

Memorandum



CITY OF DALLAS

DATE February 7, 2019

TO Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (Chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scott Griggs, B. Adam McGough, Omar Narvaez

SUBJECT **Proposed Changes to Permitting for Special Events**

On Monday, February 11, 2019, you will be briefed on the Proposed Changes to Permitting for Special Events.

The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol Smith, City Auditor (I)
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

Proposed Changes to Permitting for Special Events

Quality of Life, Arts and Culture Committee
February 11, 2019

Rosa Fleming, Director (I)
Convention and Event Services
City of Dallas



Presentation Overview

- Purpose
- Background
- Stakeholder Feedback
- Requested Action
- Appendices



Purpose

At the November 26, 2018 Quality of Life, Arts and Culture Committee (QOLAC) briefing the Office of Special Events (OSE) was tasked with securing additional input from various stakeholders, with a particular focus on the film industry and the Arts District.

This follow-up briefing presents the revisions and enhancements made to Chapter 42A as a result of those additional stakeholder and public discussions.

Background

Background Timeline

April 9, 2018 Briefing	The Quality of Life, Arts, and Culture Committee (QOLAC) was briefed on OSE permitting authority and functions, known challenges, planned operational improvements and process enhancements. OSE received Committee input and approval to move forward with surveys, stakeholder meetings, completing a fee study and revisions.
November 26, 2018 Briefing	<ul style="list-style-type: none">• QOLAC was briefed about proposed updates to the special events ordinance. Proposed revisions addressed existing gaps and deficiencies in the ordinance, incorporated public and stakeholder input, included researched best practices and the results of a new fee study conducted in the summer of 2018.• QOLAC members requested that OSE conduct additional meetings with the film industry, Arts District community and other external stakeholders to ensure their concerns about revisions were addressed.
Post November 2018 Briefing	<ul style="list-style-type: none">• Following the November briefing, OSE hosted nine additional meetings with internal and external stakeholders.• This briefing provides an overview of the changes to the ordinance as a result of those additional meetings.

Background cont.

Public Input since November 26, 2018

Group	Date
Dallas Arts District and Downtown Dallas, Inc. (DDI)	12/10/18
Film Industry Stakeholders	12/17/18
Event Industry Stakeholders	12/28/18
Dallas Farmer's Market (DFM)	1/9/19
Dallas Fire and Rescue (DFR)	1/10/19
Office of Economic Development (ECO)	1/15/19
Creative Industries (Formerly Dallas Film Commission)	1/15/19
Dallas Police Department (DPD)	1/16/19
Office of Risk Management (ORM)	1/16/19



Stakeholder Feedback to Chapter 42A

Since November 26, 2018, the entire QOLAC briefing, including the draft ordinance, has been posted on the OSE website.

- Stakeholder review of the briefing and ordinance resulted in similar feedback about the topics below from all group meetings conducted between 12/10/18 and 1/16/19:
 - Language and definitions
 - Requirements and restrictions
 - Navigation through the ordinance
 - Fees and insurance

Stakeholder Feedback to Chapter 42A cont.

General updates made in response to feedback from all groups include:

- Reorganized ordinance to provide clarity for the end-user
- Simplified definitions:
 - Added: Intermittent Traffic Control, Expected Total Attendance, Application Processing Fee, Daily Fee, and Preliminary Letter
 - Reorganized definitions into sections
 - Simplified street closure definitions across all permit types
- Clarified OSE authority
- Reworked all fees into an easy-to-read chart
 - Added wording so City Sponsored Activity application fees are waived
- Separated application *cancellation* details from permit *denial* and *revocation*
- Requested elimination of the requirement for a notarized indemnification form and replacement with an on-line option (City Attorney's Office reviewing)

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Stakeholder Feedback to Chapter 42A cont.

Specific updates made in response to Film Industry stakeholders, Creative Industries, and ECO:

- Requested that ORM waive workers compensation insurance requirements for all B-roll filming where the photographer has limited risk of falling (keeps feet on the ground) (*ORM reviewing*)
- Adjusted B-Roll to unlimited locations
- Included *Intermittent Traffic Control* to Moderate Commercial Filming
- Adjusted Fees
 - Changed film base application fee from ‘per day’ to ‘per project’
 - Waived application processing fee for student filming

Stakeholder Feedback to Chapter 42A cont.

Specific updates made in response to Special Event and Arts District stakeholders, and DDI:

- Reduced application submission deadlines
- Introduced a courtesy 5-month review for events that apply far in advance
- Clarified the notification requirements for events with street closures
- Revised bathroom requirements to reflect new Portable Sanitation Association International standards

Specific updates made in response to Dallas Farmers Market:

- DFM separated from Neighborhood Market requirements
- Requested clarification of DFR-EMS requirements (DFR reviewing)

Requested Action

Seek feedback and approval on proposed:

- Process Enhancements
- Code Amendments
- Additional Changes

Consent to seek Council approval on February 27, 2019

Proposed Changes to Permitting for Special Events

Quality of Life, Arts and Culture Committee
February 11, 2019

Rosa Fleming, Director (I)
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City of Dallas



Appendix I:

Revisions since November 26, 2018 Briefing

1. Chapter 42A Draft
 - *see attached PDF*
2. OSE Fee Chart
 - *see attached PDF*
3. Notification Requirements
 - *see attached PDF*
4. Bathroom Requirements updated
 - *see attached PDF*

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Appendix II:

Revisions Since November 26, 2018 Briefing

1. Simplified Street Closure Definitions
2. Simplified Commercial Film Fees
3. Revised Street Light Pole Banner Fees
4. Street Pole Banner Fees – Phase-Out
5. Updated Additional Fees
6. Expanded Special Event Fee Analysis
7. Expanded Film Fee Analysis
8. Expanded Neighborhood Market Fee Analysis
9. Special Event – Cancellation of Application
10. Application Submission Timeline
11. Special Event – Courtesy Review
12. Neighborhood Markets – Operational Improvements

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Simplified Street Closure Definitions

In addition, select the applicable Street Closure Fee:

Simple Static Street Closure Event Fee	\$50	An event with a set footprint that is limited to one block on residential and/or neighborhood streets. No intersections.
Moderate Static Street Closure Event Fee	\$100	An event with a set footprint that includes the closure of one to three street blocks and/or intersections
Complex Static Street Closure Event Fee	\$200	An event with a set footprint that includes the closure of four or more street blocks and/or intersections OR any closure in a high impact area
Simple Moving Event Fee	\$75	A moving event that is limited to trails and residential and/or neighborhood streets
Moderate Moving Event Fee	\$150	A moving event on city streets other than residential/neighborhood streets and/or outside of high impact areas
Complex Moving Event Fee	\$300	A moving event of which any part moves through a high impact area

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Grey shading indicates updates in response to stakeholder feedback since November briefing

Simplified Commercial Film Fees

Commercial Filming Application Processing Fees

Type	Current Fee	Proposed Fee	Information
Base Application Fee	\$50/\$250	\$100	Per project.
<i>In addition, select the applicable Daily Fee:</i>			
Simple Commercial Filming	N/A	\$25	B-roll; unlimited locations ; only required for public property.
Moderate Commercial Filming	N/A	\$100	No street/lane closures; maximum two locations; includes legal parking restrictions and ITC .
Complex Commercial Filming	N/A	\$150 + \$50 \$100 \$200	Any street/lane closure or need for Traffic Control Plan; maximum two locations; OR complex scenes to include stunts, car chases, pyrotechnics, special effects, stunt weapons, blank gunfire, crime scenes, etc. When complex filming requires street closures the applicable Street Closure Fee applies: Simple Street Closure (1 block, no intersections) Moderate Street Closure (1-3 blocks/intersections) Complex Street Closure (4+ blocks/intersections or any closure)
Student Filming	N/A	\$0	All application processing fees waived.
Retroactive B-roll	N/A	\$150	Per location (related to a current active permit only).

Grey shading indicates updates in response to stakeholder feedback since November briefing

Revised Streetlight Pole Banner Fees

Street Pole Banner - Proposed Fee Schedule

Type	Proposed Fee	Information
Base Application	\$100	Base application fee 50% discount available for non-profits
Per Pole Fee	\$20	Price per pole included within application
Permitted Event	5 poles at no charge	First 5 poles at no charge, additional poles will be invoiced at full price (banners must be related to permitted event)
Public Improvement District	10 poles at no charge	First 10 poles at no charge, additional poles will be invoiced at full price (banners must be related to PID identification/beautification)

Grey shading indicates updates in response to stakeholder feedback since November briefing

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Streetlight Pole Banner Fees – Phase-out

- Groups received \$22,910 in in-kind support for citywide events in FY17-18
 - Amended ordinance stipulates no in-kind support
 - PIDs will receive 10 free poles.
- Groups received \$4,450 in support through a grandfathered reduced fee (\$10 per pole) in FY17-18
 - Amended ordinance stipulates no reduced fees
- Groups received \$3,780 in support through a reduced fee (\$10 per pole) related to a permitted event in FY17-18
 - Amended ordinance stipulates that permitted events will receive 5 free poles for banners that are directly related to the permitted event

Updated Additional Fees

Item	Current Fee	Proposed Fee	Additional Information
Alcohol Provided	N/A	\$50	Alcohol provided free-of-charge at the event No TABC permit is required
Alcohol Sold	N/A	\$150	Alcohol is sold to attendees at the event TABC permit is required
Clean Zone	N/A	\$500	Dedicated City resources required to enforce restrictions requested by the event within the Clean Zone
MHH Bridge Closure	\$5,000	\$5,000	Half closure or full closure, 24 hours or less Limited to 4 times per calendar year
MHH Bridge Closure	N/A	\$2,000	Partial lane closure, 24 hours or less
Late Fee	\$40	\$40	Per day, up to a max of 5 days
Change Fee	\$40	\$50	Minor changes requested by the event with minimal impact to the application and its required review
All OSE application processing fees to be waived for City-Sponsored events			

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Grey shading indicates updates in response to DPD stakeholder feedback since November briefing

Expanded Special Event Fee Analysis

Event	Attendance	Current Fee	New Fee	Increase/Decrease
Woody's Halloween Backlot Party	200	\$ 30	\$ 200	\$ 170
Santa Clara Family Festival	750	\$ 75	\$ 50	\$ (25)
Kessler School PTO	1,500	\$ 250	\$ 150	\$ (100)
Hot Chocolate Run 15K	14,000	\$ 250	\$ 600	\$ 350
Byron Nelson Event	20,000+	\$ 500	\$ 1,050	\$ 550
BMW Marathon	16,000	\$ 500	\$ 650	\$ 150
Summer Block Party	9,000	\$ 250	\$ 600	\$ 350
Valley View Carnival	500	\$ 75	\$ 100	\$ 25
Invasion Car Show	3,000	\$ 250	\$ 500	\$ 250
Southern Throwdown Festival	5000	\$ 250	\$ 500	\$ 250
Form Follows Fitness 5K	2,500	\$ 250	\$ 225	\$ (25)
Skyline Half Marathon	2,200	\$ 250	\$ 500	\$ 250
Walk to End Alzheimer's	7,000	\$ 250	\$ 500	\$ 250
MLK Jr. Celebration March	200,000	\$ -	\$ -	\$ -
Kessler Park Easter Parade	150	\$ 30	\$ 100	\$ 70
Sanghani-Germany Wedding	250	\$ 50	\$ 325	\$ 275

Grey shading indicates additional events analyzed

Expanded Film Fee Analysis

Film Type	Commercial Film Name	Current Fee	New Film Type	New Fee	Increase/Decrease
B-roll	Trulia Pilot/Blink Media	\$250	Simple	\$125	(\$125)
B-roll	Ball In the Fam/Cross Walk Prods	\$50	Simple	\$125	\$75
B-roll	Ride with Norman/Left Right LLC	\$250	Simple	\$125	(\$125)
Comm	Ed for Congress/Ed for Texas	\$50	Moderate	\$200	\$150
Comm	Draft Coverage-NFL Films	\$330	Moderate	\$250	(\$80)
Comm	Lexus UX /Kaleidoscope Prods	\$610	Moderate	\$350	(\$260)
Comm	Baylor/Lucky 21	\$250	Moderate	\$300	\$50
Doc	Redemption Project /Larchmont	\$250	Moderate	\$275	\$25
Other	BGS Prom/Collective Dallas	\$250	Moderate	\$200	(\$50)
Still Phot.	Toyota TMNA/Jaw Prods	\$50	Moderate	\$200	\$150
Still Phot.	WK 39 Mailer/JCP	\$50	Moderate	\$200	\$150
Still Phot.	Briggs Freeman/IA Agency	\$50	Moderate	\$200	\$150
PSA	Red Means Stop /American	\$250	Moderate	\$300	\$50
TV Pilot	ABC Inc /False Prophets	\$500	Moderate	\$400	(\$100)
TV Series	QofS Ep. 304	\$250	Moderate	\$300	\$50
TV Series	QofS ep. 306	\$250	Moderate	\$1,100	\$850
TV Series	BBQ Blitz / Follow Prods	\$50	Moderate	\$300	\$250

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Chart updated and grouped by film type for ease of analysis

Expanded Neighborhood Market Fee Analysis

Market Name	Number of Vendors	Current Fee	New Fee.	Increase/ Decrease
Oak Cliff Lion's Club	35	\$250	\$150	(\$100)
Casa Linda Market	70	\$350	\$275	(\$75)
Paul Quinn Market	35	\$250	\$200	(\$50)
St. Michael Farmer's Market	70	\$350	\$225	(\$125)
White Rock Farmer's Market	70	\$350	\$275	(\$75)
Deep Ellum Outdoor Market	30	\$360	\$225	(\$135)

Chart updated to include all 2018 markets



Special Event - Operational Improvements Cancellation of Application

An application shall be cancelled for the following reasons:

- Incomplete application
- Non-responsiveness
- Failure to provide required information
- Failure to pay any outstanding fees assessed under Section 42A.6 of this ordinance for the proposed scheduled activity or a past scheduled activity
- An application that has been cancelled under this subsection cannot be re-filed for 12 months

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'Cancellation' has been separated from the 'Denial and Revocation' section and detailed for clarity



Application Submission Timelines

Permit Type	Current Application Deadline	Proposed New Application Deadline
Event - No Street Closure	45 Days	30 Days prior to event set-up
Event - Static Street Closure	45 Days	60 Days prior to event set-up
Event - Moving Street Closure	45 Days	120 Days prior to event set-up
Commercial Filming - Simple	2-3 business days	3 Days prior to filming date
Commercial Filming - Moderate	2-3 business days	4 Days prior to filming date
Commercial Filming - Complex	4-5 business days	5 Days prior to filming date
Neighborhood Market	30 Days	30 Days prior to first market
Streetlight Pole Banner	45 Days	30 Days prior to installation date

Late fees = \$40 per day

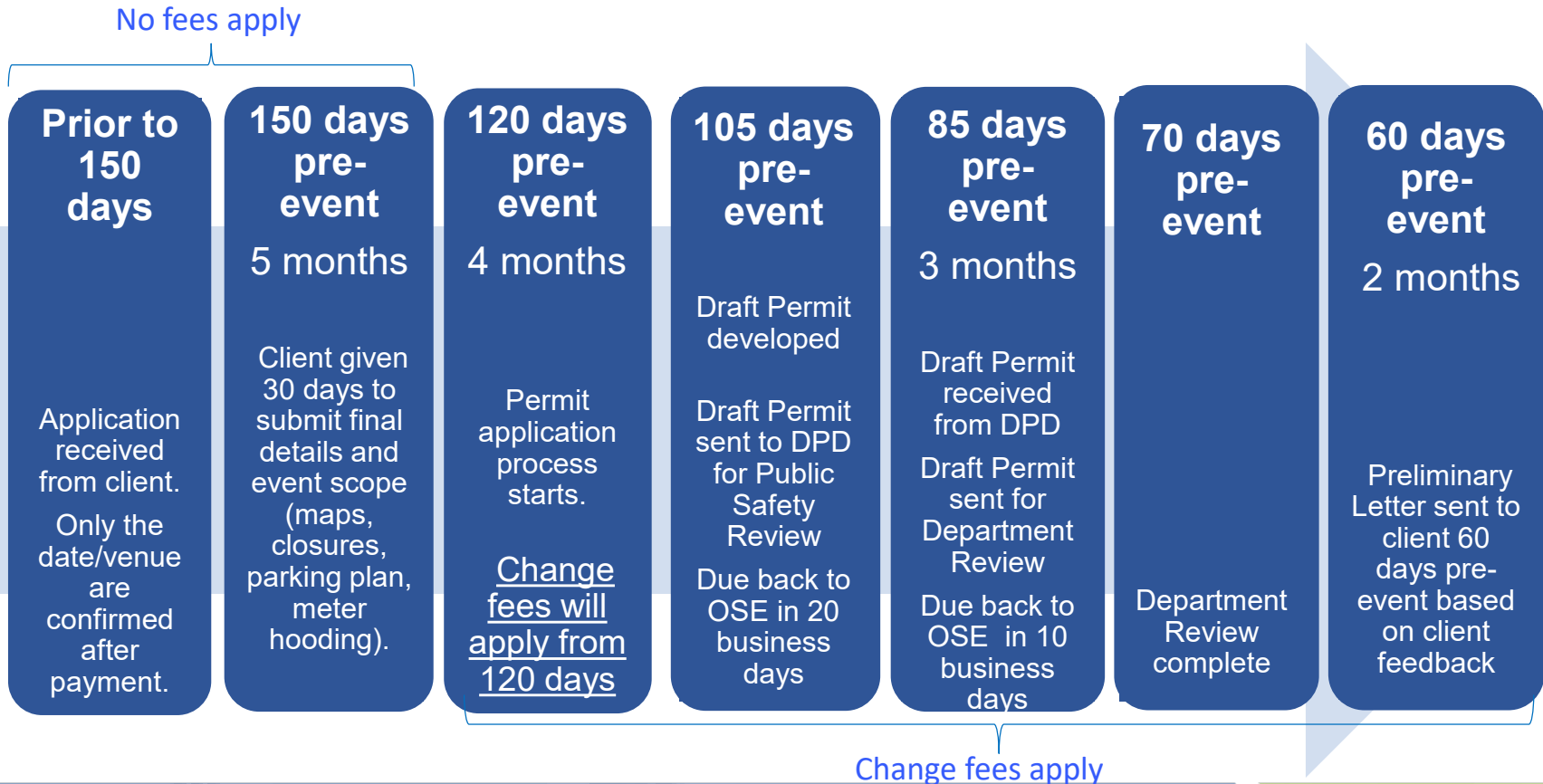
Events/Banners/Markets - Five days late allowed after which application is cancelled or client reschedules proposed activity

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Grey shading indicates updates in response to stakeholder feedback since November briefing



Special Event - Courtesy Review



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Neighborhood Markets - Operational Improvements

DFM requested OSE re-consider the revisions to Neighborhood Markets. The changes below resulted from Neighborhood Market stakeholder feedback:

- ‘Neighborhood Farmers Market’ changed to ‘Neighborhood Market’
- Application submission deadline changed from 45 days to 30 days
- Distance between markets increased from 1 mile to 2 miles
- Number of days of operation increased from 40 to 52
- Maximum number of vendors allowed increased from 75 to 100
- Percentage of food vendors changed from 50% to 30%
- Expanded geographical area – includes a Texas County and/or 150–mile radius from Dallas
- Vendor statement on file with OSE – template will be provided
- Allowed on public property with City approval

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ORDINANCE NO. _____

An ordinance amending Chapter 29A, “Neighborhood Farmers Market,” and Chapter 42A, “Special Events,” of the Dallas City Code by reserving Chapter 29A and rewriting Chapter 42A; providing regulations for special events, commercial filming activities, neighborhood markets, and streetlight pole banners; providing a penalty not to exceed \$2,000 for a violation of this chapter governing fire safety, zoning, or public health and sanitation, and \$500 for all other violations; providing a saving clause; providing a severability clause; and providing an effective date.

Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Chapter 29A, “Neighborhood Farmers Markets,” of the Dallas City Code is amended to read as follows:

**~~“CHAPTER 29A.
RESERVED. [NEIGHBORHOOD FARMERS MARKETS.~~**

**~~ARTICLE I.
GENERAL PROVISIONS.~~**

~~SEC. 29A-1. PURPOSE.~~

~~The purpose of this chapter is to facilitate the promotion of neighborhood farmers markets within the city to support the local economy, to encourage sustainable living, and to create a more positive image of the city.~~

~~SEC. 29A-2. DEFINITIONS.~~

~~In this chapter:~~

~~(1) APPLICANT means a person who has filed a written application for a neighborhood farmers market permit.~~

FOR DISCUSSION PURPOSES ONLY.

~~(2) CENTRAL BUSINESS DISTRICT means the area bounded by Woodall Rogers Freeway on the north, Central Expressway and Julius Schepps Freeway on the east, Interstate Highway 30 on the south, and Interstate Highway 35E on the west.~~

~~(3) CITY means the city of Dallas, Texas.~~

~~(4) DALLAS FARMERS MARKET means a permanent, indoor and outdoor marketplace on public and private property where produce, merchandise, food, or other products are distributed, offered for sale, or sold to consumers and that is:~~

~~(A) bounded by Marilla Street on the north, northbound Cesar Chavez Boulevard on the east, Interstate Highway 30 on the south, and Harwood Street on the west; and~~

~~(B) described in and subject to a master agreement with the city adopted on February 27, 2013 by Resolution No. 13-0447 and the operating covenants with the city contained in lease and deed documents authorized on March 27, 2013 by Resolution Nos. 13-0535, 13-0536, 13-0537, 13-0538, and 13-0539.~~

~~(5) DIRECTOR means the person designated by the city manager to implement, administer, and enforce this chapter, and includes any designated representative of the director.~~

~~(6) NEIGHBORHOOD FARMERS MARKET or MARKET means:~~

~~(A) a temporary, outdoor marketplace on private property:~~

~~(i) where produce, merchandise, food, or other products are distributed, offered for sale, or sold directly to consumers by the persons that have raised, grown, made, crafted, processed, or produced the products;~~

~~(ii) for which the estimated number of vendors and attendees for any day of the market does not exceed 1,000;~~

~~(iii) that is not being operated as part of a special event permitted under Chapter 42A of this code; and~~

~~(iv) that involves one or more of the following activities:~~

~~(aa) the sale of merchandise, food, or beverages on private property where otherwise prohibited by ordinance;~~

~~(bb) the erection of stalls or tents on private property where otherwise prohibited by ordinance;~~

~~(cc) the placement of portable toilets on private property where otherwise prohibited by ordinance; or~~

FOR DISCUSSION PURPOSES ONLY.

~~(dd) the placement of temporary no parking, directional, over size, or identification signs or banners on private property where otherwise prohibited by ordinance; or~~

~~(B) the Dallas Farmers Market.~~

~~(7) NEIGHBORHOOD FARMERS MARKET PERMIT means written approval to hold a neighborhood farmers market issued by the director under this chapter.~~

~~(8) PERMIT HOLDER means a person issued a neighborhood farmers market permit.~~

~~(9) PERSON means an individual, firm, partnership, corporation, association, or other legal entity.~~

~~(10) VENDOR means a person who distributes, offers for sale, or sells produce, merchandise, food, or other products at a neighborhood farmers market.~~

~~SEC. 29A-3. GENERAL AUTHORITY AND DUTY OF DIRECTOR.~~

~~(a) The director shall implement, administer, and enforce the provisions of this chapter.~~

~~(b) The director has authority to issue a neighborhood farmers market permit that authorizes one or more of the activities described in Section 29A-2(6)(A)(iv) when requirements of this chapter have been met.~~

~~SEC. 29A-4. CHAPTER CUMULATIVE.~~

~~(a) The provisions of this chapter are cumulative of all city ordinances. Tent permits, building permits, electrical permits, food establishment permits, alcoholic beverage permits and licenses, and all other permits and licenses required by ordinance or other law for specific activities to be conducted in conjunction with or as part of the neighborhood farmers market must be applied for separately, in accordance with the applicable ordinance or law. The director shall receive and coordinate applications for any city issued permit or license required in addition to the neighborhood farmers market permit.~~

~~(b) Application for a neighborhood farmers market permit authorizes appropriate city departments to issue permits for the activities described in Section 29A-2(6)(A)(iv) in locations where the activity would otherwise be prohibited by ordinance.~~

ARTICLE II.
NEIGHBORHOOD FARMERS MARKET PERMITS.

SEC. 29A-5. APPLICATION; ISSUANCE.

(a) ~~A person desiring to hold a neighborhood farmers market shall apply for a neighborhood farmers market permit by filing with the director a written application upon a form provided for that purpose. Each application must be accompanied by the required application fee. An application must be filed not less than 30 days before the neighborhood farmers market is to begin. The director may waive the 30-day filing requirement if the application can be processed in less than 30 days, taking into consideration the number and types of permits required to be issued in conjunction with the neighborhood farmers market.~~

(b) ~~An application must contain the following information:~~

(1) ~~The name, address, and telephone number of the applicant and of any other persons responsible for the conduct of the neighborhood farmers market.~~

(2) ~~The street address of the proposed location of the neighborhood farmers market; the name, address, and telephone number of the property owner; and a copy of the consent required by Section 29A-10(c), if applicable.~~

(3) ~~A description of the neighborhood farmers market, including a proposed schedule of the dates and hours of operation for the market (not to exceed 28 operating days in any calendar year, none of which may be consecutive days), except that this requirement does not apply to the Dallas Farmers Market.~~

(4) ~~The estimated number of vendors and attendees for each day of the market.~~

(5) ~~A drawing showing the area to be used for the neighborhood farmers market, along with proposed structures, tents, fences, barricades, signs, and banners.~~

(6) ~~Provisions for parking with a designation of where "No Parking" signs will be used.~~

(7) ~~Details of the sale of merchandise or the sale or serving of food or alcoholic or nonalcoholic beverages at the market, including but not limited to the names of participating vendors, a description of items to be sold, and the percentages of food and nonfood items to be sold.~~

(8) ~~Details of how the applicant will clean up after the neighborhood farmers market each day.~~

(9) ~~Proof that the applicant possesses or is able to obtain all licenses and permits required by this code or other city ordinances or by state law for the conduct of the neighborhood farmers market.~~

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~~(10) If the applicant is a corporation, copies of a current certificate of account status issued by the Texas Comptroller's Office and a current certificate of existence issued by the Texas Secretary of State's Office, or, if the corporation is not incorporated in or holding a certificate of authorization in the State of Texas, copies of similar current certificates from the state in which the corporation is incorporated.~~

~~(11) A description (including but not limited to the name, date, location, and size) of each neighborhood farmers market that the applicant conducted or sponsored, or participated in conducting or sponsoring, within the preceding two years.~~

~~(12) Any other information the director determines necessary for the administration and enforcement of this chapter.~~

~~(e) Upon receipt of the completed application, the director shall forward a copy of the application to the building official and the departments of police, fire-rescue, risk management, code compliance, and transportation. The building official and each department shall review the application and return it, with any comments, to the director within 10 working days after receipt.~~

~~(d) The building official, departments, and the director may prescribe licenses, permits, and authorizations required by other city ordinances or applicable law, restrictions, regulations, safeguards, and other conditions necessary for the safe and orderly conduct of a neighborhood farmers market, to be incorporated into the permit before issuance.~~

~~(e) After reviewing the application and comments, the director shall issue the neighborhood farmers market permit unless denial is required by Section 29A-8. A neighborhood farmers market permit expires one year after issuance and may be renewed by applying in accordance with this section.~~

SEC. 29A-6. FEES.

~~An applicant for a neighborhood farmers market permit shall pay the following fees to conduct the market:~~

~~(1) A nonrefundable application fee of:~~

~~(A) \$250 for a neighborhood farmers market in which the estimated number of vendors does not exceed 35;~~

~~(B) \$350 for a neighborhood farmers market in which the estimated number of vendors is more than 35 but does not exceed 70; or~~

~~(C) \$400 for the Dallas Farmers Market.~~

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~~(2) All fees for permits and licenses required by other city ordinances to conduct specific activities in conjunction with or as part of the neighborhood farmers market.~~

~~SEC. 29A-7. INDEMNIFICATION.~~

~~An applicant for a neighborhood farmers market 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 conduct of the market.~~

~~SEC. 29A-8. DENIAL OR REVOCATION.~~

~~(a) The director shall deny a neighborhood farmers market permit if:~~

~~(1) a neighborhood farmers market permit has been previously granted in the calendar year to another neighborhood farmers market that is located within one mile of the proposed market and has the same or overlapping operating dates and times as the proposed market, except that this restriction does not apply when the proposed market is the Dallas Farmers Market;~~

~~(2) the proposed neighborhood farmers market will unreasonably disrupt the orderly flow of traffic, and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available;~~

~~(3) the applicant fails to adequately provide for:~~

~~(A) the protection of the vendors and attendees at the neighborhood farmers market;~~

~~(B) maintenance of public order in and around the neighborhood farmers market location;~~

~~(C) crowd security, taking into consideration the size of the market; or~~

~~(D) emergency vehicle access.~~

~~(4) the applicant fails to comply with or the proposed neighborhood farmers market will violate a city ordinance or other applicable law, unless the prohibited conduct or activity would be allowed under this chapter;~~

~~(5) the applicant makes a false statement of material fact on an application for a neighborhood farmers market permit or fails to properly complete an application for a neighborhood farmers market permit;~~

~~(6) the applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by another city ordinance or other applicable law for the conduct of all activities included as part of the neighborhood farmers market;~~

FOR DISCUSSION PURPOSES ONLY.

~~(7) the applicant has had a neighborhood farmers market permit revoked within the preceding 14 months;~~

~~(8) the applicant or a vendor at the applicant's market has committed, within the preceding 14 months, two or more violations of a provision of a neighborhood farmers market permit or this chapter;~~

~~(9) the applicant fails to pay any outstanding fees assessed under Section 29A-6 of this chapter for the proposed neighborhood farmers market or for a past neighborhood farmers market;~~

~~(10) a neighborhood farmers market has been conducted at the location of the proposed neighborhood farmers market on at least 40 days during the same calendar year in which the proposed market is to be conducted, except that this restriction does not apply to the Dallas Farmers Market;~~

~~(11) the chief of the police department, the chief of the fire rescue department, or the director determines that the neighborhood farmers market would pose a serious threat to the public health, safety, or welfare;~~

~~(12) the applicant or any other person responsible for the conduct or sponsorship of the neighborhood farmers market is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or other person;~~

~~(13) the applicant has a history of conducting or sponsoring a neighborhood farmers market in a disorderly, unsafe, unsanitary, or fiscally irresponsible manner; or~~

~~(14) the applicant, if it is a corporation, fails to provide copies of a current certificate of account status and current certificate of existence as required by Section 29A-5(b)(10).~~

~~(b) The director shall revoke a neighborhood farmers market permit if:~~

~~(1) the permit holder failed to comply with or the neighborhood farmers market is in violation of any provision of the neighborhood farmers market permit, a city ordinance, or any other applicable law;~~

~~(2) the permit holder made a false statement of material fact on an application for a neighborhood farmers market permit or failed to properly complete an application for a neighborhood farmers market permit;~~

~~(3) the chief of the police department, the chief of the fire rescue department, or the director determines that the neighborhood farmers market poses a serious threat to the public health, safety, or welfare;~~

FOR DISCUSSION PURPOSES ONLY.

~~(4) the permit holder failed to pay any outstanding fees assessed under Section 29A-6 of this chapter for the proposed neighborhood farmers market or for a past neighborhood farmers market;~~

~~(5) the permit holder or any other person responsible for the conduct or sponsorship of the neighborhood farmers market is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the permit holder or other person; or~~

~~(6) the permit holder, if it is a corporation, failed to provide copies of a current certificate of account status and current certificate of existence as required by Section 29A-5(b)(10).~~

~~SEC. 29A-9. APPEAL FROM DENIAL OR REVOCATION OF A NEIGHBORHOOD FARMERS MARKET PERMIT.~~

~~If the director denies the issuance or renewal of a permit or revokes a permit, the director shall send to the applicant or permit holder by certified mail, return receipt requested, written notice of the denial or revocation and of the right to an appeal. The applicant or permit holder may appeal the decision of the director to a permit and license appeal board in accordance with Section 2-96 of this code.~~

**ARTICLE III.
MISCELLANEOUS PROVISIONS.**

~~SEC. 29A-10. LOCATION OF A NEIGHBORHOOD FARMERS MARKET.~~

~~(a) A neighborhood farmers market may not be conducted:~~

~~(1) in the central business district;~~

~~(2) in a single family, duplex, or townhouse zoning district as defined in the Dallas Development Code;~~

~~(3) within one mile of another neighborhood farmers market permitted under this chapter that has the same or overlapping operating dates and times;~~

~~(4) at any location other than the one listed in the permit application; or~~

~~(5) at any location where one or more neighborhood farmers markets have already been conducted a total of 28 days during the particular calendar year.~~

~~(b) The restrictions of Subsections (a)(1), (2), (3), and (5) of this section do not apply to the Dallas Farmers Market.~~

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~~(e) If the permit holder does not own the property on which the neighborhood farmers market will be conducted, the permit holder shall obtain the written consent of the property owner to conduct the market on the property. The permit holder shall present the written consent to the director or any peace officer upon request.~~

SEC. 29A-11. OPERATION OF A NEIGHBORHOOD FARMERS MARKET.

~~(a) A neighborhood farmers market may not be operated more than 40 days at the same location in a calendar year and may not be operated on consecutive days.~~

~~(b) A neighborhood farmers market may only be operated between the hours of 8 a.m. and 7 p.m. on any day of the week.~~

~~(c) The neighborhood farmers market may only be operated in accordance with the schedule filed with the director at the time of permit application. Amendment to the schedule may be approved by the director during the calendar year if the changes do not conflict with the schedule of another neighborhood farmers market. An amendment request must be received by the director at least 10 days before implementing any changes.~~

~~(d) No more than 70 vendors may participate in a neighborhood farmers market. Each stall area used by a vendor may not exceed 10 feet by 15 feet.~~

~~(e) When the main use of the property is open for business, not more than 25 percent of the total area of the parking lot for the property may be used for a neighborhood farmers market.~~

~~(f) All litter, tents, stalls, food, merchandise, and other evidence of the neighborhood farmers market must be removed from the premises at the end of each market day.~~

~~(g) Subsections (a) through (f) of this section do not apply to the Dallas Farmers Market, which shall operate in compliance with its agreements and covenants with the city.~~

SEC. 29A-12. PRODUCTS AT A NEIGHBORHOOD FARMERS MARKET.

~~(a) Products that may be sold at a neighborhood farmers market include, but are not limited to, the following:~~

~~(1) Fruits, vegetables, honey, eggs, nuts, herbs, and mushrooms.~~

~~(2) Meats.~~

~~(3) Dairy products.~~

~~(4) Prepared foods, including but not limited to baked goods, packaged foods, and oils.~~

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~~(5) Arts and crafts, including but not limited to jewelry, candles, natural skin care products, soaps, art, knitting, quilts, and pottery.~~

~~(6) Garden items, including but not limited to plants, flowers, and soil.~~

~~(b) At least one half of the vendors participating in a neighborhood farmers market must sell produce or other food items.~~

~~(c) All products distributed, offered for sale, or sold at a neighborhood farmers market must have been raised, grown, made, crafted, processed, or produced by the vendor in a Texas county completely or partially located within a 150-mile radius of Dallas County, except that the 150-mile radius requirement does not apply to produce or other food items determined by the director to be unavailable from vendors in the radius area. No products may be offered for resale. This subsection does not apply to the Dallas Farmers Market.~~

~~(d) Live animals may not be distributed, offered for sale, or sold at a neighborhood farmers market.~~

SEC. 29A-13. VENDOR'S STATEMENT.

~~(a) Each calendar year before vending at a neighborhood farmers market, a vendor shall sign and provide to the permit holder a written statement that:~~

~~(1) all products to be distributed, offered for sale, or sold at the neighborhood farmers market by the vendor have been raised, grown, made, crafted, processed, or produced by the vendor in compliance with all applicable federal, state, and local laws and in a Texas county completely or partially located within a 150-mile radius of Dallas County (or in an area from which the director, pursuant to Section 29A-12(c), allows certain produce or other food items to be distributed, offered for sale, or sold at the market because of the unavailability of those items from vendors in the radius area); and~~

~~(2) no product is being offered for resale.~~

~~(b) The permit holder shall maintain a vendor statement for each vendor operating at the neighborhood farmers market and shall present the vendors' statements to the director or any peace officer upon request.~~

~~(c) Subsections (a) and (b) of this section do not apply to the Dallas Farmers Market.~~

**ARTICLE IV.
ENFORCEMENT.**

SEC. 29A-14. OFFENSES.

~~(a) A person commits an offense if he commences or conducts a neighborhood farmers market:~~

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(1) ~~without a neighborhood farmers market permit; or~~

(2) ~~in violation of any provision of a neighborhood farmers market permit, this chapter, or any other city ordinance or applicable law.~~

(b) ~~It is a defense to prosecution under this section that the neighborhood farmers market was being lawfully conducted pursuant to a valid special events permit issued under Chapter 42A of this code.~~

(e) ~~The culpable mental state required for the commission of an offense under this chapter is governed by Section 1-5.1 of this code.~~

SEC. 29A-15. PENALTY.

(a) ~~A person who violates a provision of this chapter or a requirement of a neighborhood farmers market permit is guilty of a separate offense for each day or part of a day during which the violation is committed or continued.~~

(b) ~~Each offense is punishable by a fine not to exceed:~~

(1) ~~\$2,000 for a violation of a provision of this chapter or a requirement of a neighborhood farmers market permit governing fire safety, zoning, or public health and sanitation, including dumping of refuse; or~~

(2) ~~\$500 for all other violations of this chapter or requirements of a neighborhood farmers market permit.]”~~

SECTION 2. That Chapter 42A, “Special Events,” of the Dallas City Code is amended to read as follows:

**“CHAPTER 42A.
SPECIAL EVENTS; COMMERCIAL FILMING;
NEIGHBORHOOD MARKETS; STREETLIGHT POLE BANNERS.”**

**ARTICLE I.
GENERAL PROVISIONS.**

SEC. 42A-1. PURPOSE.

The purpose of this chapter is to facilitate the promotion of special events, commercial filming, neighborhood markets, and streetlight pole banners [activities] within the city, as defined in this chapter, [especially within the central business district, to create a more positive image of the city] and to stimulate [significant] economic growth and promote a vibrant, positive image of outdoor events in the city. To this end, it is the city’s intent to encourage and give high priority to

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established special events that have a record of [~~significantly~~] benefiting the city and to special events that drive these goals [~~promote commercial film development in the city~~].

SEC. 42A-2. DEFINITIONS.

In this chapter:

(1) AMPLIFIED SOUND means any sound projected or transmitted by artificial means, including but not limited to, loudspeakers, amplifiers, powered megaphones, or similar devices.

(2) APPLICANT means a person who has filed an ~~an~~ written application for a special event, commercial filming, neighborhood market, or streetlight pole banner permit. This term includes the person filing the application and any person or organization that an applicant applies for a permit on behalf of, as well any third party providing essential functions to a special event, commercial filming activity, neighborhood market, or streetlight pole banner, and the owner or property manager of property where a special event, commercial filming activity, or neighborhood market will occur if a lease or contract has been executed, or will be executed, or if the property owner has provided written approval for the special event, neighborhood market, or commercial filming activity, and the property owner or manager is providing services to the event.

(3) APPLICATION PROCESSING FEE means a non-refundable fee required at the time of submitting a permit application.

(4) CENTRAL BUSINESS DISTRICT means the area bounded by Woodall Rodgers Freeway on the north, Central Expressway and Julius Schepps Freeway on the east, Interstate Highway 30 on the south, and Interstate Highway 35E on the west.

~~(5[2])~~ CITY means the city of Dallas, Texas.

~~[(3) CITY LICENSED VENDOR means any person licensed or permitted under this code or another city ordinance to sell or offer for sale food, beverages, goods, or services at or within a specific location or area in the city.]~~

~~(6[4])~~ CITY-SPONSORED ACTIVITY [~~SPECIAL EVENT~~] means a temporary outdoor activity [~~special event~~] that the city council, by resolution, or the city manager, by written notice, has:

(A) determined to be directly related to a recognized function of city government;

(B) declared the city a cosponsor of the event; and

(C) committed the city to significantly sharing in initiating, financing, supporting, and conducting the event.

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(7) CLEAN ZONE means a geographically defined area surrounding a permitted activity footprint or event host venues, where temporary restrictions are enforced related to temporary advertising, signage, structures, transient merchants, vendors, or otherwise licensed activities.

(8) COMMERCIAL FILMING means digital, film, or any other technology used to capture a visual image and sound recording on public or private property for commercial purposes including, but not limited to B roll, still photography, commercials, documentaries, feature films, television series, television movies, television shows, webisodes, public service announcements, music videos, student films, corporate shoots, or advertisements, which involves one or more of the following:

(A) closing or restricting a public street or restricting access to public property.

(B) filming effects on private or public property that may be disruptive to surrounding residences and businesses such as outdoor lighting before sunrise or after sunset or outdoor amplified sound.

(C) filming effects on private or public property that may disrupt public safety such as depicting a crime or the use of firearms, prop weapons, special effects, stunts, car chases, or pyrotechnics in view or hearing of the general public or adjacent properties.

(D) erection of a tent larger than 399 square feet in area or erection of multiple tents with a cumulative area of over 399 square feet.

(E) installation of a temporary structure or portable toilets on public or private property where otherwise prohibited by ordinance.

(F) filming on private or public property that includes staging a generator or other equipment on public property or running cables across sidewalks.

(G) filming of the official flag, shield, seal, service mark, badge, or any other insignia of the city.

(H) filming on or of any city property including city hall plaza.

(I) filming of city equipment or vehicles.

(J) installation of temporary directional signs, identification signs, or banners that are placed in or over a public right-of-way, or on private property where otherwise prohibited by ordinance.

(9) COMMERCIAL FILMING (COMPLEX) means a commercial filming activity allowed at a maximum of two locations that includes one or more of the following:

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- (A) lane or street closures.
- (B) a requirement for a traffic control plan.
- (C) complex scenes, which may include, but is not limited to:
 - (i) stunts.
 - (ii) car chases.
 - (iii) pyrotechnics.
 - (iv) special effects.
 - (v) stunt weapons.
 - (vi) blank gunfire.
 - (vii) crime scenes.

(10) COMMERCIAL FILMING (MODERATE) means a commercial filming activity allowed at a maximum of two locations that does not include any street or lane closures but does allow for restricted legal parking such as meter hooding and no-parking signs.

(11) COMMERCIAL FILMING (SIMPLE) means a commercial filming activity allowed anywhere in the city that does not include any street or lane closures, but is limited to B roll filming only.

(12) DAILY FEE means a fee charged for any rolling 24-hour period.

(13[5]) DALLAS FARMERS MARKET means the area that is:

(A) bounded by Marilla Street on the north, northbound Cesar Chavez Boulevard on the east, Interstate Highway 30 on the south, and Harwood Street on the west; and

(B) described in and subject to a master agreement with the city adopted on February 27, 2013 by Resolution No. 13-0447 and the operating covenants with the city contained in lease and deed documents authorized on March 27, 2013 by Resolution Nos. 13-0535, 13-0536, 13-0537, 13-0538, and 13-0539.

(14) DIRECTOR means the person designated by the city manager to implement, administer, and enforce this chapter, and includes any designated representative of the director.

~~[(6) DEMONSTRATION means a public display of the attitude of assembled persons toward a person, cause, issue, or other matter.]~~

(15[7]) ESTABLISHED SPECIAL EVENT means an event or activity that:

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- (A) occurs at least once a year;
- (B) has an average expected attendance exceeding 1,000 [~~participants and spectators~~] for each day of the event or activity;
- (C) [~~significantly~~] contributes to positive advertising and economic growth of the city; and
- (D) is open to the public, with or without an entry fee.

(16) EXPECTED TOTAL ATTENDANCE means the estimated attendance at a special event as estimated by the applicant on an application. Expected total attendance includes all event staff, spectators, participants, and attendees.

(17) FIRST AMENDMENT ACTIVITY means all expressive personal religious or political beliefs and associative activity on the public right-of-way that is protected by the United States and Texas constitutions, including freedom of speech, freedom of the press, freedom of assembly, and the right to petition.

(18) HIGH IMPACT AREA means an area included on the list published annually in accordance with Section 42A-10.

(19) INTERMITTENT TRAFFIC CONTROL means the control of the flow of traffic to temporarily and for brief periods of time (two minutes or less) stop or slow the flow of vehicular traffic.

(20) MAJOR CHANGE means any change to an application that requires subsequent public safety or departmental review. Examples include, but are not limited to, route changes, location or venue changes, date changes, changes in expected attendance, and adding alcohol distribution.

(21) MOVING EVENT means an event that is not confined to a fixed location.

(22) MOVING EVENT (COMPLEX) means a moving event, any part of which move through a high impact area, or any moving event that is more than 5K in length.

(23) MOVING EVENT (MODERATE) means a moving event that is 5K or less in length and outside a high impact area, a moving event that is 5K or more in length if the majority of the route is located in a park or on trails, or a wedding procession in the central business district.

(24) MOVING EVENT (SIMPLE) means a moving event that does not involve any street closures and is limited to trails and neighborhood streets only.

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(25) NEIGHBORHOOD MARKET means a temporary outdoor marketplace on private property, or on city property with approval of the department controlling the property, where produce, merchandise, food, or other products are distributed, offered for sale, or sold directly to consumers by the persons that have raised, grown, made, crafted, processed, or produced the products.

(26) NEWS MEDIA means photographing, filming, or videotaping for the purpose of daily newsgathering and spontaneous, unplanned television news broadcasts and news segments.

(27) PERMIT means an official document authorizing the activation of an approved activity granted by the director as required under this chapter.

(28) PERMIT HOLDER means a person issued a permit under this chapter. This term includes the applicant and any person or organization that an applicant applies for a permit on behalf of, as well as the owner or manager of property where a special event, commercial filming activity, or neighborhood market will occur.

(29[8])PERSON means an individual, firm, partnership, corporation, association, or other legal entity.

(30) PRELIMINARY LETTER means a document sent by the director to the applicant outlining all requirements that must be met prior to permit issuance.

(31[9])SPECIAL EVENT means an outdoor gathering, other than a neighborhood market, with an expected total attendance greater than 100, which involves one or more of the following on [a temporary event or gathering, including a special event parade, using either] private or public property where otherwise prohibited by ordinance[, in which the estimated number of participants and spectators exceeds 75 during any day of the event and that involves one or more of the following activities, except when the activity is for construction or housemoving purposes only]:

- (A) closing or restricting [of] a public street;
- (B) restricting access to [blocking or restriction of] public property;
- (C) sale of merchandise, food, alcohol, or other beverages [~~on public property outside the central business district, or on private property where otherwise prohibited by ordinance~~];
- (D) erection of a tent larger than 399 square feet in area or erection of multiple tents with a cumulative area of over 399 square feet [~~on public property, or on private property where otherwise prohibited by ordinance~~];

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(E) installation of a temporary stage, bandshell, outdoor projection technology, trailer, van, [~~portable building,~~] grandstand, [~~or~~] bleachers, or portable toilets for [~~on~~] public use [~~property, or on private property where otherwise prohibited by ordinance];~~

(F) use of city hall plaza [~~placement of portable toilets on public property, or on private property where otherwise prohibited by ordinance]; [~~or~~~~

(G) a run, walk, ride, or special event parade; [~~placement of temporary no parking, directional, over size, or~~

(H) placement of temporary no parking, directional, oversized, or identification signs or banners in connection with an event that are placed in or over a public right-of-way, or on private property where otherwise prohibited by ordinance; or

(I) clean zone enforcement.

(32) SPECIAL EVENT PARADE means the assembly of 100 or more persons whose gathering is for the common design of traveling or marching in procession from one location to another location for the purpose of advertising, promoting, celebrating, or commemorating a thing, person, date, or event that is not directly related to the expression of feelings and beliefs on current political, religious, or social issues.

(33) STATIC STREET CLOSURE EVENT (COMPLEX) means a special event with a set footprint that includes four or more closures on streets, intersections, a thoroughfare, or any closure in a high impact area.

(23) STATIC STREET CLOSURE EVENT (MODERATE) means a special event with a set footprint that encompasses the closure of one to three street blocks or intersections.

(34) STATIC STREET CLOSURE EVENT (SIMPLE) means a special event limited to one block on residential neighborhood streets only with no parking hooding.

(35) STREET CLOSURE means any lane or street closure that impacts or disrupts the flow of traffic, regardless of the length of time.

(36) STREETLIGHT POLE BANNER means a temporary sign suspended between brackets and attached to utility or light poles in city right-of-way, designed for an approved activity, or an historical or commemorative event within the city.

(37) TENT means any structure, enclosure, or shelter constructed of fabric or other pliable material supported by any manner except by air or the contents protected by the material.

(38) TRAFFIC CONTROL PLAN means a plan designed for the purpose of safely and efficiently managing traffic or arranging for DART detours associated with a special event, commercial filming activity, or neighborhood market.

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~~[(10) SPECIAL EVENT MANAGER means the person designated by the city manager to implement, administer, and enforce this chapter, and includes any designated representative of the special event manager.~~

~~(11) SPECIAL EVENT PARADE means the assembly of three or more persons whose gathering is for the common design of traveling or marching in procession from one location to any other location for the purpose of advertising, promoting, celebrating, or commemorating a thing, person, date, or event that is not directly related to the expression of feelings and beliefs on current political, religious, or social issues.~~

~~(12) SPECIAL EVENT PERMIT means written approval to hold a special event granted by the special event manager under this chapter.]~~

SEC. 42A-3. GENERAL AUTHORITY AND DUTY OF DIRECTOR ~~[SPECIAL EVENT MANAGER].~~

(a) The director ~~[special event manager]~~ shall implement, administer, and enforce the provisions of this chapter.

(b) The director ~~[special event manager]~~ has authority to issue a ~~[special event]~~ permit that authorizes one or more of the activities described in Sections ~~42A-2(8[9]), 42A-2(25), or 42A-2(34)~~ when requirements of this chapter have been met.

(c) The director, police chief, and fire chief may require public safety measures that exceed the minimum standards set forth in this chapter based on specific event risk and threat factors identified by the appropriate city departments. ~~[In addition to other duties designated by this chapter, the city manager, or the city council, the special event manager shall provide for the enhancement of commercial film development in the city by assisting the film industry in:~~

- ~~(1) identifying film locations;~~
- ~~(2) securing required permits;~~
- ~~(3) coordinating traffic and security needs; and~~
- ~~(4) providing information.]~~

(d) The director may impose additional permit requirements for any activity as required in this chapter if the total attendance is expected to exceed the applicant's expected total attendance.

(e) The director may alter proposed dates and times, alter street closures and event routes, or impose additional requirements upon a permit holder based on quality of life issues and impacts on local residents and businesses.

SEC. 42A-4. CHAPTER CUMULATIVE.

(a) The provisions of this chapter are cumulative of all city ordinances. Except as provided in Subsection (c), tent permits, building permits, electrical permits, food establishment permits, alcoholic beverage licenses, and all other permits and licenses required by ordinance or other law for specific activities to be conducted in conjunction with or as part of the special event, commercial filming activity, or neighborhood market must be applied for separately, in accordance with the applicable ordinance or law. ~~[The special event manager shall receive and coordinate applications for any city issued permit or license required in addition to the special event permit].~~

(b) Application for a special event permit, commercial filming permit, neighborhood market, or streetlight pole banner permit authorizes appropriate city departments to issue permits for the activities authorized by this chapter ~~[described in Section 42A-2(9) in locations where the activity would otherwise be prohibited by ordinance].~~

(c) A license for the use of the public right-of-way required by Article VI of Chapter 43 of this code ~~[The following permits and licenses]~~, and any fees applicable to obtaining the ~~[those permits and]~~ license[s], is [are] not required for a special event, commercial filming activity, or neighborhood market conducted in compliance with this chapter and the terms of a valid special event permit, commercial filming permit, or neighborhood market permit[:

~~(1) A license for the use of public right of way required by Article VI of Chapter 43 of this code.~~

~~(2) A central business district concession license or location permit required by Division 2, Article XII of Chapter 50 of this code].~~

SEC. 42A-5. EXEMPTIONS.

The provisions of this chapter do not apply to:

(1) a special event conducted entirely on:

(A) property under the control of the park and recreation board; ~~[or]~~

(B) the “convention center” ~~[or “reunion arena”]~~ as defined in Section 43-127 of this code; or

(C) public property managed by an organization with a lease or operating agreement with the city that details special event permit exemptions.

~~(2) a funeral procession [parade, as defined in Section 28-186(4) of this code, for which a permit has been issued under Article XVI of Chapter 28 of this code, except that a special event permit must be obtained for any activity not covered by the parade permit that is conducted in conjunction with the parade and that comes within the definition of a special event];~~

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(3) First Amendment activities [~~a demonstration at a fixed location other than the roadway of a street~~];

(4) a neighborhood block party that is conducted on a single block and is expected to have fewer than 200 attendees [~~farmers market (other than the Dallas Farmers Market), as defined in Section 29A-2(6) of this code, for which a permit has been issued under Chapter 29A of this code, except that a special event permit must be obtained if the market is being conducted in conjunction with other activities for which a special event permit is required by or has been issued under this chapter~~]; [~~or~~]

(5) escort vehicles [~~the distribution, offering for sale, or sale of produce, merchandise, food, or other products to consumers at the Dallas Farmers Market in compliance with a neighborhood farmers market permit issued under Chapter 29A of this code, except that a special event permit must be obtained for any event or activity, not covered by the neighborhood farmers market permit, that is conducted at the Dallas Farmers Market in conjunction with or in addition to the distribution, offering for sale, or sale of produce, merchandise, food, or other products to consumers and that comes within the definition of a special event~~];

(6) moving a structure in accordance with the Dallas Building Code;

(7) temporary art installations;

(8) news media activities; or

(9) filming on private property for personal use or that does not constitute commercial filming.

SEC. 42A-6. FEES [~~VENDORS AT A SPECIAL EVENT~~].

(a) Special event permit. An applicant for a special event permit shall pay the following application processing fees:

<u>Special Event Application Processing Fees</u>	
<u>Base Application Fee Based On Expected Total Attendance</u>	
<u><200</u>	<u>\$50</u>
<u>201 - 400</u>	<u>\$80</u>
<u>401 - 800</u>	<u>\$100</u>
<u>801 - 1000</u>	<u>\$150</u>
<u>1,001 - 2,000</u>	<u>\$200</u>
<u>2,001 - 4,000</u>	<u>\$300</u>
<u>4,001 - 8,000</u>	<u>\$400</u>
<u>8,001 - 12,000</u>	<u>\$500</u>
<u>12,001 - 20,000</u>	<u>\$600</u>
<u>20,001+</u>	<u>\$700</u>
<u>In Addition: Street Closure Fee</u>	
<u>Static Street Closure Event (Simple)</u> - An event with a set footprint that is limited to one block on residential/neighborhood streets with no parking meter hooding.	<u>\$50</u>
<u>Static Street Closure Event (Moderate)</u> - An event with a set footprint that encompasses the closure of one to three street blocks or intersections.	<u>\$100</u>
<u>Static Street Closure Event (Complex)</u> - An event with a set footprint that includes four or more closures on streets, intersections, or any closure in a high impact area.	<u>\$200</u>
<u>Moving Event (Simple)</u> - A moving event that is limited to trails and neighborhood streets.	<u>\$75</u>
<u>Moving Event (Moderate)</u> - A moving event that is 5k or less in distance and is outside of a high impact area OR a moving event that is 5k or more in length if the majority of the route is located in a park or on trails OR a wedding procession in the CBD.	<u>\$150</u>
<u>Moving Event (Complex)</u> - A moving event of which any part moves through a high impact area OR a moving event that is more than 5K in length.	<u>\$300</u>

[Not less than 10 days before a special event begins, the special event manager shall deliver notice to every city licensed vendor lawfully operating at or within a location or area in which the special event will be conducted.]

(b) Commercial filming permit. An applicant for a commercial filming permit shall pay the following application processing fees:

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<u>COMMERCIAL FILMING APPLICATION PROCESSING FEES</u>	
<u>Base Application Fee</u>	<u>\$100</u>
<i><u>In Addition: Daily fee</u></i>	
<u>Commercial Filming (Simple) - Daily permit fee.</u> <u>BRoll only: unlimited locations and no lane/street closures</u>	<u>\$25</u>
<u>Commercial Filming (Moderate) - Daily permit fee. No street/lane closures;</u> <u>maximum two locations; includes approval to restrict legal parking (meter hooding,</u> <u>no-parking signs)</u>	<u>\$100</u>
<u>Commercial Filming (Complex) - Daily permit fee. Any street/lane closure, or need</u> <u>for Traffic Control Plan; maximum two locations; complex scenes to includes stunts,</u> <u>car chases, pyrotechnics, special effects, stunt weapons, blank gunfire, crime scenes,</u> <u>etc.</u>	<u>\$150</u>
<i><u>In Addition:</u></i>	
<u>Simple Street Closure (1 block, no intersections)</u>	<u>\$50</u>
<u>Moderate Street Closure (1-3 blocks/intersections)</u>	<u>\$100</u>
<u>Complex Street Closure (4+ blocks/intersections or any closure)</u>	<u>\$200</u>
<u>Additional Single Location (exceeding the minimum two per day)</u>	<u>\$50</u>
<u>BRoll - Retro approval (per location) - related to a current active permit only</u>	<u>\$150</u>

Student filming that meets the requirements of Section 42A-20(n) is exempt from the fees in this subsection [~~The notice must include:~~

- (1) ~~the date, hours, and location of the special event;~~
- (2) ~~any special requirements that the city licensed vendor must meet to operate at the special event, including:~~
 - (A) ~~any locations from which the vendor is prohibited from vending, a map of which must be included with the notice;~~
 - (B) ~~any designated food, beverage, or product brand being promoted by the special event sponsor that the vendor is required to sale or advertise, provided that the vendor is only required to make expenditures for the actual food, beverage, or product to be sold; and~~
 - (C) ~~any special payment procedures for the sale of any food, beverage, product, or service;~~
- (3) ~~a statement that the special event manager may be contacted with any questions or comments concerning the special event].~~

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(c) Neighborhood market. An applicant for a neighborhood market permit shall pay the following application processing fees:

<u>NEIGHBORHOOD MARKET APPLICATION PROCESSING FEES</u>	
<u>Base Application Fee</u>	<u>\$100</u>
<u>Per every 10 vendors</u>	<u>\$25</u>
<u>Street Closure Fee - Simple (1 block, no intersections)</u>	<u>\$50</u>

The base application fee will be reduced by 50 percent for a certified 501(c)(3) non-profit.

(d) Streetlight pole banners. An applicant for a streetlight pole banner shall pay the following application processing fees:

<u>STREET POLE BANNER APPLICATION PROCESSING FEES</u>	
<u>Base Application Fee</u>	<u>\$100</u>
<u>Per Pole Fee</u>	<u>\$20</u>
<u>Permitted event</u> - First 5 poles at no charge, additional poles will be invoiced at full price (banners must be related to permitted event).	<i><u>5 poles at no charge</u></i>
<u>Public Improvement District</u> - First 10 poles at no charge, additional poles will be invoiced at full price (banners must be related to PID identification/beautification).	<i><u>10 poles at no charge</u></i>

[The special event manager may order any city licensed vendor who violates the special requirements of the notice to cease, for the duration of the special event, selling or offering for sale food, beverages, goods, or services at any location within 25 feet of the area designated in the special event permit for the conduct of the special event.]

(e) Dallas farmers market. An applicant for a Dallas farmers market permit shall pay an application processing fee of \$400.

(f) Additional processing fees for all permit types.

(1) A late application processing fee of \$50 per day is required, in addition to the applicable processing fee required by Subsections (a), (b), (c), and (d) of this section, if the application is filed with the director less than the minimum number business days required by Sections 42A-12, 42A-20, 42A-27, or 42A-33 before the scheduled activity is to begin.

(2) A processing fee of \$50 per change to an application requested by the applicant to a previously submitted application for any permit granted under this chapter that substantially modifies the scope or nature of the special event, commercial filming activity, neighborhood market, or streetlight pole banner.

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(3) A fee of \$5,000 for a full or half street closure of the Margaret Hunt Hill Bridge for a period of 24 hours or less. A full or half street closure is only permitted four times per calendar year.

(4) A fee of \$2,000 for a partial closure of the Margaret Hunt Hill Bridge.

(5) A fee of \$1,500 for activation of the office of emergency management for a planned permitted activity where the expected attendance is 30,000 or more.

(6) A processing fee of \$500 for a clean zone.

(7) A fee of \$50 if alcohol will be provided at a permitted activity.

(8) A fee of \$150 if alcohol will be sold at a permitted activity.

(9) A parking meter hooding or removal fee, computed in accordance with Section 28-114.12 of this code, for each parking meter required by the applicant to be hooded or removed for a planned permitted activity.

(10) A rental fee for city equipment and property used by the applicant for a planned permitted activity.

(11) A fee for the number of Dallas police officers, Dallas fire/rescue officers, or vehicles required by Sections 42A-15, 42A-16, 42A-23, and 42A-24 to provide security, crowd control, and traffic control at a special event or commercial filming activity.

(12) A fee to reimburse the city for direct costs incurred by the city in providing services at a special event; direct costs include, but are not limited to, the reasonable costs of setup, cleanup, electrical services, construction, placement and retrieval of city equipment, and other related services beyond what the city would provide to the general public in the ordinary course of its daily operations.

(13) Fee for all other required permits and licenses must be paid.

(g) List of charges. A current list of charges for the items, services, and personnel described in Subsections (f)(9), (10), and (11) and in Subsection (h), and for any other items, services, or personnel that may be required under this chapter, must be maintained in the director's office and made available for public inspection during normal business hours. The chiefs of the police department and fire-rescue department shall provide to the director the current schedule of charges for the personnel and vehicles described in Subsection (f)(11).

(h) Security deposit. Not less than 10 days before the date of the planned permitted activity, the applicant shall deposit with the appropriate city department an amount equal to a security deposit for any city equipment or property rented under Subsection (f)(10), to be refunded to the applicant if the equipment or property is returned undamaged to the city.

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(i) Police and fire/rescue fees. The applicant shall pay any remaining fees owed for all public safety expenses incurred by a special event, commercial filming project, or neighborhood market within 15 business days after receipt of an invoice from the city.

(j) Waiver. All or part of the application processing fees required by this section to be paid to the city for a city-sponsored activity may be waived by approval of the city manager or by city council resolution.

(k) Fee credit. If an application or permit is cancelled due to an Act of God and the permitted activity is rescheduled within 60 days, any previously paid application processing fees will be credited toward the rescheduled date [~~A city-licensed vendor commits an offense if he continues to sell or offer for sale food, beverages, goods, or services from a location in violation of the special event manager's order~~].

**[ARTICLE II.
SPECIAL EVENT PERMITS.]**

SEC. 42A-7. INDEMNIFICATION.

An applicant for a permit issued under this chapter shall 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 permitted activity.

SEC. 42A-8. APPEAL FROM DENIAL OR REVOCATION OF A PERMIT.

(a) If the director denies the issuance of a permit or revokes a permit, the director shall send the applicant or permit holder by certified mail, return receipt requested, written notice of the denial or revocation and of the right of appeal. Mailed notice shall be deemed received and effective three days after the date of mailing whether the notice was actually received or not or whether the notice was returned unclaimed or undeliverable.

(b) The applicant or permit holder may appeal the decision of the director to the permit and license appeal board in accordance with Section 2-96 of this code.

SEC. 42A-9. AMPLIFIED OUTDOOR SOUND AND LIGHTING.

(a) Except as provided in this section, amplified outdoor sound and lighting is allowed in conjunction with a permit issued under this chapter only between the hours of 8:00 a.m. and 10:00 p.m.

(b) The director may grant a variance to Subsection (a) if he determines that allowing outdoor amplified sound or lighting during additional hours will not result in an excessive negative impact on the quality of life of surrounding residences and businesses.

(c) The director may place reasonable restrictions on a variance granted under Subsection (b).

SEC. 42A-10. **HIGH IMPACT AREAS.**

(a) The director shall annually publish a list of high impact areas on the office of special events website by January 1.

(b) A committee shall meet at least once annually to determine the list of high impact areas. The committee must be comprised of representatives of at least five city departments and partner agencies, to include, but not limited to:

- (1) Office of special events.
- (2) Transportation.
- (3) Public works.
- (4) Water utilities.
- (5) Police.
- (6) Park and recreation.
- (7) Other city departments.
- (8) Outside agencies such as DART, Texas Department of Transportation, etc.

(c) The committee shall consider the following factors in determining which areas to designate as high impact areas:

- (1) Construction in the area.
- (2) Complaints received by the director.
- (3) Input from citizens.
- (4) Historical event and location knowledge of committee members.

SEC. 42A-11. **CLEAN ZONE.**

(a) The operational restrictions within a clean zone are imposed to negate the impact of a planned permitted activity on neighboring businesses and residents and to protect the integrity of the host and sponsors of the permitted activity. A clean zone does not affect any existing operations, signage, or permitted activity associated with a business's typical operations.

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(b) The director may designate the duration and geographic boundaries of a clean zone following consultation with the chief of police, the director of the department of code compliance, the director of the department of public works, and the director of the department of transportation.

(c) The boundaries of a clean zone, as well as any requirements and restrictions for the clean zone, must be in writing and included in the terms of the permit.

(d) If a clean zone is approved, the applicant shall deliver notice a minimum of seven days before the permitted activity begins, at the applicant's expense, to all registered homeowners' associations, religious institutions, schools, and owners or occupants of real property within the boundaries of the area of the clean zone. Notice must include, but not be limited to, the location, boundaries, effective dates and times, and the requirements and restrictions of the clean zone. Complete documentation of this effort must be submitted to the director and approved prior to permit issuance.

ARTICLE II.
SPECIAL EVENT PERMITS.

SEC. 42A-12. **APPLICATION; ISSUANCE.**

(a) A person desiring to hold a special event shall submit an online [apply for a special event permit by filing with the special event manager a written] application with the office of special events [upon a form provided for that purpose. Each application must be accompanied by the required application fee]. An application must be filed not less than the number of business [45] days indicated in the following table before the special event is to begin. The director [special event manager] may waive the [45-day] filing requirement if the application is submitted within five days of the submission due deadline and the application can be processed in less than the number of business [45] days indicated on the chart, taking into consideration the number and types of additional licenses and permits that may be required to be issued in conjunction with the special event permit and the extent of public safety, department, or agency review required based on the scope of the event.

<u>NO STREET CLOSURES</u>	<u>30 business days</u>
	-
<u>STATIC CLOSURES</u>	<u>60 business days</u>
	-
<u>MOVING EVENTS</u>	<u>120 business days</u>

(b) An application must be completed in full before it can be invoiced. An application will not be processed and the date and venue will not be confirmed until the application processing fee has been paid. [contain the following information:

(1) the name, address, and telephone number of the applicant and of any other persons responsible for the conduct of the special event;

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- ~~(2) a description of the special event, including any historical and promotional information, and requested dates and hours of operation for the event;~~
- ~~(3) the estimated number of participants and spectators at the special event;~~
- ~~(4) a drawing showing the area or route to be used during the special event, along with proposed structures, tents, fences, barricades, signs, banners, and restroom facilities;~~
- ~~(5) provisions for parking with a designation of where “No Parking” signs will be used;~~
- ~~(6) details of how applicant proposes to provide for security, crowd control, and traffic control and for any medical or other emergency;~~
- ~~(7) the time and location of street closings, if any are requested;~~
- ~~(8) details of the sale of merchandise or the sale or serving of food or alcoholic or nonalcoholic beverages at the special event, designating any street vendors or peddlers involved;~~
- ~~(9) a description of animals to be used in the special event, if any;~~
- ~~(10) a description of each motor vehicle to be used in the special event and proof that each vehicle is covered by insurance meeting the minimum requirements of:
 - ~~(A) Section 42A-10 of this chapter, if the estimated number of participants and spectators at the special event exceeds 2,500 for any day of the event; or~~
 - ~~(B) the Texas Motor Vehicle Safety Responsibility Act (Chapter 601, Texas Transportation Code), as amended, if the estimated number of participants and spectators at the special event does not exceed 2,500 for any day of the event;~~~~
- ~~(11) the name of each person who will operate a motor vehicle as part of the special event and proof that each person holds a valid driver’s license;~~
- ~~(12) details of how the applicant will clean up the area used after the special event, if on public property;~~
- ~~(13) proof that the applicant possesses or is able to obtain all licenses and permits required by this code or other city ordinance or by state law for the conduct of the special event;~~
- ~~(14) if the applicant is a corporation, copies of a current certificate of account status issued by the Texas Comptroller’s Office and a current certificate of existence issued by the Texas Secretary of State’s Office, or, if the corporation is not incorporated in or holding a certificate of authorization in the State of Texas, copies of similar current certificates from the state in which the corporation is incorporated; and~~

FOR DISCUSSION PURPOSES ONLY.

(15) ~~a description (including but not limited to the name, date, location, and size) of each special event that the applicant conducted or sponsored, or participated in conducting or sponsoring, within the preceding two years.]~~

(c) Upon receipt of the completed application, the director ~~[special event manager]~~ shall forward a copy of the application to all applicable city departments and partner agencies for review ~~[the building official, to the departments of police, fire rescue, equipment and building services, risk management, transportation, sanitation services, and code compliance, and to Dallas area rapid transit (DART)].~~ If the application must be reviewed for public safety, public safety agencies will review the application first, followed by a review by partner agencies. If any part of the scheduled activity ~~[special event]~~ is to be held on or adjacent to property that is exempt from this chapter under Section 42A-5, the director ~~[special event manager]~~ shall also include ~~[forward a copy of the application to]~~ the department that manages or controls the exempt property in the review of the application. Each department and partner agency ~~[DART]~~ shall review the application and return it, with any comments, to the director ~~[special event manager]~~ within 10 business ~~[working]~~ days of receipt requiring a response. If two or more departments deny the application, or a resolution cannot be reached, a permit will be denied. If no response is received, the director may proceed with permitting, however, if an application requires a public safety review, the director must wait for the public safety review response before proceeding.

(d) If the proposed scheduled activity will be held on private property and the applicant does not own the property, the applicant shall obtain the written consent of the property owner to conduct the scheduled activity on the property with the authorization including the date and time of the scheduled activity. The written consent must be on file with the director prior to permit issuance. The applicant shall present the written consent to the director or any peace officer upon request. [The departments, DART, and the special event manager may prescribe licenses, permits, and authorizations required by other city ordinances or applicable law, restrictions, regulations, safeguards, and other conditions necessary for the safe and orderly conduct of a special event, to be incorporated into the permit before issuance.]

(e) The director shall cancel a special event permit application if:

(1) a special event permit has been granted or is in the review process for another special event at the same or a nearby place and the same time;

(2) an established special event is customarily held at the same or a nearby place and the same time as the proposed special event;

(3) the proposed special event will occupy any part of a freeway, expressway, or tollway;

(4) the proposed special event will unreasonably disrupt the orderly flow of traffic, and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available;

(5) the proposed special event cannot comply with high impact parameters;

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(6) the applicant makes a false statement of material fact on an application for a special event permit or fails to properly complete an application for a special event permit;

(7) the applicant had a special event permit revoked within the preceding 14 months;

(8) the applicant has committed, within the preceding 14 months, two or more violations of a provision of a special event permit or this chapter;

(9) the applicant has conducted or sponsored one or more special events within the city on at least 60 days of the same calendar year during which the proposed special event is to be held; or

(10) the applicant has a history of conducting or sponsoring special events in a disorderly, unsafe, unsanitary, or fiscally irresponsible manner.

(f) If the director determines that an application requires additional information in order to make a decision, or if additional fees will be required to process the application, the application will be considered incomplete and cancelled if the applicant does not supply the additional information or fees after the director has sent two reminder emails and made one reminder phone call after a period of 10 business days without a response from the applicant.

(g) If the director determines that an applicant has failed to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed scheduled activity or a past scheduled activity, the application will be deemed incomplete and the application will be cancelled. An application that has been cancelled under this subsection cannot be re-filed for 12 months.

(h) If the applicant makes major changes to the original submission of an application, this will result in the original permit application being deemed incomplete and cancelled. A revised permit application will be required, along with new application processing fees if the applicant wishes to pursue the application.

(i) An application that has been cancelled because it is incomplete cannot be appealed under Section 42A-8 and all application processing fees are forfeited.

(j) After reviewing and confirming all permit requirements have been met [the application and comments], the director [special event manager] shall issue the special event permit unless denial or revocation is required by Section 42A-19 [42A-13]. Except as provided in this subsection, a [A] special event permit will be issued for a period not to exceed 10 consecutive days. A special event permit for a city-sponsored event on city hall plaza will be issued for a period not to exceed 30 consecutive days. A special event permit may be extended [renewed, without payment of the application fee,] for additional consecutive 10-day periods not to exceed 60 days [during which a special event will be conducted, unless the time limitations set forth in Section 42A-13(a)(12) of this chapter would be exceeded].

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(k) The director may place additional requirements or restrictions on special events held in high impact areas.

(l) In granting a permit, the city may provide city services and equipment for city-sponsored activities and other events in accordance with the city's special event in-kind sponsorship guidelines and subject to approval of the city manager.

[SEC. 42A-8. FEES.

~~(a) Special event permit. An applicant for a special event permit shall pay the following fees to conduct the special event:~~

~~(1) A nonrefundable application fee of:~~

~~(A) \$30 for a special event (other than one involving commercial filming activity) in which the estimated number of participants and spectators in any day of the event exceeds 75 but does not exceed 200;~~

~~(B) \$50 for a special event (other than one involving commercial filming activity) in which the estimated number of participants and spectators in any day of the event exceeds 200 but does not exceed 400;~~

~~(C) \$75 for a special event (other than one involving commercial filming activity) in which the estimated number of participants and spectators in any day of the event exceeds 400 but does not exceed 800;~~

~~(D) \$100 for a special event (other than one involving commercial filming activity) in which the estimated number of participants and spectators in any day of the event exceeds 800 but does not exceed 1,000;~~

~~(E) \$250 for a special event (other than one involving commercial filming activity) in which the estimated number of participants and spectators in any day of the event exceeds 1,000 but does not exceed 20,000;~~

~~(F) \$500 for a special event (other than one involving commercial filming activity) in which the estimated number of participants and spectators in any day of the event exceeds 20,000;~~

~~(G) \$250 for a special event involving commercial filming activity, regardless of the estimated number of participants and spectators in any day of the event, except that the fee is \$50 if the special event requires:~~

- ~~(i) only street closings and/or traffic management services; or~~
- ~~(ii) only the hooding of parking meters; and~~

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~~(H) no application fee for a special event that is open to the public and being conducted at the Dallas Farmers Market in compliance with the market's agreements and covenants with the city.~~

~~(2) All fees for permits and licenses required by other city ordinances to conduct specific activities in conjunction with or as part of the special event.~~

~~(3) A parking meter hooding or removal fee, computed in accordance with Section 28-114.12 of this code, for each parking meter required by the applicant to be hooded or removed for the special event.~~

~~(4) A rental fee for city equipment and property, including but not limited to barricades and street fixtures, used by the applicant for the special event.~~

~~(5) A fee for the number of Dallas police officers required by Section 42A-12 to provide security, crowd control, and traffic control at the special event.~~

~~(6) A fee to reimburse the city for direct costs incurred by the city in providing services at the special event; direct costs include, but are not limited to, the reasonable costs of setup, cleanup, electrical services, construction, placement of "No Parking" signs and other traffic control devices, and other related services beyond what the city would provide to the general public in the ordinary course of its daily operations.~~

~~(7) A fee of \$40, in addition to the applicable application fee required by Paragraph (1) of this subsection, if:~~

~~(A) the application for a special event is filed with the special event manager less than 45 days before the special event is scheduled to begin; or~~

~~(B) changes are requested to a previously submitted application that, in the opinion of the special event manager, substantially modify the scope or nature of the special event.~~

~~(8) A fee for the number of Dallas emergency medical personnel and emergency medical vehicles required by Section 42A-11.1 to provide first aid and emergency medical services at the special event.~~

~~(b) A current list of charges for the items, services, and personnel described in Subsections (a)(4), (5), (6), and (8) and in Subsection (c)(3) must be maintained in the special event manager's office and made available for public inspection during normal business hours. The chief of the police department shall provide to the special event manager the current schedule of charges for the personnel described in Subsection (a)(5), and the chief of the fire-rescue department shall provide to the special event manager the current schedule of charges for the personnel and vehicles described in Subsection (a)(8).~~

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(e) ~~Not less than 10 days before the date of the special event as shown on the special event permit, the applicant shall deposit with the special event manager an amount equal to:~~

~~(1) all permit and license fees required by Subsection (a)(2);~~

~~(2) one-third of the estimated fees required by Subsections (a)(3), (4), and (6);~~

~~and~~

~~(3) a security deposit for any city equipment or property rented under Subsection (a)(4), to be refunded to the applicant if the equipment or property is returned undamaged to the city.~~

~~(d) The applicant shall pay any remaining fees owed the city for a special event within 60 days after the special event ends. The applicant may, upon written request to the special event manager, obtain a refund of any fee deposited with the special event manager for a service that the city did not provide for the special event.~~

~~(e) All or part of the fees required by Subsection (a) to be paid to the city for a city-sponsored special event may be waived by city council resolution.]~~

SEC. 42A-13[9].

NOTICE.

(a) ~~An applicant for a permit to hold a special event [in which the estimated number of participants and spectators exceeds 500 during any day of the special event] shall deliver notice[.] at [least 30 days before the special event begins,] the applicant's expense, [deliver notice] to all owners or occupants of real property abutting the [boundaries of the area in which the special] event or [will be conducted, including all owners or occupants of real property abutting the] route of a progressive event such as a special event parade or marathon, as well as all owners and occupants of real property in adjoining impacted areas as determined by the director.~~

(b) Notice must include, at a minimum, the dates, days, locations, and types of activities taking place during the special event. The notice must give detour or alternate route information in the format prescribed by the director if regular access is affected or if transportation systems are impacted. The notice must indicate the times of street closure and when streets will be reopening, and include a list of crossing points that will be available during the time a road is closed. Rideshare and mass transit details must be included in the notice. The notice must also include a telephone number and email address where members of the public can contact an event representative with the authority to address issues or concerns prior to the event and throughout the event timeframe including set-up and dismantle. The director may require additional notice based on the scope, anticipated impact, date, time, and location of the proposed special event. Complete documentation of this effort, including proof of rideshare agreements, must be available to the director upon request. [The notice must be delivered to the address of each abutting property.

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(c) The notice must state that an application for a special event permit has been filed for the location and that interested persons may contact the director [~~special event manager~~] with their comments. The director will determine the most appropriate method of notification according to the following table:

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NOTIFICATION REQUIREMENTS FOR PERMITTED SPECIAL EVENTS							
<u>COMMUNICATION TYPES</u>	<u>NO STREET CLOSURE</u>	<u>STATIC CLOSURE EVENTS</u>			<u>MOVING EVENTS</u>		
		<u>Simple</u>	<u>Moderate</u>	<u>Complex</u>	<u>Simple</u>	<u>Moderate</u>	<u>Complex</u>
<u>Notifications are NOT required for outdoor events with an expected attendance of 250 or fewer people and with no street/lane closures.</u>	<u>X</u>						
<u>Neighborhood/Residential based events: notify all owners and occupants of real property abutting the event area and all those impacted by the event a minimum of 15 days prior to the event date utilizing a minimum of two of the following communication methods: email distribution; electronic notification through web app. e.g. NextDoor; yard signs along the event footprint; posting in a neighborhood association/PTA/PTO newsletter and/or social media page; hand delivered; or mailed.</u>	<u>X</u>	<u>X</u>	<u>X</u>		<u>X</u>	-	
<u>Deliver written notice to all owners and occupants of real property abutting the event area and all those impacted by the event a minimum of 30 days prior to the event date (mail, hand delivered, or door hanger).</u>		-	-	<u>X</u>		<u>X</u>	<u>X</u>
<u>Deliver written notice to all owners and occupants of real property abutting the event area and all those impacted by the event a minimum of 15 days prior to the event date (mail, hand delivered, or door hanger). Zone specific communication pieces apply.</u>		-	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>
<u>Direct communication and notification is required via in-person or phone and a follow-up email to all major employers; multi-family housing; places of worship; and neighborhood associations abutting the event area and all those impacted by the event.</u>		-	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>
<u>Contact Waze, Google etc. to request street closures be posted.</u>		-	-	<u>X</u>		<u>X</u>	<u>X</u>
<u>Council members are encouraged to post district specific event details to social media.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Council members are encouraged to distribute district specific street closure details to stakeholders from OSE weekly report.</u>		-	-	<u>X</u>		<u>X</u>	<u>X</u>
<u>Develop targeted (zone specific) communication. Utilize digital neighborhood based platforms and available databases to communicate street closures specific to neighborhoods and business zones impacted.</u>		-	-	<u>X</u>			<u>X</u>
<u>Develop targeted (zone specific) communication. Provide OSE a final communication piece to distribute to community stakeholders through the City Council Office and OSE (available database).</u>		-	-	<u>X</u>			<u>X</u>
<u>OSE to create and distribute a Traffic Advisory.</u>		-	-	<u>X</u>			<u>X</u>
<u>OSE to create and distribute a City Hall Announcement for all City Hall Plaza permitted events and all events that impact city hall garage access.</u>	<u>X</u>	-	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>
<u>OSE to post event to web calendar with hyperlink to event website for maps, street closures, rerouting information etc.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Provide communication piece to be distributed by OSE through OSE email database (to be developed).</u>		-	-	<u>X</u>			<u>X</u>

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The director will determine the specific notification requirements based on a variety of factors including but not limited to: event size, dates, times, footprint, anticipated impact, and historical knowledge of the event.

(d) The director may require additional notice based on the scope, anticipated impact, date, time, and location of the proposed special event. Complete documentation of this effort, including proof of rideshare agreements, must be available to the director upon request.

SEC. 42A-14[10]. INSURANCE.

(a) An applicant for a permit to hold a special event in which the estimated number of participants and spectators exceeds 2,500 for any day of the event shall procure and keep in full force and effect for the duration of the event insurance written by an insurance company approved by the State of Texas and acceptable to the city and issued in the standard form approved by the Texas Department of Insurance. All provisions of each policy must be acceptable to the city. Each policy must name the city and its officers and employees as additional insureds. The coverage provisions of each policy must provide coverage for any loss or damage that may arise to any person or property by reason of the conduct of the special event by the applicant.

(b) Insurance is required in the following types and amounts:

(1) Commercial general liability insurance must be provided with combined single limits of liability for bodily injury and property damage of not less than:

(A) \$500,000 for each occurrence, for an estimated daily number of participants and spectators of 2,501 to 4,999; or

(B) \$1,000,000 for each occurrence, for an estimated daily number of participants and spectators of 5,000 or more.

(2) If a special event includes vehicles, aircraft, or other equipment, devices, or activities that are excluded from coverage in the commercial general liability insurance policy required in Paragraph (1) of this subsection, then separate additional liability insurance coverage for the applicable exclusion must be provided with combined single limits of liability for bodily injury and property damage of not less than:

(A) \$500,000 for each occurrence, for an estimated daily number of participants and spectators of 2,501 to 4,999; or

(B) \$1,000,000 for each occurrence, for an estimated daily number of participants and spectators of 5,000 or more.

(3) If any alcoholic beverage is sold, served, or otherwise made available at the special event, then separate additional liquor liability insurance must be provided by the alcoholic beverage license holder in an amount of not less than \$1,000,000 for each claim.

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(4) If any fireworks or other special effects are displayed at the special event, then separate additional general liability insurance must be provided by the pyrotechnics company in an amount of not less than \$3,000,000 for each claim.

(5) If security guards (other than Dallas police officers or city staff) are used at the special event, then separate additional security guard liability insurance must be provided by the security guard company in an amount of not less than \$1,000,000 for each claim.

(6) If emergency response or first aid stations (other than stations staffed by only Dallas fire-rescue officers or city staff) are provided at the special event, then separate additional medical liability insurance must be provided by the applicant in an amount of not less than \$1,000,000 for each claim, and if ambulance service (other than service provided by Dallas fire-rescue officers and vehicles) is provided, then separate additional automobile liability insurance must be provided by the ambulance provider in an amount of not less than \$1,000,000 combined single limit for each claim.

(7) If amusement rides are provided at the special event, proof of separate additional general liability insurance meeting the state liability and coverage requirements for each particular ride must be provided by the applicant, along with a current certificate of inspection for each ride.

(8) If animals are part of the special event, then separate additional general liability insurance covering any bodily injury and property damage caused by animals must be provided by the applicant in an amount of not less than \$500,000 for each claim.

(9) If the special event is conducted at a city- owned facility that is not covered by insurance requirements established by a city lease and use agreement, then separate additional general liability insurance must be provided by the applicant in an amount of not less than \$1,000,000 [~~500,000~~] for each claim.

(c) In addition to the insurance requirements of Subsection (b) of this section, the director [~~special event manager~~] may require additional insurance for a special event if such additional insurance is recommended by the city's risk manager as being necessary for the protection of the city or the public health, safety, and welfare.

(d) If a facility or other property owned or managed by the city is subject to both the insurance requirements of this chapter and insurance requirements established by another city ordinance, an official city action, a city lease or use agreement, or other applicable law, then the insurance requirements with the greater limits and coverages must be met to conduct the special event at the facility or property.

(e) An original certificate of insurance completed by an authorized agent of the insurance company and evidencing each insurance coverage required under this section must be delivered to the director [~~special event manager~~] at least 10 days before the special event begins.

FOR DISCUSSION PURPOSES ONLY.

[~~SEC. 42A-11.~~ INDEMNIFICATION.

~~An applicant for a 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.]~~

SEC. 42A-15[~~11.1~~]. EMERGENCY MEDICAL SERVICES.

(a) An applicant for a special event permit shall provide, in accordance with Subsection (b) and the following schedule, emergency medical personnel and emergency medical vehicles to perform first aid and emergency medical services at the special event:

<u>MINIMUM NUMBER OF EMERGENCY MEDICAL PERSONNEL/VEHICLES REQUIRED</u>					
<u>(based on number of participants and spectators at the special event)</u>					
<u>Type of Emergency Medical Personnel or Vehicle Required</u>	<u>1 - 100 participants/ spectators</u>	<u>101 - 3,000 participants/ spectators</u>	<u>3,001 - 5,000 participants/ spectators</u>	<u>5,001 - 25,000 participants/ spectators</u>	<u>Over 25,000 participants/ spectators</u>
<u>Paramedics</u>	<u>0</u>	<u>2</u>	<u>6</u>	<u>8</u>	<u>14</u>
<u>EMS Supervisors</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>5</u>
<u>Emergency Medical Vehicles</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>4</u>	<u>7</u>

FOR DISCUSSION PURPOSES ONLY.

[MINIMUM NUMBER OF EMERGENCY MEDICAL PERSONNEL/VEHICLES REQUIRED (based on number of participants and spectators at the special event)]					
Type of Emergency Medical Personnel or Vehicle Required	1 - 2,500 participants/ spectators	2,501 - 10,000 participants/ spectators	10,001 - 25,000 participants/ spectators	25,001 - 50,000 participants/ spectators	Over 50,000 participants/ spectators
Paramedics	0	4	8	8	10
EMS Supervisors	0	1	2	3	3
Emergency Medical Vehicles	0	1	1	2	2]

(b) The director [~~special event manager~~], upon recommendation of the chief of the Dallas fire-rescue department, may require a number of emergency medical personnel and emergency medical vehicles, in addition to those required in Subsection (a), if:

- (1) any alcoholic beverage is sold, served, or otherwise made available at the special event;
- (2) special needs for increased emergency medical services are created by:
 - (A) the topography or size of the special event location;
 - (B) weather conditions at the special event; or
 - (C) the time of day during which the special event is conducted;
- (3) the special event requires street closures or rerouting of vehicular or pedestrian traffic that may affect emergency access to the special event;
- (4) the special event involves specific activities that create a higher risk of illness or injury to persons participating in or attending the event, including but not limited to rodeos, sporting or athletic events, events involving motor vehicles, or marathons; or
- (5) the history of the particular special event indicates that a greater number of emergency medical personnel or emergency medical vehicles are required to protect the public health, safety, and welfare.

FOR DISCUSSION PURPOSES ONLY.

(c) The emergency medical personnel required to be provided at a special event by this section must be sworn members of the Dallas fire-rescue department, except that the chief of the Dallas fire- rescue department may authorize a special event applicant or permit holder to provide emergency medical personnel from other jurisdictions or entities if the chief determines that an insufficient number of Dallas fire-rescue officers will be available for a particular special event. Off-duty jobs for Dallas fire- rescue officers at a special event must comply with the Dallas Fire-Rescue Rules and Regulations.

SEC. 42A-16[12]. SECURITY; CROWD CONTROL; AND TRAFFIC CONTROL.

(a) An applicant for a special event permit shall provide police officers for security, crowd control, and traffic control at the special event in accordance with Subsection (b) and the following schedule:

Number of Participants and Spectators at Special Event	Minimum Number of Police Officers Required*
0 to 250	0 <u>or</u> 2
251 to 1,500	2 <u>-</u> 4
1,501 to 3,000	4 <u>-</u> 6
3,001 to 5,000	6 <u>-</u> 15
over 5,000	15 [6] plus 1 police officer for every 1,000 participants and spectators over 5,000 at the special event

* The minimum number of officers in the above table may vary depending on the scope of the event, the sale or service of alcohol, on-stage talent, event geography, historical knowledge of the event, police intelligence, and any other factor that is determined to impact public safety.

(b) The director [~~special event manager~~], upon recommendation of the chief of the Dallas police department, may require a number of police officers, in addition to those required in Subsection (a), if:

- (1) any alcoholic beverage is sold, served, or otherwise made available at the special event;
- (2) special needs for increased security, crowd control, or traffic control are created by:
 - (A) the topography or size of the special event location;
 - (B) weather conditions at the special event; or
 - (C) the time of day during which the special event is conducted;

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(3) the special event requires street closures or rerouting of vehicular or pedestrian traffic; or

(4) the history of the particular special event indicates that a greater number of police officers are required to protect the public health, safety, and welfare.

(c) The police officers required to be provided at a special event by this section must be sworn members of the Dallas police department, except that the chief of the Dallas police department may authorize a special event applicant or permit holder to provide peace officers from other jurisdictions or entities if the chief determines that an insufficient number of Dallas police officers will be available for a particular special event. Off-duty jobs for Dallas police officers at a special event must comply with the Dallas Police Department General Orders and Code of Conduct.

(d) A permit holder must provide the name, phone number, and email address of an individual who will be available following submission of an application through the end of the event, as well as at the special event site the day of the special event, to respond to any questions or concerns from police officers or code compliance officers. This individual shall meet police officers or code enforcement officers at the special event site within one hour of being contacted by telephone or email.

(e) If the director requires a traffic control plan in conjunction with a special event, the plan must include the following:

- (1) the route and footprint of the special event.
- (2) all street closures.
- (3) lane restrictions.
- (4) alternate through traffic routes.
- (5) footprint for event staging.
- (6) any start line and finish line.
- (7) dedicated locations shared rides and shuttles.
- (8) the type and location of all traffic control devices.

(f) A traffic control plan required by Subsection (e) must receive approval from the directors of public works and transportation, and the chief of police.

SEC. 42A-~~17~~[~~12.1~~].

PORTABLE RESTROOM AND TRASH RECEPTACLE REQUIREMENTS.

FOR DISCUSSION PURPOSES ONLY.

(a) An applicant for a special event permit shall provide portable restrooms and trash receptacles at the special event in accordance with Subsection (b) and the following table:

<u>MINIMUM NUMBER OF RESTROOM UNITS AND TRASH RECEPTACLES REQUIRED</u>										
<u>EXPECTED ATTENDANCE</u>	<u>HOURS OF EVENT</u>									
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
<u>500 - 599</u>	<u>2</u>	<u>4</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>9</u>	<u>9</u>	<u>10</u>	<u>12</u>
<u>600 - 699</u>	<u>2</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>7</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>
<u>700 - 799</u>	<u>3</u>	<u>5</u>	<u>6</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>10</u>	<u>10</u>	<u>11</u>	<u>12</u>
<u>800 - 899</u>	<u>3</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>8</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>
<u>900 - 999</u>	<u>4</u>	<u>6</u>	<u>7</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>11</u>	<u>11</u>	<u>12</u>	<u>13</u>
<u>1,000 - 1,999</u>	<u>4</u>	<u>6</u>	<u>8</u>	<u>8</u>	<u>9</u>	<u>9</u>	<u>11</u>	<u>12</u>	<u>13</u>	<u>13</u>
<u>2,000 - 2,999</u>	<u>5</u>	<u>6</u>	<u>9</u>	<u>12</u>	<u>14</u>	<u>16</u>	<u>18</u>	<u>20</u>	<u>23</u>	<u>25</u>
<u>3,000 - 3,999</u>	<u>6</u>	<u>9</u>	<u>12</u>	<u>16</u>	<u>20</u>	<u>24</u>	<u>26</u>	<u>30</u>	<u>34</u>	<u>38</u>
<u>4,000 - 4,999</u>	<u>8</u>	<u>13</u>	<u>16</u>	<u>22</u>	<u>25</u>	<u>30</u>	<u>35</u>	<u>40</u>	<u>45</u>	<u>50</u>
<u>5,000 - 5,999</u>	<u>12</u>	<u>15</u>	<u>20</u>	<u>25</u>	<u>31</u>	<u>38</u>	<u>44</u>	<u>50</u>	<u>56</u>	<u>63</u>
<u>6,000 - 6,999</u>	<u>13</u>	<u>17</u>	<u>24</u>	<u>30</u>	<u>37</u>	<u>45</u>	<u>53</u>	<u>60</u>	<u>67</u>	<u>75</u>
<u>7,000 - 7,999</u>	<u>13</u>	<u>19</u>	<u>27</u>	<u>35</u>	<u>44</u>	<u>53</u>	<u>62</u>	<u>70</u>	<u>79</u>	<u>88</u>
<u>8,000 - 8,999</u>	<u>14</u>	<u>21</u>	<u>31</u>	<u>40</u>	<u>50</u>	<u>60</u>	<u>70</u>	<u>80</u>	<u>90</u>	<u>100</u>
<u>9,000 - 9,999</u>	<u>14</u>	<u>23</u>	<u>34</u>	<u>45</u>	<u>57</u>	<u>68</u>	<u>79</u>	<u>90</u>	<u>102</u>	<u>113</u>
<u>10,000 - 14,999</u>	<u>15</u>	<u>25</u>	<u>38</u>	<u>50</u>	<u>63</u>	<u>75</u>	<u>88</u>	<u>100</u>	<u>113</u>	<u>125</u>
<u>15,000 - 19,999</u>	<u>20</u>	<u>38</u>	<u>56</u>	<u>75</u>	<u>94</u>	<u>113</u>	<u>131</u>	<u>150</u>	<u>169</u>	<u>188</u>
<u>20,000 - 24,999</u>	<u>25</u>	<u>50</u>	<u>75</u>	<u>100</u>	<u>125</u>	<u>150</u>	<u>175</u>	<u>200</u>	<u>225</u>	<u>250</u>
<u>25,000 - 29,999</u>	<u>38</u>	<u>69</u>	<u>99</u>	<u>130</u>	<u>160</u>	<u>191</u>	<u>221</u>	<u>252</u>	<u>282</u>	<u>313</u>
<u>30,000 - 34,999</u>	<u>46</u>	<u>82</u>	<u>119</u>	<u>156</u>	<u>192</u>	<u>229</u>	<u>266</u>	<u>302</u>	<u>339</u>	<u>376</u>
<u>35,000 - 39,999</u>	<u>53</u>	<u>96</u>	<u>139</u>	<u>181</u>	<u>224</u>	<u>267</u>	<u>310</u>	<u>352</u>	<u>395</u>	<u>438</u>
<u>40,000 - 44,999</u>	<u>61</u>	<u>109</u>	<u>158</u>	<u>207</u>	<u>256</u>	<u>305</u>	<u>354</u>	<u>403</u>	<u>452</u>	<u>501</u>
<u>45,000 - 49,999</u>	<u>68</u>	<u>123</u>	<u>178</u>	<u>233</u>	<u>288</u>	<u>343</u>	<u>398</u>	<u>453</u>	<u>508</u>	<u>563</u>
<u>50,000 - 54,999</u>	<u>76</u>	<u>137</u>	<u>198</u>	<u>259</u>	<u>320</u>	<u>381</u>	<u>442</u>	<u>503</u>	<u>564</u>	<u>626</u>
<u>55,000 - 59,999</u>	<u>83</u>	<u>150</u>	<u>217</u>	<u>285</u>	<u>352</u>	<u>419</u>	<u>486</u>	<u>554</u>	<u>621</u>	<u>688</u>
<u>60,000 - 64,999</u>	<u>91</u>	<u>164</u>	<u>237</u>	<u>311</u>	<u>384</u>	<u>457</u>	<u>531</u>	<u>604</u>	<u>677</u>	<u>751</u>
<u>65,000 - 69,999</u>	<u>98</u>	<u>177</u>	<u>257</u>	<u>336</u>	<u>416</u>	<u>495</u>	<u>575</u>	<u>654</u>	<u>734</u>	<u>813</u>
<u>70,000 - 74,999</u>	<u>106</u>	<u>191</u>	<u>277</u>	<u>362</u>	<u>448</u>	<u>533</u>	<u>619</u>	<u>704</u>	<u>790</u>	<u>876</u>
<u>75,000 - 79,999</u>	<u>113</u>	<u>205</u>	<u>296</u>	<u>388</u>	<u>480</u>	<u>571</u>	<u>663</u>	<u>755</u>	<u>846</u>	<u>938</u>
<u>80,000 - 84,999</u>	<u>121</u>	<u>218</u>	<u>316</u>	<u>414</u>	<u>512</u>	<u>609</u>	<u>707</u>	<u>805</u>	<u>903</u>	<u>1001</u>
<u>85,000 - 89,999</u>	<u>128</u>	<u>232</u>	<u>336</u>	<u>440</u>	<u>544</u>	<u>647</u>	<u>751</u>	<u>855</u>	<u>959</u>	<u>1063</u>
<u>90,000 - 94,999</u>	<u>136</u>	<u>246</u>	<u>356</u>	<u>466</u>	<u>576</u>	<u>686</u>	<u>796</u>	<u>906</u>	<u>1016</u>	<u>1126</u>
<u>95,000 - 99,999</u>	<u>143</u>	<u>259</u>	<u>375</u>	<u>491</u>	<u>607</u>	<u>724</u>	<u>840</u>	<u>956</u>	<u>1072</u>	<u>1188</u>
<u>100,000 or more</u>	<u>151</u>	<u>273</u>	<u>395</u>	<u>517</u>	<u>639</u>	<u>762</u>	<u>884</u>	<u>1006</u>	<u>1128</u>	<u>1251</u>

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[MINIMUM NUMBER OF RESTROOM UNITS REQUIRED										
Estimated Number of Participants and Spectators Attending Event Daily	Length of Event (in hours) Per Day									
	1	2	3	4	5	6	7	8	9	10
1–50	1	1	1	1	2	2	2	2	2	2
51–100	2	2	2	2	2	3	3	3	3	3
101–250	3	3	3	3	4	4	4	6	6	6
251–500	4	4	4	4	6	6	8	8	8	8
501–1,000	4	5	6	7	7	8	8	8	9	9
1,001–2,000	6	10	12	13	14	14	14	15	15	15
2,001–3,000	9	14	17	19	20	21	21	21	21	21
3,001–4,000	12	19	23	25	28	28	28	30	30	30
4,001–5,000	15	23	32	32	34	36	36	36	36	36
5,001–6,000	17	28	34	38	40	42	42	42	42	42
6,001–7,000	20	32	40	44	46	48	50	50	50	50
7,001–8,000	23	38	46	50	54	57	57	57	57	57
8,001–10,000	30	46	57	63	66	69	69	72	72	72]

(b) The director [~~special event manager~~] may require additional restroom units if:

- (1) the estimated number of participants and spectators exceeds 100,000 during any day of the special event;
- (2) the estimated duration of the special event exceeds 10 hours on any day of the event;
- (3) any alcoholic beverage is sold, served, or otherwise made available at the special event; or
- (4) the history of the particular special event indicates that a greater number of portable restroom units are required for the public health, safety, and welfare.

(c) At least five percent of the portable restroom required by this section must comply with the American With Disabilities Act of 1990, 42 U.S.C. Section 12101, et seq.

SEC. 42A-18.

PARKING AT SPECIAL EVENTS.

(a) A complete parking plan must be submitted with each special event application. The director may waive this requirement for special events with an expected total attendance of less than 250.

(b) The parking plan must demonstrate that adequate parking will be available to accommodate the expected total attendance.

(c) The parking plan must be approved prior to the issuance of a special event permit.

(d) Meter hooding and no parking zones in connection a special event must be limited to the shortest time feasible. No parking signs must be posted a minimum of 24 hours in advance of the special event and follow a standard format approved by the director.

(e) Additional parking requirements or restrictions may be implemented for areas determined to be high impact areas in accordance with Section 42A-10 or in areas with known parking issues.

SEC. 42A-19[13].

DENIAL OR REVOCATION.

(a) The director [special event manager] shall deny a special event permit if:

(1) the applicant fails to meet any of the requirements outlined and defined in the preliminary letter; [a special event permit has been granted for another special event at the same place and time;]

(2) [an established special event is customarily held at the same place and time as the proposed special event;

(3) the proposed special event will occupy any part of a freeway, expressway, or tollway;

(4) the proposed special event will unreasonably disrupt the orderly flow of traffic, and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available;

(5) the applicant fails to adequately provide for:

(A) the protection of special event participants and spectators;

(B) maintenance of public order in and around the special event location;

(C) security, crowd control, or traffic control, taking into consideration the size of the special event;

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~~(D) emergency vehicle access and the provision of emergency medical services and personnel; or~~

~~(E) portable restroom facilities for the special event as required by Section 42A-12.1.~~

~~(6) the applicant fails to comply with or the proposed special event will violate a city ordinance or other applicable law, unless the prohibited conduct or activity would be allowed under this chapter;~~

~~(7) the applicant makes a false statement of material fact on an application for a special event permit or fails to properly complete an application for a special event permit;~~

~~(8) the applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by another city ordinance or other applicable law for the conduct of all activities included as part of the special event;~~

~~(9) the applicant has had a special event permit revoked within the preceding 14 months;~~

~~(10) the applicant has committed, within the preceding 14 months, two or more violations of a provision of a special event permit or this chapter;~~

~~(11) the applicant fails to pay any outstanding fees assessed under Section 42A-8 of this chapter for the proposed special event or for a past special event;~~

~~(12) the applicant has conducted or sponsored one or more special events within the city on at least 60 days of the same calendar year during which the proposed special event is to be held, except that this 60-day limitation does not apply to a special event that:~~

~~(A) involves a commercial movie production; or~~

~~(B) is being conducted at the Dallas Farmers Market in compliance with the market's agreements and covenants with the city;~~

~~(13) the chief of the police department, the chief of the fire-rescue department, or the director [~~special event manager~~] determines that the special event would pose a serious threat to the public health, safety, or welfare;~~

~~(14) the applicant or any other person responsible for the conduct or sponsorship of the special event is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or other person;~~

~~(15) the applicant has a history of conducting or sponsoring special events in a disorderly, unsafe, unsanitary, or fiscally irresponsible manner;~~

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~~[(16) an event has been previously scheduled for the same time on property described in Section 42A-5(1) that is adjacent to the location of the proposed special event; or~~

~~(17) the applicant, if it is a corporation, fails to provide copies of a current certificate of account status and current certificate of existence as required by Section 42A-7(b)(14);~~

(8) the director is notified of any code violation on the property where the special event will be held; or

(9) an event will interfere with the rights of nearby residents to the quiet, peaceable, and undisturbed enjoyment of their property.

(b) The director [~~special event manager~~] shall revoke a special event permit if:

(1) the applicant fails to comply with or the special event is in violation of any provision of the special event permit, a city ordinance, or any other applicable law;

(2) the permit holder made a false statement or omission of material fact on an application for a special event permit [~~or failed to properly complete an application for a special event permit~~];

(3) the chief of the police department, the chief of the fire-rescue department, or the director [~~special event manager~~] determines that the special event poses a serious threat to the public health, safety, or welfare;

(4) the permit holder fails to maintain public order in and around the special event location;

(5) the permit holder failed to pay any outstanding fees assessed under Section 42A-6 [42A-8] of this chapter for the proposed special event or for a past special event;

(6[5]) the director is notified that the permit holder or any other person responsible for the conduct or sponsorship of the special event is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the permit holder or other person; or

(7[6]) the director is notified of any code violations on the property where the special event will be held [~~permit holder, if it is a corporation, failed to provide copies of a current certificate of account status and current certificate of existence as required by Section 42A-7(b)(14)].~~

~~[SEC. 42A-14. APPEAL FROM DENIAL OR REVOCATION OF A SPECIAL EVENT PERMIT.~~

~~If the special event manager denies the issuance of a permit or revokes a permit, the special event manager shall send to the applicant or permit holder by certified mail, return receipt requested, written notice of the denial or revocation and of the right to an appeal. The applicant or permit holder may appeal the decision of the special event manager to a permit and license appeal board in accordance with Section 2-96 of this code.]~~

**ARTICLE III.
COMMERCIAL FILMING PERMIT.**

SEC. 42A-20. APPLICATION; ISSUANCE.

(a) Any person who desires to undertake commercial filming, still photography, or related activities is required to secure a commercial filming permit.

(b) An application for a commercial filming permit must be submitted online. An application must be filed in advance to allow the required processing time as detailed in the following table:

<u>Commercial Filming type</u>	<u>Required number of application processing days</u>
<u>Student or Commercial Filming (Simple) application</u>	<u>Three days</u>
<u>Commercial Filming (Moderate) application/permit</u>	<u>Four days</u>
<u>Commercial Filming (Complex) application/permit</u>	<u>Five days</u>

(c) An application must be completed in full. An application will not be processed until the application processing fee has been paid. A complete application must be filed and the application processing fee must be paid prior to the application submission due deadline in Subsection (b).

(d) The time for processing and acting upon a commercial filming application in Subsection (b) does not start to run until a complete application has been filed and the application processing fee has been paid.

(e) Incomplete applications may be cancelled. Submission of a complete application does not guarantee a commercial filming permit will be issued. All requirements must be met prior to permit issuance.

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(f) If the director determines that an application requires additional information in order to make a decision, or if additional fees will be required to process the application, the application will be considered incomplete and cancelled if the applicant does not supply the additional information or fees after the director has sent two reminder emails and made one reminder phone call after a period of 10 business days without a response from the applicant. An application that has been cancelled because it is incomplete cannot be appealed under Section 42A-8.

(g) If the proposed commercial filming activity will be held on private property and the applicant does not own the property, the applicant shall obtain the written consent of the property owner to conduct the commercial filming activity on the property. The applicant shall present the written consent to the director or any peace officer upon request. The written consent must be on file with the director prior to permit issuance.

(h) The director shall cancel a commercial filming permit if:

(1) another permit has been granted under this chapter or is in the review process at the same or a nearby place and the same time;

(2) the proposed commercial filming activity will occupy any part of a freeway, expressway, or tollway;

(3) the proposed commercial filming activity will unreasonably disrupt the orderly flow of traffic, and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available; or

(4) the proposed commercial filming cannot comply with high impact parameters.

(i) Changes to a commercial filming application must be submitted in writing by the applicant and accompanied by any fees required by Section 42A-6. No changes can be made to an application on the scheduled filming date.

(j) Major changes to the original submission of an application will result in the original permit application being deemed incomplete and cancelled. A revised permit application will be required, along with new application processing fees if the applicant wishes to pursue the application.

(k) If the director determines that an applicant has failed to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed commercial filming activity or a past commercial filming activity, the application will be deemed incomplete and the application will be cancelled. An application that has been cancelled under this subsection cannot be re-filed for 12 months.

(l) An application that has been cancelled because it is incomplete cannot be appealed under Section 42A-8 and all fees associated with the application processing fees are forfeited.

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(m) Upon receipt of the completed application, the director shall forward a copy of the application to all applicable city departments and partner agencies for review. If the application must be reviewed for public safety or partner agencies, public safety agencies will review the application first, followed by a review by partner agencies. If any part of the commercial filming activity is to be held on or adjacent to property that is exempt from this chapter under Section 42A-5, the director shall also include the department that manages or controls the exempt property in the review of the application. Each department and partner agency shall review the application and return it, with any comments, to the director within one business day of receipt requiring a response. If two or more departments deny the event request, or a resolution cannot be reached, a permit will be denied. If no response is received, the director may proceed with permitting, however, if an application requires a public safety review or traffic control plan, the director must wait for the applicable public safety review response before proceeding.

(n) Prior to the issuance of a permit for a student film:

(1) the student shall submit a letter on school letterhead from the student's professor or teacher outlining the following:

- (A) the student's name;
- (B) filming dates;
- (C) confirmation that the applicant is a currently enrolled student in good standing;
- (D) the name of the class the student is taking; and
- (E) confirmation that the film project is for school credit.

(2) the applicant, each crew member, and talent that is participating in the film shoot is required to complete and submit a waiver release form to the office of special events.

(o) Unless cancellation or denial is required by this section or Section 42A-26, after reviewing and confirming all permit requirements have been met, the director shall issue a commercial filming permit if he finds:

- (1) The commercial filming activity will not:
 - (A) interfere with vehicular traffic or pedestrian movement,
 - (B) interfere with or endanger the public peace, health, safety, or welfare,
 - (C) interfere with the rights of nearby residents to the quiet, peaceable, and undisturbed enjoyment of their property,

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(D) interfere with normal governmental operations,

(E) threaten to result in damage or detriment to public property,

(F) result in the city incurring costs or expenditures in either money or personnel not reimbursed in advance by the applicant,

(G) impede, obstruct, or interfere with the operation of emergency vehicles or equipment in or through the permit area, or adversely affect the city's ability to perform municipal functions or furnish city services in the vicinity of the permitted area.

(H) constitute a fire or safety hazard and that all proper safety precautions will be taken as is reasonably necessary to protect the public peace, health, safety, or general welfare,

(I) require the diversion of such a large number of police officers to properly police the activity that it interferes with the normal level of police protection for all other areas of the city, and

(2) The applicant has provided the required documentation to city departments.

(p) A commercial filming permit may be issued for a permit not exceeding 10 consecutive days.

(q) The director may place additional requirements or restrictions on commercial filming activities held in high impact areas.

(r) Additional licenses and permits may be required by this code or other city ordinances or state law based on the scope of the commercial filming activity.

SEC. 42A-21.

NOTICE.

(a) An applicant for a moderate or complex commercial filming activity shall notify all residents and business owners abutting and impacted by the commercial filming activity a minimum of two business days before commencing the commercial filming activity.

(b) Notice must include, at a minimum, the dates, days, locations, and types of activities taking place (planned special effects, parking restrictions, sidewalk usage) during the commercial filming. Any outdoor sound and lighting variances that have been granted by the director must be detailed in the notice. The notice must give detour or alternate route information in the format prescribed by the director if regular access is affected or if transportation systems are impacted. The notice must indicate the times of street closure and when streets will be reopening and include a list of crossing points that will be available during the time a road is closed. The notice must also include a telephone number and email address where members of the public can contact an event representative with the authority to address issues or concerns prior to the

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commercial filming activity and throughout the timeframe including set-up and dismantle. Notice must be approved and on file with the office of special events prior to permit issuance.

(c) The notice must state that an application for a commercial filming permit has been filed for the location and that interested persons may contact the director with their comments.

(d) The director may require additional notice based on the scope, anticipated impact, date, time, and location of the proposed commercial filming. Complete documentation of this effort must be available to the director upon request.

SEC. 42A-22. **INSURANCE.**

(a) Except as provided in this section, an applicant for a commercial filming permit shall procure and keep in full force and effect for the duration of the commercial filming activity insurance written by an insurance company approved by the State of Texas and acceptable to the city and issued in the standard form approved by the Texas Department of Insurance. All provisions of each policy must be acceptable to the city. Each policy must name the city and its officers and employees as additional insureds. The coverage provisions of each policy must provide coverage for any loss or damage that may arise to any person or property by reason of the conduct of the commercial filming activity by the applicant.

(b) Insurance is required in the following types and amounts:

(1) Commercial general liability insurance must be provided with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence with a \$2,000,000 annual aggregate.

(2) If a commercial filming activity includes vehicles, business automotive liability insurance covering owned, hired, and non-owned vehicles, with a combined single limit for bodily injury (including death) and property damage of \$500,000 per occurrence. If the commercial filming activity involves stunts or car chases, the business automotive liability insurance must be increased to \$3,000,000 per occurrence.

(3) If a commercial filming activity includes aircrafts, aircraft liability insurance covering owned, hired, and non-owned aircraft with a minimum limit of \$5,000,000 per occurrence.

(4) If any fireworks or other special effects are utilized as part of the commercial filming activity, then separate additional general liability insurance must be provided in an amount of not less than \$3,000,000 for each claim, with a \$3,000,000 annual aggregate.

(5) If filming occurs at a city facility or premise, worker's compensation insurance with statutory limits. Filming at other locations does not require worker's compensation insurance.

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(6) Employer's liability insurance with the following minimum limits for bodily injury by:

(A) accident, \$500,000 per each accident; and

(B) disease, \$500,000 per employee with a per policy aggregate of \$500,000.

(c) An original certificate of insurance completed by an authorized agent of the insurance company and evidencing each insurance coverage required under this section must be delivered to the director at least 10 days before the commercial filming activity begins.

SEC. 42A-23.

EMERGENCY MEDICAL SERVICES.

(a) The director, upon recommendation of the chief of the Dallas fire-rescue department, may require a number of emergency medical personnel and emergency medical vehicles, onsite at the commercial filming location to perform first aid and emergency medical services at the commercial filming location. Requirements for emergency medical services may be adjusted for:

(1) the topography or size of the commercial filming activity;

(2) weather conditions

(3) the time of day;

(4) required street closures or rerouting of vehicular or pedestrian traffic that may affect emergency access to the commercial filming location; and

(5) whether the commercial filming activity involves specific features that create a higher risk of illness or injury to persons participating in or attending the commercial filming activity.

(b) The emergency medical personnel required to be provided at a commercial filming location by this section must be sworn members of the Dallas fire-rescue department, except that the chief of the Dallas fire-rescue department may authorize a commercial filming applicant or permit holder to provide emergency medical personnel from other jurisdictions or entities if the chief determines that an insufficient number of Dallas fire-rescue officers will be available for a particular commercial filming activity. Off-duty jobs for Dallas fire-rescue officers at a commercial filming location must comply with the Dallas Fire-Rescue Rules and Regulations.

SEC. 42A-24.

SECURITY; CROWD CONTROL; AND TRAFFIC CONTROL.

(a) The director, upon recommendation of the chief of the Dallas police department, may require a number of police officers, to provide security, crowd control and traffic management. Special needs for onsite security, crowd control, or traffic control may be adjusted for:

- (1) the topography or size of the commercial filming activity;
- (2) weather conditions
- (3) the time of day;
- (4) required street closures or rerouting of vehicular or pedestrian traffic that may affect emergency access to the commercial filming location; and
- (5) the history of the application indicates that a greater number of police officers are required to protect the public health, safety, and welfare.

(b) The police officers required to be provided at a commercial filming location by this section must be sworn members of the Dallas police department, except that the chief of the Dallas police department may authorize a commercial filming applicant or permit holder to provide peace officers from other jurisdictions or entities if the chief determines that an insufficient number of Dallas police officers will be available. Off-duty jobs for Dallas police officers must comply with the Dallas Police Department General Orders and Code of Conduct.

(c) The applicant shall provide the director with the name, badge number, and phone number for each police officer hired to provide services during filming.

(d) The applicant shall provide all hired police officers with a copy of the commercial filming permit.

(e) The onsite Dallas police supervisor may increase the number of police officers, in addition to the number specified in the commercial filming permit, if special needs for security, crowd control, or traffic control are created by the size of the filming or spectators. The applicant shall bear all costs related to the additional police officers.

(f) A permit holder must provide the name, phone number, and email address of an individual who will be available following submission of an application through the end of the commercial filming activity, as well as at the commercial filming location the day of the commercial filming activity, to respond to any questions or concerns from police officers or code compliance officers. This individual shall meet police officers or code enforcement officers at the commercial filming location within one hour of being contacted by telephone or email.

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(g) If the director requires a traffic control plan in conjunction with a commercial filming permit, the plan must include the following:

- (1) the route and footprint of the commercial filming activity.
- (2) all street closures.
- (3) lane restrictions.
- (4) alternate through traffic routes.
- (5) footprint for staging.
- (6) the type and location of all traffic control devices.

(h) A traffic control plan required by Subsection (f) must receive approval from the directors of public works and transportation, and the chief of police.

SEC. 42A-25. PARKING AT COMMERCIAL FILMING ACTIVITIES.

(a) A complete parking plan must be submitted with each commercial filming application.

(b) The parking plan must demonstrate that adequate parking will be available to accommodate all vehicles associated with the commercial filming activity.

(c) The parking plan must be approved prior to the issuance of a commercial filming permit.

(d) Meter hooding and no parking zones in connection with a commercial filming activity must be limited to the shortest time feasible. No parking signs must be posted a minimum of 24 hours in advance of the commercial filming activity and follow a standard format approved by the director.

(e) Additional parking requirements or restrictions may be implemented for areas determined to be high impact areas in accordance with Section 42A-10 or in areas with known parking issues.

SEC. 42A-26. DENIAL OR REVOCATION.

(a) The director shall deny a commercial filming permit if:

(1) the applicant fails to adequately provide for:

(A) the protection of commercial filming participants and spectators;

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(B) maintenance of public order in and around the commercial filming location;

(C) security, crowd control, or traffic control, taking into consideration the size of the commercial filming activity; or

(D) emergency vehicle access and the provision of emergency medical services and personnel;

(2) the applicant fails to comply with or the proposed commercial filming activity will violate a city ordinance or other applicable law, unless the prohibited conduct or activity would be allowed under this chapter;

(3) the applicant makes a false statement of material fact on an application for a commercial filming permit or fails to properly complete an application for a commercial filming permit;

(4) the applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by another city ordinance or other applicable law for the conduct of all activities included as part of the commercial filming activity;

(5) the applicant has had a commercial filming permit revoked within the preceding 14 months;

(6) the applicant has committed, within the preceding 14 months, two or more violations of a provision of a commercial filming permit or this chapter;

(7) the chief of the police department, the chief of the fire-rescue department, or the director determines that the commercial filming activity would pose a serious threat to the public health, safety, or welfare;

(8) the applicant or any other person responsible for the conduct or sponsorship of the commercial filming activity is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or other person;

(9) the applicant has a history of conducting or sponsoring commercial filming activities in a disorderly, unsafe, unsanitary, or fiscally irresponsible manner; or

(10) a commercial filming activity will interfere with the rights of nearby residents to the quiet, peaceable, and undisturbed enjoyment of their property.

(b) The director shall revoke a commercial filming permit if:

(1) the applicant fails to comply with or the commercial filming activity is in violation of any provision of the commercial filming permit, a city ordinance, or any other applicable law;

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(2) the permit holder made a false statement of material fact on an application for a commercial filming permit or failed to properly complete an application for a commercial filming;

(3) the chief of the police department, the chief of the fire-rescue department, or the director determines that the commercial filming activity poses a serious threat to the public health, safety, or welfare;

(4) the permit holder failed to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed commercial filming activity or for a past commercial filming activity;

(5) the director is notified that the permit holder or any other person responsible for the conduct or sponsorship of the commercial filming activity is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the permit holder or other person; or

(6) the director is notified of any code violations on the property where the commercial filming activity will be held.

ARTICLE IV.
NEIGHBORHOOD MARKET.

SEC. 42A-27. **APPLICATION; ISSUANCE.**

(a) A person desiring to hold a neighborhood market shall submit an online application with the office of special events. An application must be filed not less than 30 business days before the neighborhood market is to begin.

(b) An application must contain all of the required information.

(c) An application for a neighborhood market permit must be accompanied by the appropriate fees as required by Section 42A-6. An application for a neighborhood market permit will not be processed until the required fees have been paid.

(d) Incomplete applications will not be accepted. Submission of a complete application does not guarantee a permit will be issued.

(e) If the director determines that an application requires additional information in order to make a decision, or if additional fees will be required to process the application, the application will be considered incomplete and cancelled if the applicant does not supply the additional information or fees after the director has sent two reminder emails and made one reminder phone call after a period of 10 business days without a response from the applicant.

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(f) Upon receipt of the completed application, the director shall forward a copy of the application to all applicable city departments and partner agencies for review. If the application must be reviewed for public safety or partner agencies, public safety agencies will review the application first, followed by a review by partner agencies. Each department and partner agency shall review the application and return it, with any comments, to the director within 10 business days of receipt requiring a response. Each review phase is allowed 10 business days. Review phases run sequentially with public safety review getting the first 10 business days and department and partner agency review getting the second 10 business days. If two or more departments deny the event request, or a resolution cannot be reached, a permit will be denied. If no response is received, the director may proceed with permitting, however, if an application requires a public safety review, the director must wait for the public safety review response before proceeding.

(g) The building official, departments, and the director may prescribe licenses, permits, and authorizations required by other city ordinances or applicable law, restrictions, regulations, safeguards, and other conditions necessary for the safe and orderly conduct of a neighborhood market, to be incorporated into the permit before issuance.

(h) The director may place additional requirements or restrictions on a neighborhood market held in a high impact area.

(i) Major changes to the original submission of an application require the submission of a new permit application along with new application processing fees. The original permit application will be deemed incomplete and cancelled.

(j) After reviewing the application and comments, the director shall issue the neighborhood market permit unless denial is required by Section 42A-28. A neighborhood market permit expires one year after issuance and may be renewed by applying in accordance with this section.

SEC. 42A-28. DENIAL OR REVOCATION.

(a) The director shall deny a neighborhood market permit if:

(1) a neighborhood market permit has been previously granted in the calendar year to another neighborhood market that is located within two miles of the proposed market;

(2) the proposed neighborhood market will unreasonably disrupt the surrounding areas or the orderly flow of traffic, and no reasonable means of rerouting traffic or otherwise meeting traffic needs is available;

(3) the applicant fails to adequately provide for:

(A) the protection of the vendors and attendees at the neighborhood market;

(B) maintenance of public order in and around the neighborhood market location;

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(C) crowd security, taking into consideration the size of the neighborhood market; or

(D) emergency vehicle access.

(4) the applicant fails to comply with or the proposed neighborhood market will violate a city ordinance or other applicable law, unless the prohibited conduct or activity would be allowed under this article;

(5) the applicant makes a false statement of material fact on an application for a neighborhood market permit or fails to properly complete an application for a neighborhood market permit;

(6) the applicant has had a neighborhood market permit revoked within the preceding 14 months;

(7) the applicant or a vendor at the applicant's neighborhood market has committed, within the preceding 14 months, two or more violations of a provision of a neighborhood market permit or this chapter;

(8) a neighborhood market has been conducted at the location of the proposed neighborhood market on at least 40 days during the same calendar year in which the proposed neighborhood market is to be conducted, except that this restriction does not apply to the Dallas Farmers Market;

(9) the chief of the police department, the chief of the fire-rescue department, or the director determines that the neighborhood market would pose a serious threat to the public health, safety, or welfare;

(10) the applicant or any other person responsible for the conduct or sponsorship of the neighborhood market is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant or other person or the applicant fails to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed neighborhood market or for a past neighborhood market; or

(11) the applicant has a history of conducting or sponsoring a neighborhood market in a disorderly, unsafe, unsanitary, or fiscally irresponsible manner.

(b) The director shall revoke a neighborhood market permit if:

(1) the permit holder failed to comply with or the neighborhood market is in violation of any provision of the neighborhood market permit, a city ordinance, or any other applicable law;

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(2) the permit holder made a false statement of material fact on an application for a neighborhood market permit or failed to properly complete an application for a neighborhood market permit;

(3) the chief of the police department, the chief of the fire-rescue department, or the director determines that the neighborhood market poses a serious threat to the public health, safety, or welfare;

(4) the permit holder failed to pay any outstanding fees assessed under Section 42A-6 of this chapter for the proposed neighborhood market or for a past neighborhood market;

(5) the permit holder or any other person responsible for the conduct or sponsorship of the neighborhood market is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the permit holder or other person; or

(6) the applicant fails to provide proof that the applicant possesses or is able to obtain a license or permit required by another city ordinance or other applicable law for the conduct of all activities included as part of the neighborhood farmers market.

SEC. 42A-29.

LOCATION OF A NEIGHBORHOOD MARKET.

(a) A neighborhood market may not be conducted:

(1) in the central business district;

(2) in a single family, duplex, or townhouse zoning district as defined in the Dallas Development Code;

(3) within two miles of another neighborhood market permitted under this chapter that has the same or overlapping operating dates and times;

(4) at any location other than the one listed in the permit application;

(5) at a public park; or

(6) on a sidewalk.

(b) The restrictions of Subsections (a)(1), (2), (3), and (5) of this section do not apply to the Dallas Farmers Market.

(c) If the permit holder does not own the property on which the neighborhood market will be conducted, the permit holder shall obtain the written consent of the property owner to conduct the neighborhood market on the property. The permit holder shall present the written consent to the director or any peace officer upon request.

SEC. 42A-30.

OPERATION OF A NEIGHBORHOOD MARKET.

(a) A neighborhood market may not be operated more than 52 days at the same location in a calendar year and may not be operated on consecutive days.

(b) A neighborhood market may only be operated between the hours of 8 a.m. and 10 p.m. on any day of the week.

(c) The neighborhood market may only be operated in accordance with the schedule filed with the director at the time of permit application. Amendment to the schedule may be approved by the director during the calendar year if the changes do not conflict with the schedule of another neighborhood market. An amendment request and the required change fee must be received by the director at least 10 days before implementing any changes.

(d) No more than 100 vendors may participate in a neighborhood market. Each stall area used by a vendor may not exceed 10 feet by 15 feet.

(e) When the main use of the property is open for business, not more than 25 percent of the total area of the parking lot for the property may be used for a neighborhood market.

(f) All litter, tents, stalls, food, merchandise, and other evidence of the neighborhood market must be removed from the premises at the end of each market day.

(g) A permit holder must provide the name, phone number, and email address of an individual who will be available following submission of an application through the end of the neighborhood market, as well as at the neighborhood market site the day of the neighborhood market, to respond to any questions or concerns from police officers or code compliance officers. This individual shall meet police officers or code enforcement officers at the neighborhood market site within one hour of being contacted by telephone or email.

(h) Subsections (a) through (g) of this section do not apply to the Dallas Farmers Market, which shall operate in compliance with its agreements and covenants with the city.

SEC. 42A-31.

PRODUCTS AT A NEIGHBORHOOD MARKET.

(a) Products that may be sold at a neighborhood market include, but are not limited to, the following:

(1) Fruits, vegetables, honey, eggs, nuts, herbs, and mushrooms.

(2) Meats.

(3) Dairy products.

(4) Prepared foods, including but not limited to baked goods, packaged foods, and oils.

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(5) Arts and crafts, including but not limited to jewelry, candles, natural skin care products, soaps, art, knitting, quilts, and pottery.

(6) Garden items, including but not limited to plants, flowers, and soil.

(b) At least 30 percent of the vendors participating in a neighborhood market must sell produce or other food items.

(c) All products distributed, offered for sale, or sold at a neighborhood market must have been raised, grown, made, crafted, processed, or produced by the vendor in a Texas county completely or partially located within a 150-mile radius of Dallas County, except that the 150-mile radius requirement does not apply to produce or other food items determined by the director to be unavailable from vendors in the radius area. No products may be offered for resale. This subsection does not apply to the Dallas Farmers Market.

(d) Live animals may not be distributed, offered for sale, or sold at a neighborhood market.

SEC. 42A-32.

VENDOR'S STATEMENT.

(a) Each calendar year before vending at a neighborhood market, a vendor shall sign and provide to the permit holder a written statement that:

(1) all products to be distributed, offered for sale, or sold at the neighborhood market by the vendor have been raised, grown, made, crafted, processed, or produced by the vendor in compliance with all applicable federal, state, and local laws and in a Texas county completely or partially located within a 150-mile radius of Dallas County (or in an area from which the director, pursuant to Section 42A-31(c), allows certain produce or other food items to be distributed, offered for sale, or sold at the market because of the unavailability of those items from vendors in the radius area); and

(2) no product is being offered for resale.

(b) The permit holder shall maintain a vendor statement for each vendor operating at the neighborhood market and shall present the vendors' statements to the director or any peace officer upon request.

(c) Subsections (a) and (b) of this section do not apply to the Dallas Farmers Market.

ARTICLE V.
STREETLIGHT POLE BANNERS.

SEC. 42A-33. **APPLICATION; ISSUANCE.**

(a) Except as provided for a streetlight pole banner in a special provision sign district in Chapter 51A of this code, an application for a streetlight pole banner permit must comply with the requirements in this section. If there is a conflict between a requirement in this section and a requirement for a streetlight pole banner in a special provision sign district in Chapter 51A, the requirement in Chapter 51A prevails.

(b) The application for a permit authorizing the placement of streetlight pole banners must be submitted online to the office of special events at least 45 business days prior to the proposed streetlight pole banner installation date.

(c) The permit process does not begin until a complete application is received by the office of special events and the application processing fee has been received.

(d) The director shall respond in writing by email to the applicant within three business days of receipt of the application acknowledging receipt of the application.

(e) The director shall review the application to determine whether the requested streetlight poles are available for the erection of streetlight pole banners. If the requested streetlight poles are not available, the applicant must resubmit an alternate list of requested streetlight poles within 48 hours of verification notice. If alternate streetlight poles are not submitted within 48 hours of verification notification, the process will continue with only the available poles.

(f) If the director determines a departmental or partner agency review process is necessary, 10 business days will be granted for completion of review.

(g) The director shall provide the applicant with a preliminary letter containing the requirements for permit issuance upon completion of departmental and partner agency review.

(h) The director shall issue a streetlight pole banner permit for a time period not to exceed 60 days upon receipt of all required materials and fees.

(i) An applicant may not submit more than one streetlight pole banner permit application at a time.

(j) A streetlight pole banner permit application may not be submitted more than one year prior to the banner installation date.

(k) An applicant may not submit a request to renew a streetlight pole banner permit to the office of special events earlier than two weeks prior to the expiration of an existing streetlight pole banner permit.

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(l) A streetlight pole banner permit may be extended for an additional 60-day period based upon availability of the streetlight poles.

(m) Streetlight pole banner permits may be renewed for a maximum of one year.

(n) The director shall assess all applicable streetlight pole banner fees in 60-day increments.

(o) Applications for streetlight pole banners in the arts district must be from cultural institutions located in the arts district. The Arts District Foundation shall provide the office of special events a map with pole assignments for each cultural institution each calendar year.

(p) Applications for streetlight pole banners for pre-determined signature events within the downtown area including, but not limited to, Main Street, Commerce Street, and Elm Street, have a right of first refusal. All other permit applications will be processed on a first-come, first-serve basis.

SEC. 42A-34. INSURANCE.

(a) A person installing a streetlight pole banner shall procure and keep in full force and effect insurance written by an insurance company approved by the State of Texas and acceptable to the city and issued in the standard form approved by the Texas Department of Insurance. All provisions of each policy must be acceptable to the city. Each policy must name the city and its officers and employees as additional insureds. The coverage provisions of each policy must provide coverage for any loss or damage that may arise to any person or property by reason of the installation of the streetlight pole banner by the applicant.

(b) Insurance required under this article must include a cancellation provision in which the insurance company is required to notify the director in writing not fewer than 30 days before cancelling the insurance policy or before making a reduction in coverage.

(c) Insurance is required in the following types and amounts:

(1) Commercial general liability insurance must be provided with combined single limits of liability for bodily injury and property damage of not less than \$1,000,000 for each occurrence with a \$2,000,000 annual aggregate.

(2) Business automotive liability insurance covering owned, hired, and non-owned vehicles, with a combined single limit for bodily injury (including death) and property damage of \$1,000,000 per occurrence.

(3) Worker's compensation insurance with statutory limits.

(4) Employer's liability insurance with the following minimum limits for bodily injury by:

(A) accident, \$1,000,000 per each accident; and

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(B) disease, \$1,000,000 per employee with a per policy aggregate of \$1,000,000.

(5) Umbrella liability insurance following the form of the primary liability coverage described in Subsection (a) and providing coverage with minimum combined bodily injury (including death) and property damage limit of \$1,000,000 per occurrence and \$1,000,000 annual aggregate.

SEC. 42A-35.

STREETLIGHT POLE BANNER REGULATIONS.

(a) In general.

(1) Except as provided for a streetlight pole banner in a special provision sign district in Chapter 51A of this code, streetlight pole banners must comply with the requirements in this section. If there is a conflict between a requirement in this section and a requirement for a streetlight pole banner in a special provision sign district in Chapter 51A, the requirement in Chapter 51A prevails.

(2) A streetlight pole banner must be in general compliance with the streetlight pole design manual published by the office of special events.

(3) The sign hardware for a streetlight pole banner may be left in place between displays of a banner.

(4) A streetlight pole banner and its sign hardware must:

(A) be mounted on a streetlight pole;

(B) be at least 12 feet above grade, unless it is overhangs a roadway, in which case it must be at least 15 feet above grade;

(C) be made out of weather resistant and rust proof material especially designed for outdoor use;

(D) be printed on both sides of material;

(E) not be illuminated;

(F) not project more than three feet from the pole onto which it is mounted;

(G) not exceed 25 square feet in effective area;

(H) not obstruct the view of traffic or any traffic control devices or impede or endanger the flow of traffic; and

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(1) not interfere with emergency equipment, including fire, police, medical, electrical, commercial vehicles and trucks, or bus transportation.

(5) The maximum number of streetlight pole banners is two per pole, with each banner on one opposite side of the pole.

(b) Public improvement districts. Streetlight pole banner permits granted to a public improvement district must comply with the standards in this subsection.

(1) Streetlight pole banners may not be erected for more than 90 days.

(2) Streetlight poles must be located within the public improvement district.

ARTICLE VI.
ENFORCEMENT.

SEC. 42A-~~36~~[15]. OFFENSES.

(a) A person commits an offense if he commences or conducts a special event, commercial filming activity, or neighborhood market, or erects a streetlight pole banner:

(1) without a ~~[special event]~~ permit issued under this chapter or, for a streetlight pole banner in a special provision sign district, a sign permit issued under Chapter 51A of this code; or

(2) in violation of any provision of a ~~[special event]~~ permit issued under this chapter, this chapter, or any other city ordinance or applicable law.

(b) A person commits an offense if he is the individual named by the permit holder as the contact person for the event and he fails to meet police officers or code enforcement officers at the site of the special event, commercial filming activity, or neighborhood market within one hour of being contacted by a police officer or code enforcement officer by telephone or email.

(c) The ~~[A]~~ culpable mental state ~~[is not]~~ required for the commission of an offense under this chapter is governed by S[s]ection 1-5.1 of this code.

(d) This chapter may be enforced by the director of special events, the director of code compliance, the chief of police, the fire chief, or their designated representatives.

SEC. 42A-~~37~~[16]. PENALTY.

(a) A person who violates a provision of this chapter or a requirement of a ~~[special event]~~ permit issued under this chapter is guilty of a separate offense for each day or part of a day during which the violation is committed or continued.

(b) Each offense is punishable by a fine not to exceed:

FOR DISCUSSION PURPOSES ONLY.

(1) \$2,000 for a violation of a provision of this chapter or a requirement of a ~~[special event]~~ permit governing fire safety, zoning, or public health and sanitation, including dumping of refuse; or

(2) \$500 for all other violations of this chapter or requirements of a ~~[special event]~~ permit issued under this chapter.”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 4. That Chapters 29A and 42A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 6. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 7. That this ordinance shall take effect on June 1, 2019, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

SPECIAL EVENT APPLICATION PROCESSING FEES	
Select the applicable Base Application Fee from Expected Attendance	
<200	\$50
201 - 400	\$80
401 - 800	\$100
801 - 1000	\$150
1,001 - 2,000	\$200
2,001 - 4,000	\$300
4,001 - 8,000	\$400
8,001 - 12,000	\$500
12,001 - 20,000	\$600
20,001+	\$700
<i>In addition, select the applicable Street Closure Fee:</i>	
No Street Closure - An event with no street closures.	\$0
Simple Static Street Closure Event Fee - An event with a set footprint that is limited to one block on residential/neighborhood streets. No intersections.	\$50
Moderate Static Street Closure Event Fee - An event with a set footprint that includes the closure of one to three street blocks and/or intersections.	\$100
Complex Static Street Closure Event Fee - An event with a set footprint that includes the closure of four or more street blocks and/or intersections OR any closure in a high impact area.	\$200
Simple Moving Event - A moving event that is limited to trails and/or residential/neighborhood streets.	\$75
Moderate Moving Event - A moving event on city streets other than residential/neighborhood streets and outside of a high impact area.	\$150
Complex Moving Event - A moving event of which any part moves through a high impact area.	\$300

COMMERCIAL FILMING APPLICATION PROCESSING FEES	
Base Application Fee (per project)	\$100
<i>In addition, select the applicable Daily Fee:</i>	
Commercial Filming - Simple - B-roll; unlimited locations; only required for public property.	\$25
Commerical Filming - Moderate - No street/lane closures; maximum two locations; includes legal parking restrictions and ITC.	\$100
Commerical Filming - Complex - Any street/lane closure, or need for Traffic Control Plan; maximum two locations; complex scenes to includes stunts, car chases, pyrotechnics, special effects, stunt weapons, blank gunfire, crime scenes, etc. <i>When complex filming requires street closures the applicable Street Closure Fee applies :</i>	\$150
Simple Street Closure (1 block, no intersections)	\$50
Moderate Street Closure (1-3 blocks/intersections)	\$100
Complex Street Closure (4+ blocks/intersections OR any closure in a high impact area)	\$200
<i>In addition, select the applicable other fees:</i>	
Additional Single Location (exceeding the minimum two per day)	\$50
Retroactive B-roll - Per location (related to a current active permit only).	\$150
Student Filming - All fees waived.	<i>No Charge</i>

STREET POLE BANNER APPLICATION PROCESSING FEES	
Base Application Fee	\$100
Per Pole Fee	\$20
Permitted event - First 5 poles at no charge, additional poles will be invoiced at full price (banners must be related to permitted event).	<i>5 poles at no charge</i>
Public Improvement District - First 10 poles at no charge, additional poles will be invoiced at full price (banners must be related to PID identification/beautification).	<i>10 poles at no charge</i>

NEIGHBORHOOD MARKET APPLICATION PROCESSING FEES	
Base Application Fee	\$100
Per every 10 vendors	\$25
Street Closure Fee - Simple (1 block, no intersections)	\$50

ADDITIONAL APPLICATION PROCESSING FEES ACROSS ALL PERMIT TYPES	
A certified 501(c)3 non-profit discount off base application fee	50% off
Alcohol On Site	
Provided	\$50
Sold	\$150
Clean Zone	\$500
Margaret Hunt Hill Bridge - Half closure or full closure, 24 hours or less	\$5,000
Margaret Hunt Hill Bridge - Partial lane closure, 24 hours or less	\$2,000
Dallas Farmer's Market Annual Permit Fee	\$400
Late fee - Per day and limited to up to five days	\$40
Change fee (per minor change)	\$50

NOTIFICATION REQUIREMENTS FOR PERMITTED SPECIAL EVENTS							
COMMUNICATION TYPES	NO STREET CLOSURE	STATIC CLOSURE EVENTS			MOVING EVENTS		
		Simple	Moderate	Complex	Simple	Moderate	Complex
Notifications are NOT required for outdoor events with an expected attendance of 250 or fewer people and with no street/lane closures.	X						
Neighborhood/Residential based events: notify all owners and occupants of real property abutting the event area and all those impacted by the event a minimum of 15 days prior to the event date utilizing a minimum of two of the following communication methods: email distribution; electronic notification through web app. e.g. NextDoor; yard signs along the event footprint; posting in a neighborhood association/PTA/PTO newsletter and/or social media page; hand delivered; or mailed.		X	X	X	X	X	X
Deliver written notice to all owners and occupants of real property abutting the event area and all those impacted by the event a minimum of 30 days prior to the event date (mail, hand delivered, or door hanger).				X			X
Deliver written notice to all owners and occupants of real property abutting the event area and all those impacted by the event a minimum of 15 days prior to the event date (mail, hand delivered, or door hanger). Zone specific communication pieces apply.		X	X	X	X	X	X
Direct communication and notification is required via in-person or phone and a follow-up email to all major employers; multi-family housing; places of worship; and neighborhood associations abutting the event area and all those impacted by the event.			X	X	X	X	X
Contact Waze, Google etc. to request street closures be posted.				X		X	X
Council members are encouraged to post district specific event details to social media.	X	X	X	X	X	X	X
Council members are encouraged to distribute district specific street closure details to stakeholders from OSE weekly report.		X	X	X	X	X	X
Develop targeted (zone specific) communication. Utilize digital neighborhood based platforms and available databases to communicate street closures specific to neighborhoods and business zones impacted.					X	X	X
Develop targeted (zone specific) communication. Provide OSE a final communication piece to distribute to community stakeholders through the City Council Office and OSE (available database).				X	X	X	X
OSE to create and distribute a Traffic Advisory.				X			X
OSE to create and distribute a City Hall Announcement for all City Hall Plaza permitted events and all events that impact city hall garage access.	X			X			X
OSE to post event to web calendar with hyperlink to event website for maps, street closures, rerouting information etc.	X	X	X	X	X	X	X
Provide communication piece to be distributed by OSE through OSE email database (to be developed).		X	X	X	X	X	X

The Director will determine the specific notification requirements based on a variety of factors including but not limited to: event size, dates, times, footprint, anticipated impact, and historical knowledge of the event.

MINIMUM NUMBER OF RESTROOM UNITS/TRASH RECEPTACLES REQUIRED										
EXPECTED ATTENDANCE	HOURS OF EVENT									
	1	2	3	4	5	6	7	8	9	10
500	2	4	4	5	6	7	9	9	10	12
600	2	4	5	6	7	7	9	10	11	12
700	3	5	6	6	7	8	10	10	11	12
800	3	5	6	7	8	8	10	11	12	13
900	4	6	7	7	8	9	11	11	12	13
1,000	4	6	8	8	9	9	11	12	13	13
2,000	5	6	9	12	14	16	18	20	23	25
3,000	6	9	12	16	20	24	26	30	34	38
4,000	8	13	16	22	25	30	35	40	45	50
5,000	12	15	20	25	31	38	44	50	56	63
6,000	13	17	24	30	37	45	53	60	67	75
7,000	13	19	27	35	44	53	62	70	79	88
8,000	14	21	31	40	50	60	70	80	90	100
9,000	14	23	34	45	57	68	79	90	102	113
10,000	15	25	38	50	63	75	88	100	113	125
15,000	20	38	56	75	94	113	131	150	169	188
20,000	25	50	75	100	125	150	175	200	225	250
25,000	38	69	99	130	160	191	221	252	282	313
30,000	46	82	119	156	192	229	266	302	339	376
35,000	53	96	139	181	224	267	310	352	395	438
40,000	61	109	158	207	256	305	354	403	452	501
45,000	68	123	178	233	288	343	398	453	508	563
50,000	76	137	198	259	320	381	442	503	564	626
55,000	83	150	217	285	352	419	486	554	621	688
60,000	91	164	237	311	384	457	531	604	677	751
65,000	98	177	257	336	416	495	575	654	734	813
70,000	106	191	277	362	448	533	619	704	790	876
75,000	113	205	296	388	480	571	663	755	846	938
80,000	121	218	316	414	512	609	707	805	903	1001
85,000	128	232	336	440	544	647	751	855	959	1063
90,000	136	246	356	466	576	686	796	906	1016	1126
95,000	143	259	375	491	607	724	840	956	1072	1188
100,000	151	273	395	517	639	762	884	1006	1128	1251