

RESOLUTION NO. 0416202401

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS APPROVING A SPECIAL EVENTS POLICY, AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LITTLE ELM, TEXAS:

SECTION 1. The Special Events Policy for the Town of Little Elm, a copy of which is attached to this Resolution as **Exhibit A**, is hereby approved.

SECTION 2. This Resolution shall take effect from and after its date of adoption.

DULY RESOLVED AND ADOPTED by the Town Council of the Town of Little Elm, Texas, on this the 16th day of April, 2024.

TOWN OF LITTLE ELM, TEXAS

Curtis J. Cornelious, Mayor

ATTEST:

APPROVED AS TO FORM:

Caitlan Biggs, Town Secretary

Robert Brown, Town Attorney

EXHIBIT A



THE TOWN OF LITTLE ELM SPECIAL EVENTS POLICY

GENERAL POLICY STATEMENT

The Town of Little Elm produces and partners with organizations to host special events that enhance the quality of life, provide entertainment, promote local economic health, attract visitors, and contribute to the dynamic atmosphere of the community. To facilitate the use of Town-owned, leased, or managed recreation and park facilities, the Town has established orders, policies, and procedures to ensure the success of such events by providing a system for advanced planning, standard information, and basic ground rules that allow special event organizers, sponsors, and facility users to achieve their mutual goals, while minimizing the impact of the event on the community.

This policy and related procedures to regulate special events held in the Town so they can occur with the safety and health of the participants in mind, the protection of public property considered, and the impact on non-participating residents minimized.

All events should accomplish at minimum of one of the three philosophies below:

1. The event generates a profit, or at a minimum, cost recovers
2. The event brings an economic impact to the community that justifies a subsidy
3. The event primarily focuses on residents of Little Elm to justify a subsidy

FACILITY USE AND PERMIT INFORMATION

The Town's Special Events Department is responsible for distributing, receiving, and processing all Special Event Applications and for coordinating review of applications by appropriate town departments and, if required, the Town Council. The Special Events Department is located at The Rec at The Lakefront™ – 303 Main St., Little Elm Texas, 75068.

The Town's Parks and Recreation Department is responsible for distributing, receiving, and processing all facility reservations and permits for the use of Town-owned/leased athletic fields, park pavilions, outdoor courts, aquatic facilities, recreation centers, community centers, trails, and parks.

DEFINITIONS

"Special Event"

A special event is a pre-planned temporary major activity involving the use of Town property (owned or leased) or resources, including activities that trigger an inspection on private property outside of the business' normal operations. Such activities are customarily held for entertainment, celebration, amusement, promotions, or competitions.

"Applicant"

A person who is submitting the Special Event Application.

"Permit Holder"

A person who has received approval from the Town and is the point of contact for the event.

“Low-Compliance Events”

A special event designated by staff as low compliance will automatically be a Category 4 event if approved by the Town in the future. Organizers for these events either did not follow Town rules and regulations and/or did not work productively with Town staff.

EVENT TYPES

“Commercial Event”

A commercial event is a special event held by for-profit organizations that is open to public participation (fee or free) and may include, but is not limited to, a fair, festival, exhibition, concert, race, or carnival centered around music, art, culture, food, car/truck/vehicle, etc. These events require an approved Special Event Application.

“Regional Event”

A regional event is a special event that attracts attendees from across the region through marketing efforts and draws participants from neighboring cities or states.

“Community Event”

An event aimed at promoting community engagement and is open and focused on community members. These events typically come at no or low cost to the attendees.

“Athletic Events”

An athletic event is a pre-planned temporary game or contest or series of games or contests involving use of Town resources or likely to draw crowds that would impact the public.

Event Categories

All events will fall into one of five distinct event categories. Each category builds on the previous category, with additional needs and requirements for the event to be successful.

Category 1

Event attendance is estimated at 500 attendees or less.

Event Elements

- Amplified sound
- Play structure rentals (bounce houses)
- No police or medical personnel are required
- Minimal use of public property
- Minimal health department oversight is required

Category 2

Event attendance is estimated between 500 - 2,500 attendees.

Event Elements

- Minimal police or medical personnel required onsite
- No major traffic impacts
- Time of day may be a consideration for certain event types

Category 3

Event attendance estimated between 2,500 - 7,500 attendees.

Event Elements

- Police and medical personnel required
- Emergency Management and Command personnel required, command vehicle optional
- Road closures
- Alcohol sales

Category 4

Event attendance estimated between 7,500 - 12,000 attendees.

Category 4 events must be approved by the Town Council in addition to the permitting process.

Event Elements

- Multi-day events
- Complex logistics
- Significant parking/traffic impacts
- Major road closures
- Significant neighborhood impacts
- Low compliance events
- Command vehicle required
- Controlled access events (barricades, etc.)
- Events that are hosted, proposed, or represented by a member of the Little Elm governing body

Category 5

These events have an estimated attendance of 12,000+ people. Category 5 events must be approved by Town Council in addition to the permitting process. These events are similar to a Category 4 event but with a significant impact on public safety or stakeholder convenience.

SPECIAL EVENT PERMIT PROCESS

The Town provides a wide variety of facilities for special events and general leisure time use. When planning a festival, race, walk, parade, concert, tournament, rally, or any major event on Town property (owned, leased, operated and/or managed) or on a road within the Town boundaries, a Special Event Application must be submitted and a permit must be issued for the event to take place.

While all special events require the same application, the application review, approval period, and required permit(s) may vary depending on the type and location. No events should be publicized until the Applicant has received all necessary permits and approvals from the Town.

STEP 1: Submit a Special Event Application.

STEP 2: The Town will review and determine the level of involvement or support service provisions, if any, that the event requires.

STEP 3: Notification of status or conditional status to include all applicable requirements needed.

- ✓ Fees: Upon conditional approval, full payment is due.
- ✓ Required Documentation: All applicable documentation including, but not limited to, approved traffic control plan, site plan/map, parking plan, trash plan, a public notification plan, and a public safety plan must be submitted 14 days before the event date.
- ✓ Insurance Requirements: All applicable insurance documentation must be received before event permit being issued.

STEP 4: If the special event is categorized as a level 4 and 5, Town staff will seek final council approval. If the special event is categorized as level 1, 2, or 3, this level is skipped.

SPECIAL EVENT PERMIT: If all documentation is received as required, a final Special Event Permit will be issued to the permit holder, and any other provisions that may be needed will be communicated to the event organizer.

CRITERIA FOR APPROVAL/DISAPPROVAL

In issuing a permit for a special event, the Town considers whether:

- The event is reasonably likely to cause injury to persons or property, create a disturbance, cause disorderly conduct, or encourage or result in violation of the law or community standards;
- The event will unreasonably and substantially interrupt the safe and orderly movement of pedestrians and vehicular traffic in the area;
- The proposed location is adequate for the size and nature of the event;
- The Applicant's apparent ability to execute the event;
- The Applicant's apparent ability to obtain the appropriate insurance (if applicable);
- The event unreasonably conflicts with other scheduled special events in the community;
- All permit requirements have been met.

All events should accomplish a minimum of one of the three philosophies below:

1. The event generates a profit, or at a minimum, cost recovers
2. The event brings an economic impact to the community that justifies a subsidy
3. The event primarily focuses on residents of Little Elm to justify a subsidy

REQUIRED APPROVALS

The application review process begins when the Town's Special Event Department has received a completed application. Applications for special events must be approved by all appropriate departments, which may include the Little Elm Fire Department, Little Elm Police Department, and Little Elm Public Works Department.

Approval of the event by any other entities or officials does not imply approval by the Town of Little Elm. A Special Event Permit must be issued to be approved. The Town of Little Elm's approval of a special event and/or issuance of a permit does not grant or authorize use of the Town of Little Elm or The Lakefront™ brand, domain, or logo, unless explicitly authorized.

In addition to the special event permit process, any special event hosted, proposed, or represented by a member of the Little Elm governing body must be approved by the Town Council, regardless of the category level.

DEADLINES

Applications should be submitted at a minimum within the timeframes specified for the types of events proposed, which are listed on each application. The Director of Community Services or designee may waive the submission deadline in extreme cases of unforeseen events.

PARKING, EVENT SET UP, AND BREAKDOWN

Applicants must submit an adequate parking plan for the event and activities being proposed. If onsite parking is insufficient, event organizers will be required to secure authorization for additional parking areas that does not include parking in surrounding streets or businesses. Additionally, the Town will require written approval from property owners for offsite areas before the Special Event Permit is issued. The Special Events Department has the authority to require a hired parking company for events dependent on its category. The Director of Community Services or designee must approve any parking company hired to work the event. All parking revenue will be allocated to the Town unless otherwise approved by the Town Council.

Facility reservation hours must include hours for set up and breakdown. Permit holders are not authorized to access the facility for set up outside of reserved hours and must vacate the park at the designated time. Additional fees will apply if hours for set up or tear down exceed hours reserved.

PUBLIC SAFETY/SECURITY

Applicants are responsible for providing a safe and secure event. Event organizers must ensure adequate personnel are present to provide general security, maintain order, enforce local laws and ordinances, provide medical assistance, traffic control, etc.

Event organizers are required to utilize the Little Elm Police Department or an agency in contract with the Little Elm Police Department. The permit holder is responsible for all costs associated with public safety. Non-contracted law enforcement and/or private licensed security may only be used with prior written approval from the Little Elm Chief of Police.

TRASH AND LITTER

Permit holders are responsible for providing clean-up during and following the event, including all trash and litter removal. Permit holders must maintain all trash receptacles during the event and left free of trash following the event. Organizers may be required to provide additional trash receptacles and dumpsters based on the event scope. The applicant/permit holder is solely responsible for arranging the additional trash needs and all associated costs. If it becomes necessary for the Town to clean up any given area, the permit holder will forfeit any deposit and may be billed for all costs of the clean-up. The Town reserves the right to determine the location of dumpster units.

RESTROOMS

Permit holders may be required to provide portable toilets or make arrangements for restroom facilities at the event organizer's expense. Portable toilets must be removed immediately following the event unless other arrangements have been made and approved by Town staff. The public restrooms at any Town facility typically must remain open to the general public during the event. The Town may require event organizers to provide a restroom porter service (on-site vendor stocking and cleaning periodically throughout the day) for existing restroom facilities based on the information provided by the Applicant. All costs for porter services will be the responsibility of the permit holder. The Town reserves the right to determine the location of portable restroom units.

SALE OF FOOD

Where food is prepared on-site and for sale, permit holders are responsible for obtaining appropriate permits. A copy of the permit(s) will be required before the Special Event Permit is issued.

Certain Town facilities and parks may be subject to a contractual exclusive right to sell food which requires consent of the concessionaire for the Special Event Permit holder to sell food.

INSURANCE

Event organizers will be required to carry and provide proof of general liability insurance coverage of at least \$1,000,000, single limit, covering both bodily injury and property damage during the event term. The Town of Little Elm must be listed as an "Additional Insured." All costs associated with insurance are the responsibility of the event organizer. Subcontractors, vendors, and others associated with the production of the special event may also be required to meet this condition, including but not limited to, food/beverage vendors, activity vendors, caterers, and/or event rental companies.

AMPLIFIED SOUND/NOISE

The Town of Little Elm has a noise ordinance prohibiting excessive noise. Amplified sound may include, but is not limited to, professional speaker set up, live music, DJ, bands, PA announcements and/or streaming music. Any amplified sound will require a Special Event Permit. The Town reserves the right, at its sole discretion, to require a Special Event Permit for the use of a portable/Bluetooth speaker at any Town facility or park as determined by Town staff.

It is the sole responsibility of the event organizer to familiarize themselves with these noise restrictions and ensure the event complies.

SIGNS AND BANNERS

All signs and/or banners to be displayed before and during the event must be approved before event day. Signs are not allowed in the road, unless prior approval in the Special Event Application. Signs must be removed immediately after the event. Banners may not be hung on or suspended from existing light pole structures or trees inside the parks.

FIREWORKS

Fireworks, pyrotechnics, or any type of flame effects of any class, kind or type requires additional applications, reviews, and conditions for approval. Fireworks are regulated by the State of Texas and Little Elm Fire Marshal Office. Applicant must provide proof of approval and compliance with all requirements of such agencies at least 30 days before the event.

TOWN SERVICES AND EVENT ACCESS

All regularly scheduled Town services will be provided during normal work hours whenever possible. The Town staff and their respective contractors shall have unrestricted access to the reserved facilities or parks at any time during the event (set up, tear down, event production) to execute the functions of their respective job or contract. Town staff and contractors will be identifiable through a uniform or Employee ID Badge.

The Director of Community Services or their designee has the authority to cancel or stop an event before or during the event if the conditions required for approval of the event are not being met. In addition, the Chief of Police has the authority to cancel or stop an event or place additional restrictions on the event if it is deemed that the public health, safety, or welfare is being jeopardized and/or would be better served with additional restrictions or requirements.

SPECIAL RULES AND ADDITIONAL PROCEDURES

Special rules and additional procedures may be required that are unique to certain Town facilities/parks.

Non-Reservable Facilities

The following facilities are not reservable or available for external events (events that are not produced, sponsored, or partnered by the Town:

- The Lawn at The Lakefront™

The Town reserves the right, at its sole discretion, to deny use of the facility or require the event to cease and organizer/attendees to vacate the park if event policies are not adhered to.

POLITICAL ACTIVITY

Political events/activity, including but not limited to candidate meet and greets, conducting voter registration, Town forums and/or rallies, are permitted with the following considerations:

- All park rules are followed.
- Political meetings/events must follow the established reservation guidelines to utilize Town property.

- The activity does not interfere with existing park reservations, maintenance, and/or special events.
- The activity does not impede access to any areas within the facility or cause a disruption to park patrons and surrounding residents.
- Certain exceptions may apply as required by law and determined by the Little Elm legal counsel.

OTHER CONSIDERATIONS AND APPROVALS

By submitting an application for a Special Event Permit, applicants agree to follow local, state, and federal orders or declarations and/or Centers for Disease Control and Prevention (CDC) and public health agency guidelines on disease control and prevention when organizing events and gatherings. Guidelines for events and gatherings are available from various sources including, but not limited to, the CDC (www.cdc.gov) and the Department of Human Health Services (www.hhs.gov). The Town of Little Elm does not accept any authority for or liability of the health and safety of the event applicant, participants, attendees, volunteers, vendors, or sponsors. Applicant assumes all liability related to the health and safety of all those attending the special event.

COMPLIMENTARY TICKETS FOR TOWN PRODUCED SPECIAL EVENTS

From time to time, it may be necessary to provide tickets at no cost to those who may provide a benefit to the Town of Little Elm. This may include but is not limited to, sponsors, influencers, business associates, partners, media outlets, public officials, or Town of Little Elm officials serving in their official capacity. Tickets and parking passes are non-transferable and must be used by the recipient.

Tickets for the following groups, including, but are not limited to, influencers, sponsors, business associates, partners, and media outlets, shall be outlined in partnership agreements where there is an outlined benefit for the Town.

Tickets for external public officials shall be coordinated through the Town Manager's Office. The quantity will be determined based on the event.

Tickets for Town Council members shall be coordinated through the Town Manager's Office. Council Members will receive the following non-transferable tickets and passes to the events listed in **Appendix A**.

If Council Members would like to request additional tickets to the number of tickets allocated below, they must request it through the Town Council.

Town staff is expected to pay the fees associated with all special events unless portions of the special event are part of a Town-sponsored program. When Town staff is required to be present in their official capacity to work the event, they will not have to pay an admission or parking fee.

APPENDIX A

Town Council Members are each allocated the number of tickets and/or passes for the events listed below. Any additional ticket requests must be made through the Town Council.

Big Easy

- (1) Parking Pass

Little Elm Craft Brew & Que

- (4) VIP Beer/Wine BBQ Experience Ticket

July Jubilee

- (1) Premium Parking Pass package

Autumn Fest

- (1) Parking Pass