

ORDINANCE 2007-03
TOWN OF PINE ISLAND, TEXAS

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

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

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

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

NOW, THEREFORE, IT IS ORDERED that no person shall conduct an organized outdoor gathering within the city limits of the Town of Pine Island without first obtaining a permit from the Town of Pine Island. Such a gathering includes, but is not limited to, a camp for an organized trail ride.

Any person wishing to apply for such a permit must file a permit application with the Mayor at least forty-five (45) days before the organized outdoor gathering is scheduled to be held.

The application must include:

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

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

The town council will meet to review and approve or deny any such application.

The Mayor or designee shall revoke a permit if he/she has reasonable grounds to believe that the ride or race is being conducted in a manner constituting a danger to any person or property. The Mayor or designee shall revoke a permit for failure to comply with any aspect of this ordinance.

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

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

PASSED and ADOPTED, this the 5th day of February, 2008.

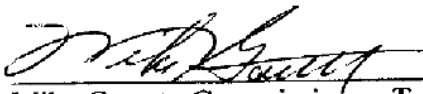
Signed:



Debra Ferris, Mayor of the Town of Pine Island, Texas



Clay Cole, Commissioner, Town of Pine Island, Texas



Mike Garrett, Commissioner, Town of Pine Island, Texas