

DOWNTOWN USE REQUEST

Central Park: _____ Rose Garden: _____ 100-Blk E. Gonzales: _____ Walnut Springs: _____ Other: _____
Event Name: _____ Date(s) & Time(s): _____
Set Up Start Time: _____ Tear Down Time: _____
Sponsoring Group: _____ Contact Person(s): _____
Telephone(s): _____ Fax: _____
Mailing Address: _____ Email: _____

1. What type of event will be held? _____
2. What is the maximum number of people you expect to attend this event? _____
3. Will your event require the closure of any streets except for the 100 Blk of E. Donegan? ___ yes ___ no
4. Will your event require the use of city services for electrical, trash or barricades? ___ yes ___ no
5. Does the event take place over a period of more than one day? ___ yes ___ no
6. Is the Sponsoring Group or any of its agents or associates charging an admission or participation fee? ___ yes ___ no
7. Will alcohol consumption occur during your event? ___ yes ___ no
8. Will your group or any authorized vendor sell alcohol? ___ yes ___ no
9. Will your group or any authorized vendor(s) sell any food products as part of your event? ___ yes ___ no
10. Will your group or any vendor(s) sell merchandise? ___ yes ___ no
11. Will you set up any tables, chairs, booths or equipment? ___ yes ___ no
12. Portable toilet/hand wash station location (depending on length of event you might be required to rent a portable toilet from a private company): _____
13. Is the event being held on a Saturday Morning? ___ yes ___ no (NEED TO CONTACT GARDENERS MARKET)
14. Other: _____

If you answered "Yes" to any of these questions then you may be required to submit a request in writing to the City Manager and appear before City Council to receive approval. The request must include the type of event, date, time, the number of attendees expected, if a street closure is needed and whether or not a fee is being charged for admission, merchandise, or if alcohol is being served. Your request is subject to the attached fees and guidelines. Ordinance Numbers 03-32, 05-29, 05-31, 09-12 and 09-13 are available upon request.

YOUR SIGNATURE IS CONFIRMATION THAT YOU HAVE READ AND UNDERSTAND THE DOWNTOWN USE REQUEST INFORMATION.

Signature

Date

For more information contact:

Seguin Main Street Program

P.O. Box 591

Seguin, Texas 78156

Phone: 830-401-2448 FAX: 830-401-2358

FEES FOR EVENTS IN DOWNTOWN HISTORIC DISTRICT

Street closure, 1 to 3 days, (includes barricades).....	\$50
Electric Service (roll-offs)	
One roll-off with 8 plugs.....	\$50
Each additional roll-off.....	\$25
Trash cans: Per day (maximum 20 cans).....	\$25
Park use per day including bandstand, electricity on bandstand and period light poles.....	\$75
Rental Fees for Tables (each, per event).....	\$10
Rental Fees for Bleachers (each, per day).....	\$25
Event Damage and Clean-up Deposit	
Single Day.....	\$100
Multi Day.....	\$500

**SALE OF GOODS, WARES OR PRODUCE IN PUBLIC PLACES; SALE OR
DISTRIBUTION OF HAZARDOUS ITEMS**

It shall be unlawful for any person to sell, barter, exchange or offer to sell, barter or exchange or to display any goods, wares, merchandise, produce or other articles upon or from any street or alley within the corporate city limits of the City, except as follows:

- Pre-approved vendors selling goods at approved public events in the downtown Central Park areas;
- Pre-approved not-for-profit vendors selling food, beverages and novelties along the routes of city sponsored parades.

Notwithstanding the foregoing exceptions, the following items may not be sold or distributed on any public property: silly string, fake switchblades, fake cigarettes, poppers, matchstick poppers, anything filled with plastic confetti, or anything which would produce an undue litter problem or public safety hazard.

GUIDELINES FOR EVENTS IN DOWNTOWN HISTORIC DISTRICT

This applies to the following areas:

- Use of any City streets in the Downtown Historic District,
- Use of the 200 block of Live Oak Street; and
- Use of Central Park and the Memorial Rose Garden on S.Travis Street.

Any use of the areas described must comply with the following requirements:

A request to close a street or reserve a City park area for use during an event must be submitted to the Main Street Director in writing at least fifteen (15) days before the date of the event, except that requests for multi-day events or events at which alcohol will be served must be submitted at least sixty (60) days in advance of the event. An application form may be obtained at the Main Street Director's Office and a completed form with required deposits and fees shall be submitted with the request. No reservation shall be considered final until the deposit and required fees are paid.

Park areas not reserved in advance and not requiring City services are available at no cost on a first-come, first-served basis.

Any event that includes a street closure and/or the sale of alcohol shall require approval of the City Council; provided, however, that single day events held by not-for-profit approved organizations in the 100 block of E. Donegan Street outside of regular business hours which require no city services shall not be required to obtain City Council approval.

All multi-day events shall require approval of City Council. No more than four multi-day events per year shall be allowed. Multi-day events shall be limited to no more than three consecutive days.

No more than four (4) events per month which require street closures or the sale of alcohol shall be allowed.

The Police Chief shall review and approve each street closure request, each event request and each alcohol sales request to develop, as needed, a security plan and traffic safety plan using professional officers from the Seguin Police Department, the Guadalupe County Sheriff Department or licensed officers from other law enforcement agencies approved by the Seguin Police Department. If the event requires a street closure but does not otherwise require use of City services, a barricade plan must be approved by the Police Chief.

Recurring annual events will be given first priority when scheduling events for upcoming years.

The closing hours for events in the Downtown Historic District must be observed, with all events ending at or before midnight, unless otherwise approved by City Council. Failure to shut down events on time will result in the loss of the deposit.

The event sponsor is responsible for teardown of all fencing, booths, lighting and other equipment, and is further responsible for all clean-up in the event area, sidewalks and adjacent private property. Street sweeping will only be provided prior to and after the event, not during the event. The Main Street Director will designate a set time for finalizing teardown and clean-up, which must be observed. Failure to finalize tear-down and clean-up on time may result in the loss of some or all of the deposit.

If food is served, a hand-washing station must be provided along with required health permits. All

cooking equipment, including BBQ grills, stoves, fryers and warmers, must be in a secure area and protected from the public. No grills, fires, grease or other equipment is allowed that will burn or damage the grass or pavement.

No stakes are allowed in the ground or in the street. No tarps or carpets may be placed on the ground in the park.

Streets may not be barricaded before 5:00 p.m. on the day preceding the event.

All areas must be left in the same condition that they were found.

No tape, wire, string or any items may be used to attach garland, flowers, streamers, flags, banners, signs or other items to the bandstand.

No rice, confetti, silly string, poppers or cascarones or anything which would produce an undue litter problem or public safety hazard are allowed in Central Park or the bandstand.

No electrical equipment can be placed on or within 10 feet of the fountain.

Wading and swimming in the fountain in Central Park is prohibited.

Only freestanding canopies are allowed.

No glass beverage containers are allowed.

Amusement devices such as kiddie trains and inflatable castles must be granted permission in advance.

Private Property, or utilities or services from private property, may not be used without the express written permission of the property or business owner, or the deposit will be forfeited.

The event sponsor is required to notify property owners within one block of the event area of the upcoming event at least one week in advance of the event. Such property owners may require the event sponsor to provide barricades or otherwise secure their property from use by the public during the event. Failure to comply with the property owner's request will result in the deposit being forfeited.

If an event is multi-day and/or involves the sale of alcohol or a gate fee, the sponsor of the event must provide proof of general liability insurance coverage in the City's standard required amounts naming the City of Seguin as additional insured. Liquor liability insurance shall be required if alcohol is sold. Carnival Insurance shall be required if a carnival is present. Current minimum insurance requirement is \$1 Million for each.

Deposits and fees will not be refunded in the event of a rain-out or no-show on the day of the event. Cancellations less than two weeks prior to the event will be entitled to a 50% return of their fees and deposits. Cancellations more than two weeks prior to the day of the event are entitled to a 100% return of fees and deposit.

**CITY OF SEGUIN GUIDELINES FOR VENDORS
SELLING GOODS, WARES OR PRODUCE IN PUBLIC PLACES;
AND THE SALE OR DISTRIBUTION OF HAZARDOUS ITEMS**

It shall be unlawful for any person to sell, barter, exchange or offer to sell, barter or exchange or to display any goods, wares, merchandise, produce or other articles upon or from any street or alley within the corporate city limits of the City, except as follows:

Pre-approved vendors selling goods at approved public events in the downtown Central Park areas;

Pre-approved not-for-profit vendors selling food, beverages and novelties along the routes of city sponsored parades.

Notwithstanding the foregoing exceptions, the following items may not be sold or distributed on any public property: silly string, fake switchblades, fake cigarettes, poppers, matchstick poppers, anything filled with plastic confetti, or anything which would produce an undue litter problem or public safety hazard.

ELECTRIC OUTLETS: If electrical outlets are used you **MUST NOT** overload the 110 plugs located in the bottom of the old fashioned light poles. Multiple plugs, power strips, heating elements will overload and trip the breaker. If the breaker is tripped due to being overloaded, the sponsoring organization will be responsible for additional charges due to emergency staff called out to reset or repair the breaker. **IF YOU HAVE A PROBLEM - DO NOT TRY AND REPAIR, CONTACT THE SPONSORING ORGANIZATION AND THEY WILL CONTACT THE APPROPRIATE AUTHORITIES FOR RESOLUTION.**

Vendors **MUST NOT** set up booths or utilize the street or parking spaces on the west side of Central Park on Austin Street.

Only free standing canopies are allowed.

No stakes are allowed in the ground or in the street. No tarps or carpets may be placed on the ground in the park.

No glass beverage containers are allowed.

All areas must be left in the same condition that they were found.

THE SPONSORING ORGANIZATION PROVIDES THE CITY OF SEGUIN A SET UP OF ALL LOCATIONS OF BOOTHS. AFTER THE EVENT, STAFF WILL ENSURE THAT ALL AREAS ARE LEFT IN THE SAME CONDITION THAT THEY WERE FOUND TO INCLUDE ANY DAMAGE DONE TO THE GRASS, SIDEWALK, BRICKS OR PAVEMENT.

CITY OF SEGUIN
“TEMPORARY FOOD ESTABLISHMENT”
REQUIREMENTS FOR FOOD VENDORS

FOOD PREPARATION: Food shall be obtained from approved sources and be in sound condition. Food shall be prepared only in permitted or licensed establishments. The Texas Food Establishments Rules (TFER) requires that meat and poultry products be cooked to the following minimum internal temperatures: Poultry-165°F, Ground Meats-155°F, Pork-145°F, and Other Meats-145°F. Potentially hazardous foods (i.e., foods which consist in whole or in part of milk or milk products, eggs, meat, seafood) shall be held at 41°F or lower, or at 135°F or above. Equipment adequate to cook and maintain foods at the required temperatures shall be provided. A properly scaled, metal stem-type thermometer shall be used to monitor the proper internal cooking and holding temperatures of potentially hazardous foods. Packaged foods shall not be stored in direct contact with water or undrained ice if the food is subject to the entry of water. Bake sale items shall be limited to religious or charitable organizations.

EQUIPMENT: Food, utensils and single service articles shall be protected from contamination during storage, preparation, display and service. Utensils, including ice scoops and disposable gloves shall be provided to minimize handling of foods. Food contact surfaces shall be easily cleanable and washed, rinsed and sanitized as necessary. Three suitably sized basins, detergent and sanitizer shall be provided for cleaning equipment and utensils. Single service articles must be provided.

PERSONAL HYGIENE: Personnel shall maintain a high degree of personal cleanliness and conform to good hygienic practices. They shall be free of infections that may transmit food borne illness. Hands shall be washed as often as needed during food preparation. A hand wash sink or container of water with a spigot, a catch basin, soap and sanitary towels shall be provided for hand washing. Use of tobacco is prohibited.

WATER: A sufficient supply of flowing water from an approved source shall be provided. A closed water container with a spigot may be used.

TOILET FACILITIES & WASTE DISPOSAL: Conveniently located toilet facilities shall be provided. All sewage and wastewater shall be disposed of through a sewage system according to law. Adequate, covered containers for refuse and garbage shall be provided.

BOOTH CONSTRUCTION: Floors shall be constructed of concrete, asphalt, dirt or gravel if covered with mats, removable platforms or other suitable materials approved by the City. Ceilings over food preparation areas shall be constructed to protect against weather. Doors walls and screening may be required to restrict the entrance of flying insects.

ADVISORY: Section 229.170 of the Texas Food Establishment Rules provides that “The regulatory authority may impose additional requirements to protect against health hazards related to the conduct of the temporary food establishment, may prohibit the sale of some or all

potentially hazardous foods, and when no health hazard will result, may waive or modify requirements of these rules.”

ELECTRIC OUTLETS: If electrical outlets are used you **MUST NOT** overload the 110 plugs located in the bottom of the old fashioned light poles. Multiple plugs, power strips, heating elements will overload and trip the breaker. If the breaker is tripped due to being overloaded, the sponsoring organization will be responsible for additional charges due to emergency staff called out to reset or repair the breaker. **IF YOU HAVE A PROBLEM - DO NOT TRY AND REPAIR, CONTACT THE SPONSORING ORGANIZATION AND THEY WILL CONTACT THE APPROPRIATE AUTHORITIES FOR RESOLUTION.**

Vendors **MUST NOT** set up booths or utilize the street including the parking spaces on the west side of Central Park on Austin Street.

Only free standing canopies are allowed.

No stakes are allowed in the ground or in the street. No tarps or carpets may be placed on the ground in the park.

No glass beverage containers are allowed.

All food booths are required to have a fire extinguisher.

All cooking equipment, including BBQ grills, stoves, fryers and warmers must be in a secure area and protected from the public. No grills, fire, grease or other equipment is allowed that will burn or damage the grass, sidewalk, bricks or pavement.

All areas must be left in the same condition that they were found.

HEALTH INSPECTOR WILL CHECK ON YOUR BOOTH EITHER AFTER YOUR SET UP OR DURING THE EVENT TO ENSURE ALL GUIDELINES LISTED ABOVE ARE BEING FOLLOWED.

THE SPONSORING ORGANIZATION PROVIDES THE CITY OF SEGUIN A SET UP OF ALL LOCATIONS OF BOOTHS. AFTER THE EVENT, STAFF WILL ENSURE THAT ALL AREAS ARE LEFT IN THE SAME CONDITION THAT THEY WERE FOUND TO INCLUDE ANY DAMAGE DONE (GREASE SPOTS, ETC.) TO THE GRASS, SIDEWALK, BRICKS OR PAVEMENT.

GREASE CAUSES PERMANENT STAINS. VENDORS USING GREASE OR OIL MUST PROTECT THE SIDEWALK AND PAVEMENT FROM DAMAGE DUE TO STAINING.

STATE OF TEXAS

AN ORDINANCE OF THE CITY OF SEGUIN, TEXAS AMENDING THE SEGUIN CODE OF ORDINANCES, CHAPTER 50, SECTIONS 50-37 AND 50-38; AMENDING APPENDIX C – FEE SCHEDULE, CHAPTER 50, SECTIONS 50-14 AND 50-15; PROVIDING FOR A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE, AND AUTHORIZING CITY STAFF TO SUBMIT THIS ORDINANCE AS A SUPPLEMENT TO THE SEGUIN CODE OF ORDINANCES

BE IT ORDAINED by the City Council of Seguin, Texas, as follows:

- 1) That Chapter 50, Section 50-37, *Fee for medics on standby for special events*, and Section 50-38, *Fee for fire department personnel on fire watch for special events*, of the Seguin Code of Ordinances the City of Seguin, Texas are hereby amended to read as follows:

"Sec. 50-37. Fee for medics on standby for special events.

The following fee is established for the standby of fire medics during special events:

(1) A fee of \$25.00 per hour or fraction thereof per fire medic shall be charged for standby during special events. When requested or required a minimum of two fire medics are required to be on standby at any one event.

(2) Standby personnel provided by the Seguin Fire Department for special events are a first responder team only. If transport is necessary an ambulance will be dispatched to the scene.

Exception: An ambulance may be authorized for standby if required by the fire chief.

Sec. 50-38. Fee for fire department personnel on fire watch for special events.

The following fee is established for fire personnel on fire watch for special events:

A fee of \$25.00 per hour or fraction thereof per fire department personnel shall be charged for standby during special events.

This fee shall apply when, fire watch is requested by an individual."

- 2) That Appendix C – Fee Schedule, Chapter 50, Section 50-14, *Fire watch for special events*, and Section 50-15, *Medics on standby*, of the Seguin Code of Ordinances the City of Seguin, Texas are hereby amended to read as follows:

"(14) Fire watch for special events, per hour.....25.00 per hour
This fee is charged per each fire personnel on fire watch for special events.

(15) Medics on standby, per hour25.00 per hour
This fee is charged per medic when medics are on standby for special events."

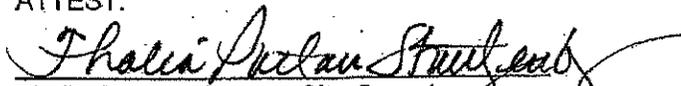
- 3) In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall become effective upon ten (10) days following passage on second reading.
- 4) If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portions of the Ordinance, which shall continue to have full force and effect.
- 5) City Staff is hereby authorized to submit this Ordinance as a supplement to the Seguin Code of Ordinances.

PASSED UPON FIRST READING on July 21, 2009.

PASSED UPON SECOND READING on August 4, 2009.


MAYOR BETTY ANN MATTHIES

ATTEST:


Thalia Stautzenberger, City Secretary

STATE OF TEXAS

ORDINANCE NO. 09-13

CITY OF SEGUIN

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, AMENDING THE SEGUIN CODE OF ORDINANCES, APPENDIX C, FEE SCHEDULE, CHAPTER 90, ARTICLE II; PROVIDING AN EFFECTIVE DATE AND A SEVERABILITY CLAUSE, AND AUTHORIZING CITY STAFF TO SUBMIT THIS ORDINANCE AS A SUPPLEMENT TO THE CODE OF ORDINANCES

WHEREAS, organizations have traditionally held community celebrations at various streets, parks and other public locations within downtown Seguin; and

WHEREAS, there has been a significant increase in the number of events being held in downtown Seguin, many of which require the use of City utilities and equipment; and

WHEREAS, the City Council wishes to allow such celebrations but recognizes the demand upon City personnel to set up, take down and clean up after the event; and

WHEREAS, the City Council wishes to amend the comprehensive ordinance to address all issues connected with street closures and event services, and to provide for reasonable fees for use of City facilities and services.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Seguin as follows:

1) That Seguin Code of Ordinances, Appendix C, Fee Schedule, Chapter 90, Article II, be amended as follows:

Section 90-31. Street Closures in Downtown Historic District and use of certain park areas

(a) Fees for events in Downtown Historic District

- | | | |
|----|---|------|
| 1. | Street closure, 1 to 3 days, (includes barricades)..... | \$50 |
| 2. | Electric service (roll-offs) | |
| | 1 roll-off with 8 plugs..... | \$50 |
| | Each additional roll-off..... | \$25 |

- | | | |
|-----|---|------|
| 3. | Trash cans: | |
| | Per day (maximum 20 cans)..... | \$25 |
| 4. | Park use per day including bandstand, electricity on bandstand and period light poles | \$75 |
| (c) | Rental Fees for Tables (each, per event)..... | \$10 |
| | Rental Fees for Bleachers (each, per day)..... | \$25 |

In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall be published in a newspaper of general circulation.

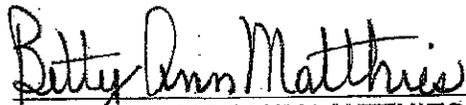
In any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portions of the Ordinance, which shall continue to have full force and effect.

City Staff is hereby authorized to submit this Ordinance as a supplement to the Seguin Code of Ordinances.

In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall become effective ten days from passage on second reading.

PASSED AND APPROVED on first reading on the 3rd day of February, 2009.

PASSED AND APPROVED on second reading on the 17th day of February, 2009.



 MAYOR BETTY ANN MATTHIES

ATTEST:



 Thalia Stautzenberger
 City Secretary

CITY OF SEGUIN

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, AND AMENDING THE SEGUIN CODE OF ORDINANCES, CHAPTER 90, ARTICLE II - STREETS; PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE AND AUTHORIZING STAFF TO SUBMIT THIS ORDINANCE AS A SUPPLEMENT TO THE SEGUIN CODE OF ORDINANCES

WHEREAS, organizations have traditionally held community celebrations at various streets, parks and other public locations within the City of Seguin; and

WHEREAS, there has been a significant increase in the number of events being held downtown and in other areas of the City of Seguin, many of which require requests for use of City utilities and equipment; and

WHEREAS, the City Council wishes to allow such celebrations but recognizes the demand upon City personnel to set up, take down, and clean up after the event; and

WHEREAS, the City Council wishes to revise the ordinance to address all issues connected with street closures and event services.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Seguin as follows:

- 1) That the Seguin Code of Ordinances, Chapter 90, Article II – Streets, is hereby amended as follows:

Section 90-31. Street Closures in the Downtown Historic District and the use of certain park areas

(a) This ordinance applies to the following areas:

- 1) Use of any City streets in the Downtown Historic District,
- 2) Use of the 200 block of Live Oak Street; and
- 3) Use of Central Park and the Memorial Rose Garden on S.Travis Street.

(b) Any use of the areas described in subsection (a) must comply with the following requirements:

- 6) The Police Chief shall review and approve each street closure request, event request and alcohol sales request to develop, as needed, a

security plan and traffic safety plan using professional officers from the Seguin Police Department, the Guadalupe County Sheriff Department or licensed officers from other law enforcement agencies approved by the Seguin Police Department. If the event requires a street closure but does not otherwise require use of City services, a barricade plan must be approved by the Police Chief.

- 10) The event sponsor is responsible for tear down of all fencing, booths, lighting and other equipment, and is further responsible for all clean up in the event area, sidewalks and adjacent private property. Street sweeping will only be provided prior to and after the event not during the event. The Main Street Director will designate a set time for finalizing tear down and clean up, which must be observed. Failure to finalize tear down and clean up on time may result in the loss of some or all of the deposit.
- 15) No tape, wire, string or any items may be used to attach garland, flowers, streamers, flags, banners, signs or other items to the bandstand.
- 16) No rice, confetti, silly string, poppers or cascarones or anything which would produce an undue litter problem or public safety hazard are allowed in Central Park or the bandstand.
- 17) Wading and swimming in the fountain in Central Park is prohibited.
- 18) Only freestanding canopies are allowed.
- 19) No glass beverage containers are allowed.
- 20) Amusement devices such as kiddie trains and inflatable castles must be granted permission in advance.
- 21) Private Property, or utilities or services from private property, may not be used without the express written permission of the property or business owner, or the deposit will be forfeited.
- 22) The event sponsor is required to notify property owners within one block of the event area of the upcoming event at least one week in advance of the event. Such property owners may require the event sponsor to barricade or otherwise secure their property from use by the public during the event. Failure to comply with the property owner's request will result in the deposit being forfeited.
- 23) If an event is multi-day and/or involves the sale of alcohol or a gate fee, the sponsor of the event must provide proof of general liability insurance.

coverage in the City's standard required amounts naming the City of Seguin as additional insured. Liquor liability insurance shall be required if alcohol is sold. Carnival Insurance shall be required if a carnival is present.

24) Deposits and fees will not be refunded in the event of a rain-out or no-show on the day of the event. Cancellations less than 2 weeks prior to the event will be entitled to a 50% return of their fees and deposits. Cancellations more than 2 weeks prior to the day of the event are entitled to a 100% return of fees and deposit.

In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall be published in a newspaper of general circulation.

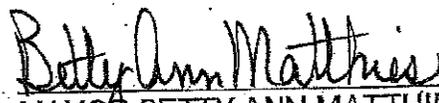
If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portions of the Ordinance, which shall continue to have full force and effect.

City Staff is hereby authorized to submit this Ordinance as a supplement to the Seguin Code of Ordinances.

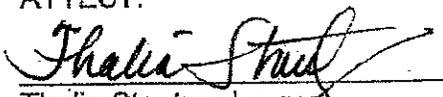
In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall become effective ten days from passage on second reading.

PASSED AND APPROVED on first reading on the 3rd day of February, 2009.

PASSED AND APPROVED on second reading on the 17th day of February, 2009.


MAYOR BETTY ANN MATTHIES

ATTEST:


Thalia Stautzenberger
City Secretary

COUNTY OF GUADALUPE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, AMENDING THE SEGUIN CODE OF ORDINANCES, APPENDIX C, FEE SCHEDULE, BY ADDING CHAPTER 90, ARTICLE II – STREETS, SECTION 90-31 - STREET CLOSURES IN DOWNTOWN HISTORIC DISTRICT AND USE OF CERTAIN PARK AREAS AND SECTION 90-32 - BANNERS; PROVIDING AN EFFECTIVE DATE AND A SEVERABILITY CLAUSE, AND AUTHORIZING CITY STAFF TO SUBMIT THIS ORDINANCE AS A SUPPLEMENT TO THE CODE OF ORDINANCES

WHEREAS, organizations have traditionally held community celebrations at various streets, parks and other public locations within downtown Seguin; and

WHEREAS, there has been a significant increase in the number of events being held in downtown Seguin, many of which require the use of City utilities and equipment; and

WHEREAS, the City Council wishes to allow such celebrations but recognizes the demand upon City personnel to set up, take down and clean up after the event; and

WHEREAS, the City Council wishes to develop a comprehensive ordinance to address all issues connected with street closures and event services, and to provide for reasonable fees for use of City facilities and services; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Seguin as follows:

1) That Seguin Code of Ordinances, Appendix C, Fee Schedule, Chapter 90, Article II, be amended by adding Sections 90-31 as follows:

Section 90-31. Street Closures in Downtown Historic District and use of certain park areas

(a) Fees for events in Downtown Historic District

- 1. Street closure, 1 to 3 days, with privileges to adjacent park area (includes barricades)..... \$25

2.	Electric service:	
	1 day	\$50
	2 days.....	\$75
	3 days.....	\$87.50

3.	Trash cans:	
	1 day.....	\$25
	2 days.....	\$50
	3 days.....	\$62.50

4. Park use involving no street closure, 1 to 3 days..... \$25

(b) Event Damage and Clean-up Deposit

Single Day.....	\$100
Multi Day.....	\$500

(c) Rental Fees for Tables (each, per event)..... \$ 10

2) That Seguin Code of Ordinances, Appendix C, Fee Schedule, Chapter 90, Article II, be amended by adding Section 90-32 as follows:

Section 90-32. Banners.

(a) Installation of Temporary Street Banners

1.	Installation Fee Per Banner.....	\$ 30
2.	Late Fee for non-pickup.....	\$ 50

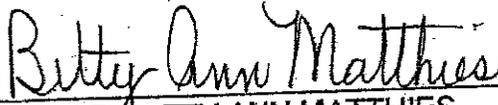
3) If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portions of the Ordinance, which shall continue to have full force and effect.

4) City Staff is hereby authorized to submit this Ordinance as a supplement to the Seguin Code of Ordinances.

5) This ordinance shall be effective the 1st day of October, 2005.

PASSED AND APPROVED on first reading on the 21st day of June, 2005.

PASSED AND APPROVED on second reading on the 5th day of July, 2005.


MAYOR BETTY ANN MATTHIES

ATTEST:


Thalia Stautzenberger
City Secretary

COUNTY OF GUADALUPE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS, REPEALING ORDINANCE NO. 99-104 AND RESOLUTION NO. 98R-50 AND AMENDING THE SEGUIN CODE OF ORDINANCES, CHAPTER 90, ARTICLE II - STREETS, BY ADDING SECTION 90-31 - STREET CLOSURES IN THE DOWNTOWN HISTORIC DISTRICT AND THE USE OF CERTAIN PARK AREAS; PROVIDING AN EFFECTIVE DATE, A SEVERABILITY CLAUSE AND FOR PUBLICATION OF THIS ORDINANCE, AND AUTHORIZING CITY STAFF TO SUBMIT THIS ORDINANCE AS A SUPPLEMENT TO THE CODE OF ORDINANCES

WHEREAS, organizations have traditionally held community celebrations at various streets, parks and other public locations within the City of Seguin; and

WHEREAS, there has been a significant increase in the number of events being held downtown and in other areas of the City of Seguin, many of which require requests for use of City utilities and equipment; and

WHEREAS, the City Council wishes to allow such celebrations but recognizes the demand upon City personnel to set up, take down and clean up after the event; and

WHEREAS, the City Council wishes to develop a comprehensive ordinance to address all issues connected with street closures and event services, and to repeal any other ordinance or resolutions in conflict with the new ordinance; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Seguin as follows:

- 1) That Ordinance No. 99-104 and Resolution 98R-50 are hereby repealed.
- 2) That the Seguin Code of Ordinances, Chapter 90, Article II - Streets, is hereby amended by adding the following Section 90-31:

Section 90-31. Street Closures in the Downtown Historic District and the use of certain park areas

(a) This ordinance applies to the following areas:

- 1) Use of any City streets in the Downtown Historic District,
- 2) Use of the 200 block of Live Oak Street; and

3) Use of Central Park and the Memorial Rose Garden on S.Travis Street.

(b) Any use of the areas described in subsection (a) must comply with the following requirements:

- 1) A request to close a street or reserve a City park area for use during an event must be submitted to the Main Street Director in writing at least fifteen (15) days before the date of the event, except that requests for multi-day events or events at which alcohol will be served must be submitted at least sixty (60) days in advance of the event. An application form may be obtained at the Main Street Director's Office and a completed form with required deposits and fees shall be submitted with the request. No reservation shall be considered final until the deposit and required fees are paid.
- 2) Park areas not reserved in advance and not requiring City services are available at no cost on a first-come, first-served basis.
- 3) Any event that includes a street closure and/or the sale of alcohol shall require approval of the City Council; provided, however, that single day events held in the 100 block of E. Donegan Street outside of regular business hours which require no city services shall neither be required to obtain City Council approval or pay the fees set forth in the fee schedule.
- 4) All multi-day events shall require approval of City Council. No more than four multi-day events per year shall be allowed. Multi-day events shall be limited to no more than three consecutive days.
- 5) No more than four (4) events per month which require street closures or the sale of alcohol shall be allowed.
- 6) The Director of Police Services shall review and approve each street closure request, event request and alcohol sales request to develop, as needed, a security plan and traffic safety plan using professional officers from the Seguin Police Department, the Guadalupe County Sheriff Department or licensed officers from other law enforcement agencies approved by the Seguin Police Department. If the event requires a street closure but does

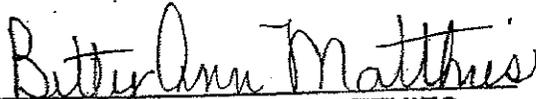
not otherwise require use of City services, a barricade plan must be approved by the Director of Police Services.

- 7) This Ordinance shall apply equally to events sponsored by the City.
- 8) Recurring annual events will be given first priority when scheduling events for upcoming years.
- 9) The closing hours for events in the Downtown Historic District must be observed, with all events ending at or before midnight, unless otherwise approved by City Council. Failure to shut down events on time will result in the loss of the deposit.
- 10) The event sponsor is responsible for tear down of all fencing, booths, lighting and other equipment, and is further responsible for all clean up in the event area, sidewalks and adjacent private property. The Main Street Director will designate a set time for finalizing tear down and clean up, which must be observed. Failure to finalize tear down and clean up on time may result in the loss of some or all of the deposit.
- 11) If food is served, a hand-washing station must be provided along with required health permits. All cooking equipment, including BBQ grills, stoves, fryers and warmers, must be in a secure area and protected from the public. No grills, fires, grease or other equipment is allowed that will burn or damage the grass or pavement.
- 12) No stakes are allowed in the ground or in the street. No tarps or carpets may be placed on the ground in the park.
- 13) Streets may not be barricaded before 5:00 p.m. on the day preceding the event.
- 14) All areas must be left in the same condition that they were found.
- 15) Wading and swimming in the fountain in Central Park is prohibited.
- 16) Only freestanding canopies are allowed.
- 17) No glass beverage containers are allowed.

- 18) Amusement devices such as kiddie trains and inflatable castles must be granted permission in advance.
 - 19) Private property, or utilities or services from private property, may not be used without the express written permission of the property or business owner, or the deposit will be forfeited.
 - 20) The event sponsor is required to notify property owners within one block of the event area of the upcoming event at least one week in advance of the event. Such property owners may require the event sponsor to barricade or otherwise secure their property from use by the public during the event. Failure to comply with the property owner's request will result in the deposit being forfeited.
 - 21) If an event is multi-day and/or involves the sale of alcohol or a gate fee, the sponsor of the event must provide proof of general liability insurance coverage in the City's standard required amounts naming the City of Seguin as additional insured. Liquor liability insurance shall be required if alcohol is sold.
 - 22) Deposits and fees will not be refunded in the event of a rain-out or no-show on the day of the event. Cancellations less than 2 weeks prior to the event will be entitled to a 50% return of their fees and deposits. Cancellations more than 2 weeks prior to the day of the event are entitled to a 100% return of fees and deposit.
- 3) In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall be published in a newspaper of general circulation.
 - 4) If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portions of the Ordinance, which shall continue to have full force and effect.
 - 5) City Staff is hereby authorized to submit this Ordinance as a supplement to the Seguin Code of Ordinances.
 - 6) This ordinance shall be effective the 1st day of October 2005.

PASSED AND APPROVED on first reading on the 21st day of June, 2005.

PASSED AND APPROVED on second reading on the 5th day of July, 2005.


MAYOR/BETTY ANN MATTHIES

ATTEST:


Thalia Stautzenberger
City Secretary