. proof of non-profit status, if applicable; and
13. copy of contract, agreement, or details outlining arrangement between applicant and promoter.
14. Applicant must also provide the Certificate of Liability Insurance and an Endorsement Agreement not less than ten days prior to the date of the parade or special event.

Sec. 1.05.004 APPROVAL OF PLANS AND AMENDMENT OF APPLICATIONS

- A. A permit shall be subject to the promoter receiving City approval prior to the start of the Special Event for (without limitations) the plans described below.
- B. The City, by approving such plans, assumes no liability or responsibility therefor.
- C. The following plans shall be required:
 1. Facilities: a comprehensive set of plans and specifications relating to all temporary facilities to be constructed or utilized for the special event. A building permit from the Building Inspections Department is required.
 2. Fire Protection: a comprehensive plan for prevention of fire and for adequate protection of persons and property in the event of a fire, including, without limitation, adequate exits, fire extinguishers, adequate access for fire trucks and emergency vehicles. The fire protection plan shall be coordinated through the office of the Fire Marshal.
 3. Food and Beverage Service: a comprehensive plan to provide food and beverage concessions. The Development Services Department shall approve the plan. Food permits may be required.
 4. Emergency Medical Service: a comprehensive plan to provide adequate emergency medical services at the parade or special event. The plan shall be coordinated through the Lancaster Fire Department.
 5. Parking, assembly or disassembly of parade participants: a comprehensive plan to provide adequate parking for the proposed parade or special event, including written permission by all of the owners of land to be used for the parade or special event.

6. Police Protection: a comprehensive plan providing for adequate safety, security, traffic and crowd control in connection with the parade or special event. The plan shall be coordinated through the Lancaster Police Department.
7. Promotional: if applicable, comprehensive plan to promote, market, and advertise the parade or special event. Signs and banners shall be permitted through the Building Inspection Department.
8. Sanitation Plan: a comprehensive plan to insure that the highest standards of cleanliness and sanitation are maintained at the special event including adequate restroom facilities and appropriate refuse containers to accommodate refuse generated by its patrons and operations and a plan to empty the containers frequently so as to prevent overflow.
9. Emergency Medical Service, Police Protection, and Fire Protection beyond that level normally provided will be supplied by the appropriate City department as deemed necessary by the Chief of Police, the Fire Chief, or their designee, at the Applicant's expense.
10. An application which has been approved at any initial or appellate level must be amended if the proposed event has changed in any material manner (including but not limited to number of guests, hours of event, or special terms of the event) between the time of approval and the event date(s). Any such Amended Application must be received by the City no later than thirty (30) days prior to the event, and shall be processed by the Special Event Review Committee on an expedited basis.

Sec. 1.05.005

ISSUANCE, DENIAL AND REVOCATION OF A PARADE OR SPECIAL EVENT PERMIT

- A. Upon receipt of an application for a parade or special event permit, the Special Event Coordinator shall schedule the event on the appropriate Special Event Review Committee monthly agenda.
- B. The Special Event Review Committee shall meet on a monthly basis to review pending Special Event Permit applications. If required, specially called Special Event Review Committee meetings may be scheduled. The Committee shall make findings deemed appropriate and approve or deny the application.
- C. Should the applicant for a parade or special event permit reveal that the route requested would interfere with the orderly flow of vehicular and pedestrian traffic, the Special Event Review Committee shall have the

authority to establish a reasonable alternate route and regulate the width of the event.

D. The Special Event Review Committee may deny a parade or special event permit when said event for which the permit is requested would:

1. take place at the same place and/or time as a previously approved parade or special event; or
2. begin during, or within two hours of the start or after the end of a parade or special event for which a permit has been granted and follow a route that passes within one-half mile of any point of the route of the parade or special event for which a permit has been granted; or
3. unreasonably disrupt the orderly flow of traffic and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available; or
4. begin and/or end outside the city limits, unless or until the applicant receives approval from the City Council and the adjacent City where the parade or special event begins or ends.
5. applicant does not ensure all electrical work is installed by licensed electrician in accordance with current version of National Electrical Code

E. The Special Event Review Committee may deny a parade or special event permit if.

1. the applicant fails to adequately provide for:
 - (a) the protection of event participants; or
 - (b) maintenance of public order in and around the special event location; or
 - (c) crowd security; taking into consideration the size and character of the event; or
 - (d) emergency vehicle access; or
 - (e) safe sanitary conditions for preparation or operation of food concessions.
2. the applicant fails to provide a Certificate of Liability Insurance naming the City of Lancaster as additional insured in the amount designated by the Human Resources/Risk Management

representative to the Special Event Review Committee. Applicant must also provide the Certificate of Liability Insurance and an Endorsement Agreement not less than ten days prior to the date of the parade or special event;

3. the applicant fails to comply with, or the proposed parade or special event will violate a city ordinance or other applicable law, unless the prohibited conduct or activity would be allowed under this article;
 4. the applicant makes a false statement of material fact on an application for a parade or special event permit;
 5. the applicant fails to provide proof that he possesses or is able to obtain all licenses and/or permits required by this code or other city ordinances or by other applicable law for the conduct of all activities included as part of the parade or special event;
 6. the applicant fails to notify the businesses affected by the parade or special event, in writing, of street closures ten days prior to the event;
 7. the applicant has had a parade or special event permit revoked within the preceding twelve months or the applicant has committed two or more violations of a condition or provision of a parade or special event permit or of this article within the preceding twelve months;
 8. the applicant fails to pay any outstanding costs owed to the City for past parade or special event permits;
 9. the applicant fails to submit the required fees and agree in writing to reimburse the City for the estimated costs for the proposed parade or special event;
 10. the proposed parade or special event would unduly burden City services;
 11. after evaluation by the Special Event Committee members, it is determined the City of Lancaster, or its citizens, would not benefit from the parade or special event.
- F. The City may revoke a parade or special event permit if:
1. the permit holder made a false statement of material fact on an application for a parade or special event permit.
 2. the applicant has had a parade or special event permit revoked within the preceding twelve months or the applicant has committed

two or more violations of a condition or provision of a parade or special event permit or of this article within the preceding twelve months.

3. the applicant fails to comply with or the parade or special event is in violation of a condition or a provision of the parade or special event permit, an ordinance of the city, or any other applicable law, or
 4. the applicant failed to provide a Certificate of Liability Insurance and endorsement agreement naming the City of Lancaster as additional insured in the amount designated ten days prior to the event;
 5. the applicant failed to pay any outstanding fees or estimated costs owed to the City for the parade or special event permit;
 6. the parade fails to begin in a timely manner as determined by the Police Chief; Fire Chief; Special Event Coordinator, or their designates.
- G. Parades shall be limited to no more than two per location or organization per year.
- H. The Special Event Review Committee may prescribe licenses and permits required by other city ordinances, or applicable law, restrictions, regulations, cost for city services, safeguards, and other conditions necessary for the safe and orderly conduct of a parade or special event, to be incorporated into the permit before issuance.
- I. The Special Event Review Committee shall provide the Special Event Coordinator the estimated cost for city services provided by their respective departments to ensure the safe and orderly operation of the special event. The Special Event Coordinator will prepare and provide the applicant with an invoice detailing these estimated costs. Payment will be required not less than five days prior to the date of the parade or special event. If the actual costs for city services are less than estimated, the City will issue a refund to the special event applicant no less than two weeks after the special event.

Sec. 1.05.006 APPEAL OF DENIAL OR REVOCATION OF PERMIT

If the Special Event Review Committee denies the issuance or revokes a permit, the Special Event Coordinator shall send the denial or revocation to the applicant

or permit holder, by: (1) email; and (2) certified mail, return receipt requested, written notice of the denial or revocation, and of the right to an appeal. The decision of the Special Event Review Committee is final unless the applicant or permit holder appeals the decision within seven (7) business days of the earlier date of receipt of the notice of denial to the City Manager, in writing. The City Manager shall, within three (3) three business days after the appeal is filed, consider all the evidence in support of or against the action appealed and render a decision either sustaining or reversing the denial or revocation, such decision to be sent to the applicant or permit hold, by: (1) email; and (2) certified mail, return receipt requested, along with an explanation of the right of further appeal. The decision of the City Manager is final unless the applicant or permit holder appeals the decision within seven (7) business days of the earlier date of receipt of the notice of denial to the City Secretary, in writing. Any such timely appeal shall be placed on the next City Council agenda consistent with Texas Open Meeting Act posting requirements. The decision of the City Council shall be final.

Sec. 1.05.007 CONTENTS OF PERMIT

Each parade or special event permit application shall state the date(s), starting time, ending time, location, and other special conditions or requirements necessary for the safe and orderly conduct of the parade or special event.

Sec. 1.05.008 OPERATING PROCEDURES

- A. A parade or special event shall not substantially interrupt the safe and orderly movement of traffic near the parade or special event.
- B. The City has the right to postpone, cancel or close early the parade or special event because of hazardous weather or other acts of God or for public safety and welfare. The City shall have no liability for such postponement, cancellation, or closure. Further, the City shall have no liability from the failure to postpone, cancel or close early the parade or special event under such conditions.
- C. A parade shall move from its point of origin to its point of termination without unreasonable delays en-route.
- D. Each marching unit, organization or entry in the parade will conduct stationary performances only at approved location(s) and for a specified time period.
- E. A parade or special event shall not interfere with proper fire and police protection of; or ambulance service to, areas near the parade or special

event or unreasonably require the diversion of police and fire protection and ambulance service from other parts of the City.

- F. A permit holder shall comply with all directions and conditions contained within the permit and with all city ordinances and other applicable laws.
- G. The City, when reasonably necessary, may prohibit or restrict the parking of vehicles along a street or highway or part thereof on a parade route or part thereof or on the approach to a parade or special event. The City shall post notice to such effect; and it shall thereafter be unlawful for any person to park, leave, or strand any unattended vehicle in violation thereof.
- H. The City, when reasonably necessary, may temporarily close or restrict the use of City streets or other public property for a parade or special event. The Director of Public Works is authorized to install temporary traffic control devices for the temporary closure or restriction of City streets and public property for parades or special events. It shall be unlawful for any person to disregard or disobey any such temporary traffic control device.
- I. The driver of any vehicle or animal shall obey the instruction of any traffic control device applicable thereto placed in accordance with the City of Lancaster Code of Ordinances or the Texas Transportation Code, unless otherwise directed by a police officer.
- J. Speeds greater than 15 miles per hour are not reasonable and prudent. A person operating a parade float or other parade vehicle at a speed greater than 15 miles per hour is subject to removal from the parade by a police officer or other parade official.
- K. Operators of parade floats and other parade vehicles will make every attempt to keep a maximum of 30 feet between their float and the float operated directly in front of them. Operators of parade floats and other parade vehicles that continually lag behind the steady course of the parade may be removed from the parade by a police officer or other parade official.
- L. Operators of specialized vehicles or performance-enhanced vehicles in the parade shall be mindful of Texas Transportation Code Section 545.420(a)(5); "a person may not participate in any manner in an exhibition of vehicle speed or acceleration." Any operator of a vehicle participating in an exhibition of acceleration will be cited by law enforcement officers and immediately removed from the parade.
- M. The throwing, tossing, or distribution of candy, beads, or other material from a parade float or other vehicle is specifically prohibited. Candy, beads, or other material may be distributed to spectators by walkers adjacent to parade floats or other vehicles provided that such distribution

does not interfere with the orderly movement of the parade and no spectators are required to move into the parade path to retrieve said material. Any violation of this provision will result in the parade float or vehicle removal from the parade.

- N. The spraying of water or any other liquid is specifically prohibited.
- O. All floats or decorated vehicles shall carry a 2A:10B:C fire extinguisher with a current inspection tag.
- P. Float length shall not exceed 55 feet, including the two vehicle, nor shall the width or height exceed 13 feet.
- Q. Each equestrian/animal unit shall provide their own clean-up crew and equipment. The clean-up crew shall be positioned directly behind the unit. Equestrian riders shall be a minimum of twelve years of age, able to control the animal in crowded situations, and have adult supervision. Any rider or handler showing an inability to control their animal will be deemed unsafe by a law enforcement officer or parade official, and shall be removed from the parade.

Sec. 1.05.009 INDEMNIFICATION

An applicant for a parade or special event permit must execute a written agreement to indemnify the City and its officers and employees against all claims of injury or damage to persons or property, whether public or private, arising out of the special event. This indemnification shall include the following statement:

"LICENSEE SHALL DEFEND, PROTECT AND KEEP CITY FOREVER HARMLESS AND INDEMNIFIED AGAINST AND FROM ANY PENALTY, OR ANY DAMAGE, OR CHARGE, IMPOSED FOR ANY VIOLATION OF ANY LAW, ORDINANCE, RULE OR REGULATIONS ARISING OUT OF THE USE OF THE PROPERTY BY THE LICENSEE, WHETHER OCCASIONED BY THE NEGLIGENCE OF LICENSEE, ITS EMPLOYEES, OFFICERS, AGENTS, CONTRACTORS, OR ASSIGNS OR THOSE HOLDING UNDER LICENSEE. LICENSEE SHALL AT ALL TIMES DEFEND, PROTECT, AND INDEMNIFY AND IT IS THE INTENTION OF THE PARTIES HERETO THAT LICENSEE HOLD CITY HARMLESS AGAINST AND FROM ANY AND ALL LOSS, COST, DAMAGE, OR EXPENSE, INCLUDING ATTORNEY'S FEES, ARISING OUT OF OR FROM ANY ACCIDENT OR OTHER OCCURRENCE ON OR ABOUT THE PROPERTY CAUSING PERSONAL INJURY, DEATH OR PROPERTY DAMAGE RESULTING FROM USE OF PROPERTY BY LICENSEE, ITS AGENTS, EMPLOYEES, CUSTOMERS AND INVITEES, EXCEPT WHEN CAUSED BY THE NEGLIGENCE OR WILLFUL MISCONDUCT OF CITY,

ITS OFFICERS, EMPLOYEES OR AGENTS, AND ONLY THEN TO THE EXTENT OF THE PROPORTION OF ANY FAULT DETERMINED AGAINST CITY FOR ITS WILLFUL MISCONDUCT. LICENSEE SHALL AT ALL TIMES DEFEND, PROTECT, INDEMNIFY AND HOLD CITY HARMLESS AGAINST AND FROM ANY AND ALL LOSS, COST, DAMAGE, OR EXPENSE, INCLUDING ATTORNEY'S FEES ARISING OUT OF OR FROM ANY AND ALL CLAIMS OR CAUSES OF ACTION RESULTING FROM ANY FAILURE OF LICENSEE, ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR ASSIGNS IN ANY RESPECT TO COMPLY WITH AND PERFORM ALL THE REQUIREMENTS AND PROVISIONS HEREOF."

Sec. 1.05.010 OFFENSES

A person commits an offense if he or she:

1. commences or conducts a parade or special event without the appropriate permits or fails to comply with any requirement or condition of a permit or this article or starts at wrong time or date.
2. participates in a parade or special event for which a permit has not been granted.

Division 2. CENTRAL EVENTS DISTRICT

Sec 1.05.011 PURPOSE.

This article is enacted to ensure that the public space within The Central Events District provides a safe, healthy, and aesthetically pleasing environment for general public use, special events and entertainment. The Central Events District is a public space that is intended to be used for various purposes, including a gathering place for citizens, a place to hold public and private festivals, activities, events and celebrations, and a place to provide access to entertainment venues. This article is enacted to allocate the space in The Central Events District among potential competing users to ensure that there will be sufficient access to the Central Events District for police, fire, and medical personnel in emergency situations, to provide for the orderly flow of pedestrian traffic in the Central Events District, to protect and preserve property dedicated for public use, and to protect the public health, safety, and welfare of persons using the Central Events District.

Sec 1.05.012 SCOOTERS, SKATEBOARDS AND SKATES.

It is unlawful for any person to knowingly ride on a scooter, skateboard, or skates in the Central Events District space unless otherwise allowed under a Special Events Permit or General Rental reservation.

Sec 1.05.013 CAMPING.

It is unlawful for any person to camp in the Central Events District, except as authorized in conjunction with a Special Events Permit. For purposes of this provision, "camping" means to make use of a public space for living accommodations. There is a rebuttable presumption that a person is using a public space for living accommodations in violation of this section if the person uses a public space for:

- (a) The storage of clothing, food, beverages, or other personal belongings;
- (b) Sleeping or lying in or on a cot, blanket, sleeping bag, or similar sleeping equipment or
- (c) Using a tent or other items to make an enclosure for the person's shelter.

Sec 1.05.014 SPECIAL EVENTS COORDINATOR – DESIGNATION AND DUTIES.

- (a) Designation of Special Events Coordinator. The city manager may designate a city employee or contract with an association, contractor, or another person to serve as the Special Events Coordinator.
- (b) Authority and duties. The Special Events Coordinator has general management and operational duties relating to the use of the Central Events District. Special Events Coordinator will exercise the following specific duties:
 - 1. Propose roles for city manager adoption. The Special Events Coordinator will propose rules for city manager adoption as required by this article and as the Special Events Coordinator deems appropriate or necessary to regulate the operation and use of the Central Events District consistent with the City's ordinances.
 - 2. Reserving and scheduling. The Special Events Coordinator will propose and administer rules adopted for reserving and scheduling the dates and times for using all or part of the Central Events District for Special Events, City Produced Events, General Rentals, and other planned activities in the Central Events District regulated under this division. The rules shall provide for City Produced

Events and Special Events that are open to the public without charge to be given preference over Special Events and General Rentals for which there is a charge and that are not open to the public.

3. Fees and deposits. The Special Events Coordinator may collect fees and deposits for the utilization of The Central Events District for Special Events and General Rentals.
4. Structures and displays. The Special Events Coordinator will propose and administer rules adopted for the placement of tables, chairs, booths, easels, or any other movable structures or items that are supported in whole or in part by the pavement or other permanent improvements located in the Central Events District.
5. Commercial vendors. The Special Events Coordinator will propose and administer the rules adopted regulating the use of the Central Events District for Commercial Purposes.
6. Solicitation. The Special Events Coordinator will propose and administer rules adopted regulating Solicitation when necessary to provide for the free flow of pedestrian traffic, provide access by emergency personnel or vehicles, or provide for the public health, safety and welfare of users of the Central Events District.
7. Street Performers. The Special Events Coordinator will propose and administer rules adopted to regulate Street Performers in the Central Events District if necessary.
8. Closing the Central Events District. The Special Events Coordinator may temporarily close or limit access to all or part of the Central Events District based on weather, repairs, construction, safety concerns, malfunctions, maintenance or similar natural or manmade conditions that could endanger the Central Events District users by posting written notice of the closing at the location of the closing.
9. Right of Entry. The Special Events Coordinator may enter into and inspect any portion of any building, structure, or enclosure that is placed or used within the Central Events District at any time.
10. Sound amplification equipment and hours. The Special Events Coordinator will propose and administer rules adopted regarding the use of sound amplification equipment in the Central Events District. At all times sound amplification for any and all types of uses will be limited to specific hours and noise levels as stipulated in the Special Events Ordinance.

11. Additional rules and administrative actions. The Special Events Coordinator may propose any other rules deemed necessary for the proper management of the Central Events District and take any administrative action as necessary to manage and maintain the Central Events District if the administrative action does not conflict with this article, any rules adopted under this article, city ordinances, or federal or state laws.
12. Restrictions on Special Events Coordinator. In exercising the powers and duties granted to the Special Events Coordinator under this division, the Special Events Coordinator may not impose any condition or take any administrative action, including the issuance or denial of a Confirmed Central Events District Reservation:
 1. That takes into account the message, speech or viewpoint of a Renter, person, or group using or wishing to use the Central Events District for the exercise of constitutionally protected speech. However, the Special Events Coordinator may impose conditions on activities including time, manner, and place that protected speech may be expressed, if the conditions are: (a) content neutral (b) narrowly tailored to serve a significant governmental interest; and (c) leave open ample alternative channels of communication for the information sought to be disseminated. (Example: Special Events Coordinator cannot prohibit messages that may be “unpopular”, but may restrict all “speakers” to a part of the Central Events District that will not significantly impede pedestrian traffic.
 2. That the Special Events Coordinator determines, based on the advice of legal counsel, would violate the establishment clause of the United States Constitution or the comparable provision of the Texas Constitution.
 3. That favors the exercise of activity for purely Commercial Purposes over the exercise of constitutionally protected free speech that is not for purely Commercial Purposes. (Example: Special Events Coordinator allows a company to temporarily set up a table in the Central Events District to sell cell phones, but refuses to allow a

person to temporarily set up a table to distribute or sell religious materials).

Sec 1.05.015 SPECIAL EVENTS IN THE CENTRAL EVENTS DISTRICT.

- (a) Confirmed Central Events District Reservation required. It is unlawful to host a Special Event in The Central Events District without first receiving a Confirmed Central Events District Reservation.
- (b) Special Events Permit required. Pursuant to the Special Events Ordinance, it is unlawful for any person to knowingly conduct a Special Event, other than a City Produced Event, in the Central Events District without first receiving a permit.
- (c) Application process. A person seeking a Special Events Permit for a Special Event in the Central Events District must follow the process outlined in the Special Events Ordinance.
- (d) Special Events Permit decision. The Special Events Coordinator will approve or deny Special Events Permit applications as outlined in the Special Events Ordinance.
- (e) Conditions. The Special Events Coordinator may request that the Special Event Administrator impose reasonable conditions on a Special Event permit to ensure compliance with the Special Events Ordinance, this article, and the safety of attendees and the public.
- (f) Sale of alcoholic beverages. The Special Events Coordinator may authorize the sale of alcoholic beverages at a permitted Special Event if the Special Event Administrator is satisfied that the necessary security and other services arranged for the Special Event are sufficient to protect the public and comply with state law and city ordinances.
- (g) Notice of denial of special events permit. The Special Event Administrator will make decisions regarding Special Events Permit denials as outlined in the Special Events Ordinance.
- (h) Other permit actions. Any other procedures relating to any permit not specifically provided for under this article will be as provided for in the uniform procedures of the Code of Ordinances applicable to other city permits
- (i) Hours of rental. The locations, except for the Historic Town Square and Breezeway sub-districts are available for rent from 8 a.m. to 10 p.m. daily with the exception of City of Lancaster holidays. The Historic Town Square and Breezeway sub-districts are available for rent from 8 a.m. to 12 midnight on Friday and Saturday, and from 8 a.m. to 10 p.m. for all other days.

- (j) All events in the Central Events District are required to provide an entry and exit route for businesses and residents in the Central Events District, which shall be identified on the special events application site plan.

Sec 1.05.016 CENTRAL EVENTS DISTRICT REGULATIONS.

- (a) Violation of rules. It is unlawful for any person to knowingly violate any written rule adopted by the city manager under this division.
- (b) Sound amplification equipment. It is unlawful for any person to make use of an electronically amplified voice or sound equipment, device, or instruments in the Central Events District, unless approved to have a special event.
- (c) Operation of motor vehicles. It is unlawful for any person to knowingly drive or operate a motor vehicle in the Central Events District during a special event, unless it is a city vehicle, emergency vehicle, repair or maintenance vehicle, or other vehicle authorized by the Special Events Coordinator or through a Special Event Permit.
- (d) Unattended displays. It is unlawful for any person to place or maintain an unattended display in the Central Events District. For purposes of this provision, an unattended display means any item, including a picture, statue, symbol or similar item, that is intended to serve or be seen as a visual depiction or expression of an idea where the person responsible for the placement or maintenance of the display is not in attendance or in close proximity to the item displayed. The Special Events Coordinator may remove any display that violates this provision. The prohibition of this paragraph does not apply to an unattended display that is required by or placed by the city or other governmental entity for a governmental purpose.
- (e) Consumption of Alcoholic Beverages. It is unlawful to consume or possess an alcoholic beverage in an open container on the Central Events District, except as allowed during a permitted Special Events for which there is a TABC permit or license. There is a rebuttable presumption that a person in possession of an alcoholic beverage in an open container intends to consume the beverage. It is a defense to prosecution under this section that the person consumed or possessed the alcoholic beverage in an open container at a time allowing the sale or consumption of alcoholic beverages under a Special Event permit or at a time allowed by a TABC permit or license.

Sec 1.05.017 FINES.

That any person found guilty of violating this ordinance will be fined not less than \$200.00 and no more than \$500.00 for each offense. Notice of the enactment of

this ordinance will be given by publishing the ordinance or its descriptive caption and penalty in the City's official newspaper one time within thirty days of passage.”

SECTION 2. That all provisions of the ordinances of the City of Lancaster in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Lancaster not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

SECTION 4. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 5. That any person, firm or corporation violation any of the provisions of this ordinance or of the Code of Ordinances, as amended hereby, shall be deemed guilty of A misdemeanor and, upon conviction in the municipal court of the City of Lancaster, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) dollars for each offense, and each and every day said violation is continued shall constitute a separate offense.

SECTION 6. This ordinance shall take effect from and after its passage and the publication of the caption as the law and charter provide.

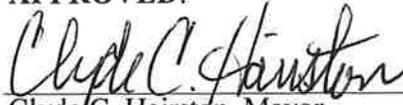
DULY PASSED by the City Council of the City of Lancaster, Texas on November 11, 2024.

ATTEST:



Sorangel O. Arenas, City Secretary

APPROVED:

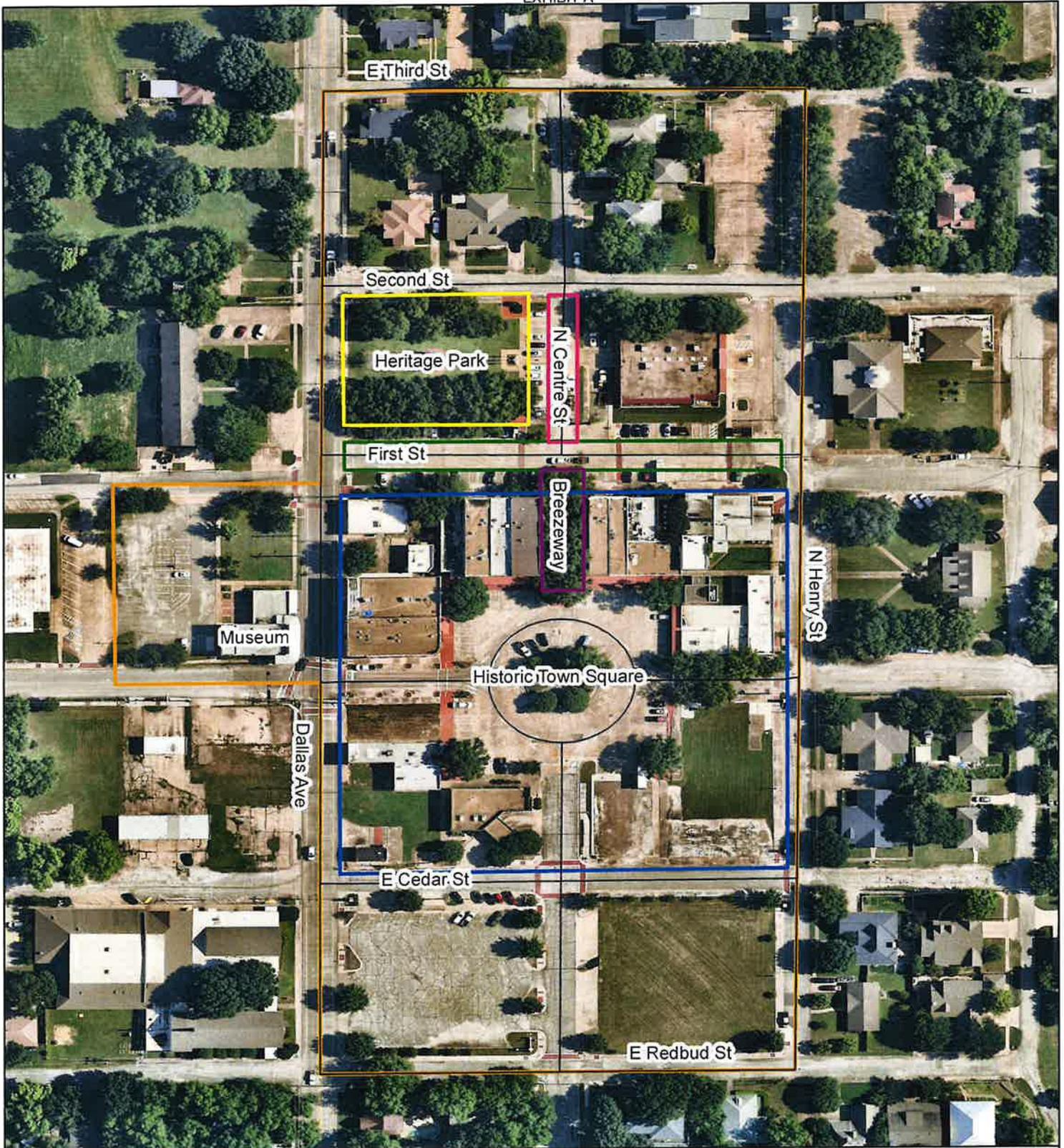


Clyde C. Hairston, Mayor

APPROVED AS TO FORM:



David T. Ritter, City Attorney



Lancaster Tx Central Events District



Legend

-  Central Events District
-  Historic Town Square
-  Heritage Park
-  N Centre St
-  Breezeway
-  First St