



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
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AGENDA INFORMATION SHEET

DEPARTMENT: City Manager's Office

CM/ DCM/ ACM: Bryan Langley

DATE: May 8, 2018

SUBJECT

Receive a report, hold a discussion, and give staff direction regarding the City of Denton's special event processes, application requirements, common issues, and recommendations for potential solutions.

BACKGROUND

On January 9, 2018 Council Member Briggs requested a work session on the City's policy and practices for special events. The City receives over eighty (80) special event applications annually for events, including festivals, fun runs, car shows, and parades. The following report outlines the current process, areas for improvement, recommendations, and items for policy discussion with Council.

Current Process

The City has a [special events application](#) to help event organizers navigate through the various processes and prepare more effectively for a successful event in the City of Denton. Currently, the process begins with an application being filled out and submitted to the Community Events Coordinator (CEC) in Parks and Recreation at least six weeks prior to an event. The coordinator reviews the application and helps the organizer determine what permits will be required from the City in order to hold the proposed event. There are many different types of events requiring a variety of permits, which can lead to frustration and confusion for event organizers and internal staff.

Over the last few months, an internal staff team has reviewed this process and researched twelve (12) special events policies from other municipalities.

DISCUSSION

Areas for Improvement and Recommendations

In reviewing the current processes for the City's special events, staff recommends that the following changes be made to improve customer service, transparency, efficiency, and consistency.

- 1. Adopt a Special Event Policy or Ordinance** – There are currently six (6) ordinances that relate to special events, including parades, food, fire code, amplified sound, alcohol in parks, and street closures. These various ordinances have different application requirements, deadlines, and processes, creating difficulties in coordinating special event application review. There also is no overarching special event ordinance to tie together all aspects of event review and approval.

Staff recommends a special event ordinance be adopted to establish policy, enforce deadlines, and increase consistency for applicants. An internal staff team has met numerous times throughout the

last few weeks to draft a special events ordinance based upon past experience. A copy has been included as **Exhibit 3**.

2. **Streamline Application** – Currently, organizers fill out a special event application as well as possibly ten (10) other individual applications. The application process can be onerous for event organizers and leads to duplication in the type of information collected among the various applications. Staff recommends moving to a single application that covers all of the information required by the City for special events.
3. **Improve Coordination and Review** – The majority of applications and information regarding a special events is currently submitted to the CEC; however, there is some communication directly with departments which causes confusion for the event organizers. Staff is proposing that the CEC be the single point of contact and project manager to coordinate and work with all departments regarding questions in their area.

Once a special event application is received by the CEC, it is distributed by email to internal departments to review and approve. Staff recommends researching and implementing a software solution that allows internal stakeholders to review the various aspects of the special event application, provide comments that are consolidated into a single location, and use a tracking mechanism to ensure the application is being processed efficiently.

4. **Issue a Special Event Permit** – If the draft special event ordinance is adopted, it would require the issuance of a special event permit which is not done currently. A special event permit would be issued based on the application and comments from staff, describe the approved aspects of the event, and could make the permit contingent on the event organizer fulfilling certain requirements. All relevant staff would receive a copy of the permit and be aware of the approved event parameters.
5. **Create a Single Point of Payment** – Staff is working to develop a process for a single point of payment for special events, which eliminates the need for event organizers to travel to multiple City facilities to pay fees related to special events. Currently, event organizers must travel to the Civic Center for payments of Parks related fees, City Hall East for payments of Solid Waste related fees, and Development Services for payments of tent, food, and carnival/fair permit fees. Staff recommends that all permit fees be paid at the Civic Center and distributed internally to the appropriate departments.

Special Event Ordinance - Key Highlights

The draft special event ordinance proposes a few key changes to current practice. The following outlines those proposed changes with an explanation for the recommendation:

1. **Increase Liability Insurance** – Staff recommends increasing the requirement for \$500,000 in liability and \$250,000 in liquor insurance to \$1,000,000 in coverage for both. This level of insurance is consistent with other City insurance requirements and would not have a large impact on event organizers. Currently, 93% of events already carry the proposed level of insurance, and the increased coverage would be approximately a \$40 increase for events that purchase the minimum coverage under the current requirements.
2. **Submission Timeframe** – The ordinance would require that an application be submitted a minimum of thirty (30) days prior to an event. Currently, application deadlines range from three (3) days to six (6) weeks prior to an event depending on the type of individual permit being requested. Additionally, staff proposes a minimum of sixty (60) days for events that have aspects requiring City Council approval such as noise exceptions, alcohol in parks, or any in-kind service requests in order to allow time to prepare items for City Council consideration.

3. **Request a Parking Plan and Notification Plan** –In the draft ordinance, there are additional application components that an event organizer must submit including descriptions of parking plans as well as notifications to properties that may be impacted by the event. Currently, applicants are not required to indicate where parking is available for the event or provide notification to affected properties. Also, if an event plans to use a private parking lot, they would be required to show proof that they have permission from the owner for use of the parking lot.
4. **Clarify Traffic Responsibilities** – This ordinance would require that only Denton Police Department employees or other sworn officers direct vehicular traffic, which has not been clear or consistent in the past. Citizens and volunteers would still be allowed to direct pedestrians during a fun run or other similar event behind a barricade, or assist in a lawful crossing of the street at a crosswalk.
5. **Repeal of Parade Ordinance-** Staff proposes that by adopting a special event ordinance that the parade ordinance be repealed. Parades would be regulated by the special event ordinance and all of the provisions of the current parade ordinance have been covered in the draft special event ordinance, except for fees related to funeral escorts which would be submitted to Council as a separate ordinance.
6. **In-Kind Services** - Staff proposes that any request for in-kind services be included with the special event application. These requests would be submitted to City Council for approval. Staff plans to track in-kind service costs to be used for future reporting to Council. The application deadline has been increased to a minimum of sixty (60) days prior to the event when in-kind services are requested to allow enough time for City Council approval.
7. **Revocation of a Special Event Permit** - Staff proposes guidelines for denial and revocation of a special event permit be included in the ordinance. The Director of Parks may deny a special event permit if the date and location being requested has already been permitted for a different event, the applicant provides a false statement, if an event would violate another City ordinance or other laws, if the applicant had a permit revoked in the prior twelve (12) months or has not paid in full damage done to City property, or if one or more directors find that the event would be a public threat. The Director of Parks, Police Chief, or Fire Chief may revoke a permit if laws are being violated, or the applicant made a false or misleading statement that causes concern for public safety.
8. **Exempted Events** – Staff proposes that in the special event ordinance that certain events and entities be exempted from the ordinance including motorcades, funerals, events held within a private special event venue, events managed entirely by Parks and Recreation, and other governmental entities. These types of events may be subject to certain regulations for aspects of a special event such as food vendor permits, carnival equipment inspection, or noise ordinance, but would not be required to submit a special event application and receive a permit.

Policy Options and Additional Discussion

There were a number of provisions that have been included in the ordinance that staff believes require additional discussion with City Council during the work session. These items have been listed below:

1. **Appeals** - Staff has included in the draft ordinance that all appeals of denials or revocations of a special event permit be sent to the City Manager. This has been suggested to allow review of an appeal within five (5) days, so a decision can be made prior to the event. If appeals were made to City Council staff suggests that the minimum deadline for an application to be submitted prior to the event increase to accommodate a longer appeals process.

2. **First Amendment Activity** – Staff has proposed in the draft ordinance that individuals wishing to hold a demonstration related to First Amendment activity be required to submit a special event application and receive a permit prior to the demonstration. It is not the intent of this ordinance to restrict First Amendment activities, but this requirement is to ensure public safety staff are aware of the event and properly prepared to maintain safety of the event and general public. Demonstrations would not be subject to the fees associated with the event or insurance requirements, but are required to submit an application a minimum of seven (7) days prior to the event to provide time for staff to plan and coordinate. This is consistent with current practice. Parades would be subject to the normal process for a special event permit since there is an additional requirement for staffing and review.
3. **Block Parties** - Staff has proposed also that neighborhood block parties be required to submit a special event application, but would not be subject to fees or insurance requirements for the event. The reduced requirement was meant to keep the special event application process from being a deterrent for neighborhoods wishing to conduct a block party. Notifications would be required by event organizers to properties affected by the block party.
4. **City Council Approval** - Another area of discussion is whether a special event permit would need City Council approval if it met certain conditions. For example, staff looked at two circumstances where City Council may want to review applications: (1) for events over 5,000 attendees and (2) events planned in the downtown area. There are approximately ten (10) events held annually that exceed 5,000 attendees and currently they do not require City Council approval, unless alcohol is sold or consumed in a park, or a noise variance or in-kind services are requested. There are a total of twelve (12) events that are held downtown area annually. City Council approves either in-kind services, alcohol, or noise variance ordinances for 77% of the thirteen (13) total events that are either over 5,000 attendees or in the downtown area. A listing of events that were approved in Fiscal Year 2016-17 and Fiscal Year 2017-18 year-to-date has been included as **Exhibit 4**.

Due to City Council already approving many aspects of these events (alcohol, parks, noise variance, or in-kind services), staff would recommend that event approval is considered by City Council for these two circumstances. Additionally, 1) events with significant attendance can have impacts on traffic and the community that Council may want to review and approve and 2) events in the downtown area must be considered carefully with any potential impacts to downtown businesses and residents, parking and transportation needs, and developing a public safety plan.

RECOMMENDATION

Staff is requesting Council's feedback and direction on the proposed draft special events ordinance and recommendations to improve the process. If Council agrees with staff's recommendation of adopting a special event ordinance, a final draft ordinance, related guidelines document, and updated application could be submitted to Council for consideration within ninety (90) days.

FISCAL INFORMATION

Staff is researching current software solutions that could be utilized for the application process and do not anticipate that additional expenses would be required.

STRATEGIC PLAN RELATIONSHIP

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

Related Key Focus Area: Safe, Liveable & Family-Friendly Community
Related Goal: 4.4 Provide and support outstanding leisure, cultural, and educational opportunities

EXHIBITS

Exhibit 1- Agenda Information Sheet

Exhibit 2- Presentation

Exhibit 3- Draft Ordinance

Exhibit 4- Event List

Respectfully submitted:
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