

Town of Prosper Special Event Permit Application

An application for a Special Event Permit must be submitted to the Building Inspections Division a minimum of fifteen (15) business days prior to the date of the special event. The permit fee of one hundred dollars (\$100.00) shall accompany the permit application. The required one thousand dollar (\$1,000.00) deposit shall be paid upon permit approval and issuance.

Date of Application:	Permit # (to be completed by Town staff):
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Name and full description of event

Address/Location of event:

Start Date:	Hours of Operation:
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End Date:	Hours of Operation:
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Organization/Sponsor:

Organization Address:

Phone:

Fax and E-mail:

Name of Applicant:

Phone and E-mail:

Please respond to all applicable questions:

1. How many people are expected to attend the event? _____
2. Will an admission be charged? _____
3. Describe any types of food and beverage that will be consumed at the event. _____
4. Will any street closures be necessary? _____ If yes, provide the name and desired location of barricades? _____

5. Describe the location of permanent restrooms that will be accessible during the event. _____ If permanent restrooms will be accessible, describe the number of portable restrooms that will be provided. _____
6. Will any vehicles be used for the event? _____

A sketch of showing the location of the following items must be provided:

- The general location of the event
 - Parking areas/spaces
 - Tents, booths, or other structures to be used
 - Location of food or beverage serving areas (A separate Food Permit application and fee may be required for food vendors.)
 - Restrooms
 - Loudspeaker
 - Extra Lighting
 - Signs or Banners (separate permits are required)
 - Barricades (A permit from the Texas Department of Transportation (TXDOT) may be required if the event is located adjacent to a state road.)
 - Animals, Rides, Bounce Houses, or other Recreational Activities
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- If being held at a Town park, written permission must be obtained from the Town Manager or his/her designee.
 - This application must be approved by the Police Department, Fire Department, Public Works, Code Enforcement/Health, and Building Inspections

FOR STAFF USE ONLY
EFFECTIVE PERMIT DURATION

Date of Application:	Permit #:
Name and full description of event	
Address/Location of event:	
Start Date:	Hours of Operation:
End Date:	Hours of Operation:

Verified by: _____

Completion Date: _____

REVIEWED AND SIGNED BY:

POLICE: _____

Date: _____

FIRE: _____

Date: _____

PUBLIC WORKS: _____

Date: _____

CODE ENF/HEALTH: _____

Date: _____

BLDG. INSP.: _____

Date: _____

**TOWN OF PROSPER
SPECIAL EVENT PERMIT
REQUIREMENTS AND CONDITIONS**

(Per Ordinance #06-122, November 14, 2006)

Definitions:

Ambient (background) sound pressure level means the all-encompassing sound associated with a given environment, being usually a composite of sounds from all sources, excluding the alleged offensive sound, at the location and approximate time at which a comparison with the alleged offensive sound is to be made.

Amplified sound means music, speech or sound projected or transmitted by artificial means, including but not limited to, amplifiers, loud speakers, or any similar devices which emit sound distinctly discernible at a distance of more than one hundred feet (100') beyond the property line of the premises where the equipment is located.

Carnival means a temporary event that is characterized by, among other things, mechanical rides, games of skill or chance, entertainment or food.

Circus shall mean a temporary entertainment event that is characterized by, among other things, the performance of acrobats, trained or exotic animals, or clowns.

Concession means a temporary food establishment where food is offered to the public that operates for a period of no more than fourteen (14) consecutive days in conjunction with a single circus, carnival, special event, celebration or sales, seasonal or temporary.

Exotic animal means any non-domesticated animal, other than livestock, that is native to a foreign country or of foreign origin or character, is not native to the United States, or was introduced from abroad. The term "exotic animal" specifically includes, but is not limited to, animals such as lions, tigers, jackals, dingoes, leopards, elephants, pandas, camels, antelope, anteaters, kangaroos, chimpanzees, gorillas, orangutans, water buffalo, and species of foreign domestic livestock requiring state or federal permits.

Special event means an event or gathering that requires a temporary exception to otherwise applicable rules or requirements, including, but not limited to:

- a. the temporary complete or partial closure of a public street;
- b. the temporary closure or restriction of access to public property;
- c. the temporary offer of merchandise, food, or beverages on public property or on private property where not otherwise permitted by the Town or the applicable certificate of occupancy;
- d. the temporary erection of a tent on public property or on private property where not otherwise permitted by the Town or the applicable certificate of occupancy;
- e. the temporary erection of a stage, band shell, portable building, grandstand, or bleachers on public property or on private property where not otherwise permitted by the Town or the applicable certificate of occupancy;

- f. the temporary use, for other than storage, of a trailer or van on public property or on private property where not otherwise permitted by the Town or the applicable certificate of occupancy;
- g. the temporary use of equipment to amplify and transmit sound, which exceeds ambient (background) sound pressure levels at the property lines;
- h. the placement of portable toilets on public property or on private property where not otherwise permitted by the Town or the applicable certificate of occupancy; or
- i. activities such as, among others, a carnival, circus, fireworks displays, runs, events not wholly contained on Town parks or building sites or PISD.

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1. A legible and complete application for a permit shall be made at least fifteen (15) business days prior to the date of such special event commencement operation.
2. Proof of public liability insurance with minimum combined limits of One Million Dollars (\$1,000,000)
3. The following events are not considered a Special Event and are, therefore, exempt from this Ordinance:
 - a. Events which require the approval or sanctioning of, or are officially sponsored by, the Town or PISD and:
 - i. the event is wholly contained on a Town park or building site or PISD property;
 - ii. the impact on traffic and surrounding neighborhoods was evaluated and found insignificant by the Town Police Department before approval for the event was granted by the Town or PISD; and
 - iii. the event conforms to the other general criteria of this Ordinance
 - b. Private parties to which the public is not invited.
 - c. An event wholly contained on property specifically designed or suited for said event and which holds a certificate of occupancy for such use, including but not limited to, adequate parking.
 - d. Funeral processions.
4. Safe and orderly movement of normal traffic shall not be substantially, as solely determined by the Town, interrupted. The Town may require the permit holder to provide additional signage for traffic control and safety-related issues. If any Temporary Outdoor Seasonal Sale or Special Event is located adjacent to a TXDOT-controlled road, a TXDOT sign permit must be obtained, and signs must be in place before a seasonal sale or event permit is issued. (The specific requirement for TXDOT signs may be waived if staff determines that sufficient traffic control measures are currently in place.) Prosper Police Department will review the event traffic flow and parking plan and may require the event holder hire an off duty officer to direct traffic.
5. The temporary use shall not impede the movement of any public safety equipment.

6. Waste from animals shall be removed and properly disposed of daily from the premises. Animals shall not be kept closer than three hundred feet (300') to any residence, commercial establishment or food establishment.
7. The application shall be reviewed and approved by the Building Official, Police Chief, Fire Chief, and Director of Public Works, or designees of these individuals, for traffic control, security, fire, medical, safety, and other related issues.
8. The permit for a Special Event will be valid for a maximum period of seven (7) days. Each Temporary Outdoor Seasonal Sale permit will be valid for a maximum of thirty-five (35) days during one period of four weeks before and one week after the Valentine's Day, Halloween, Easter, or Christmas holidays.
9. All signs must conform with the Town's sign code except that signs adjacent to a TXDOT-controlled road will be limited to two (2) signs not to exceed twenty (20) square feet.
10. A permit of a Temporary Outdoor Seasonal Sale or Special Event permit may be denied by the Town if:
 - a. a permit has been granted for another Temporary Outdoor Seasonal Sale or Special Event at the same place and time; or
 - b. the proposed Temporary Outdoor Seasonal Sale or Special Event will unreasonably, as solely determined by the Town, disrupt the orderly flow of traffic and no reasonable, as solely determined by the Town, means of rerouting traffic or otherwise meeting traffic needs is available; or
 - c. the application is incomplete; or
 - d. the applicant fails to comply with or the proposed Temporary Outdoor Seasonal Sale or Special Event will violate a Town code, ordinance, rule, regulation or other applicable law, unless the prohibited conduct or activity would be allowed under Ordinance 06-122; or
 - e. the applicant makes a false statement of material fact on an application for a Temporary Outdoor Seasonal Sale or Special Event permit; or
 - f. the applicant has had a Temporary Outdoor Seasonal Sale or Special Event permit revoked within the preceding twelve (12) months or the applicant has committed two (2) or more violations of a condition of a provision of a Temporary Outdoor Seasonal Sale or Special Event permit or of this section within the preceding twelve (12) months; or
 - g. as solely determined by the Town, the proposed Temporary Outdoor Seasonal Sale or Special Event would unduly burden Town services or unreasonably disrupt the public order.
11. A permit of a Temporary Outdoor Seasonal Sale or Special Event permit may be revoked by the Town if:
 - a. applicant fails to comply with or the Temporary Outdoor Seasonal Sale or Special Event violates a condition or a provision of the permit, an ordinance, rule or regulation of the Town, or any other applicable law; or

- b. the permit holder made any false statements on an application for a Temporary Outdoor Seasonal Sale or Special Event permit; or
 - c. as solely determined by the Town, the Temporary Outdoor Seasonal Sale or Special Event unduly burdens Town services or unreasonably disrupts the public order.
- 12.** All federal, state and local rules, regulation, codes and ordinances will be adhered to by all participants and applicants. The provisions of Ordinance 06-122 are cumulative of all other Town ordinances, rules and regulations. Tent permits, building permits, electrical permits, food establishment and handling permits, sign permits and all other permits and licenses required by the Town or other law for specific activities conducted in conjunction with or as a part of the Temporary Outdoor Seasonal Sale or Special Event must be applied for in a form satisfactory to the Town. The granting of a special event permit does not relieve the applicant, operator, or property owner from complying with all other provisions of the Town Code.
- 13.** A person commits an offense if he/she:
- a. Commences or conducts a Temporary Outdoor Seasonal Sale or Special Event without the appropriate permits or fails to comply with any requirement or condition of a permit or Ordinance 06-122.
 - b. Participates in a Temporary Outdoor Seasonal Sale or Special Event for which a permit has not been granted.
- 14.** Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of FIVE HUNDRED DOLLARS (\$500.00), unless the violation relates to fire safety, zoning or public health and sanitation, including dumping and refuse, in which the fine shall not exceed the sum of TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude the Town from filing suit to enjoin the violation. The Town retains all legal rights and remedies available to it pursuant to local, state and federal law.

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ACCEPTANCE AND AGREEMENT

Upon acceptance of this permit, it shall be construed that the provisions of this permit are acceptable to permittee and that it is his/her sincere intention to adhere to all of the requirements and conditions contained herein.

Permittee agrees to bear all costs associated with the operation and maintenance of the special event.

SIGNATURE OF APPLICANT

DATE