



**CITY OF PHARR APPLICATION  
FOR CARNIVAL, CIRCUS OR MASS GATHERING**



*NOTE: SECTION 3 OF ORDINANCE NO. O-2010-34 STATES: THE APPLICATION MUST BE SUBMITTED NOT LESS THAN 45 DAYS PRIOR TO THE EVENT*

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1. Dates of Event: \_\_\_\_\_
  2. Time of the Event: \_\_\_\_\_
  3. General Description of the Event: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  4. Local Representatives, Promoters, Owners, and Vendors associated with the Activity:  
NAME: \_\_\_\_\_ ADDRESS: \_\_\_\_\_ PHONE #: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  5. Owner(s) of the real property on which the event will be located:  
\_\_\_\_\_  
\_\_\_\_\_
  6. The specific description of the property on which the event will be held:  
\_\_\_\_\_  
\_\_\_\_\_
  7. Maximum number of people expected to attend: \_\_\_\_\_ (Attendance shall be limited to that number)
  8. Description of each step sponsor has taken to insure minimum standards of sanitation and health during the activity (please state whether sponsor has contacted the Health Department regarding said event):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Description of each step the sponsor has taken to guard against hazards of fire and smoke and a plan for orderly disbursement of people in the event of a fire (please state whether sponsor has met with the Fire Marshal regarding said event):

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10. Description of all preparations being made to provide traffic control on the public streets in and around said event (please indicate whether sponsor has spoken with the Traffic Safety Coordinator regarding said event):

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11. Description of all preparations made to provide adequate medical and nursing care for said event:

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12. Description of the plan and activity parking and locations used solely for parking for said event:

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13. Description of all preparations being made to protect the physical safety of people attending said event (please indicate whether sponsor has spoken with the Police Department regarding said event):

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14. Documentation required for processing of application per Pharr City Ordinance:

- a) A non-refundable application fee of \$500.00 shall accompany this application.
- b) A copy of the general and/or special liability insurance policy and declarations and/or bonds (\$1,000,000) covering event and activity personnel, visitors, invitees, and participants.
- c) A copy of the agreement between the property owners and event representatives or promotions.

I, \_\_\_\_\_, Promoter/Sponsor, hereby agree to abide by any and all City Ordinances including but not limited to the City of Pharr Ordinance No. O-2010-34 and I hereby acknowledge that I have read Ordinance No. O-2010-34.

Signed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Promoter/Sponsor

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**FOR OFFICE USE ONLY**

Date Received: \_\_\_\_\_

Application shall be subject to review by the following departments:

(    ) approved                      (    ) denied                      (    ) approved                      (    ) denied

\_\_\_\_\_  
Director of Planning and Zoning Department

\_\_\_\_\_  
Director of Public Works Department

(    ) approved                      (    ) denied                      (    ) approved                      (    ) denied

\_\_\_\_\_  
Fire Chief

\_\_\_\_\_  
Police Chief

(    ) approved                      (    ) denied                      (    ) approved                      (    ) denied

\_\_\_\_\_  
Health Department

\_\_\_\_\_  
City Manager

**ORDINANCE NO: 0-2010- 34**

**AN ORDINANCE AMENDING ORDINANCE NO. 97-09; ESTABLISHING REQUIREMENTS AND ADMINISTRATIVE APPROVAL FOR PUBLIC AMUSEMENTS AND OTHER APPLICABLE EVENTS OR ACTIVITIES; AUTHORITY; AREA; DEFINITIONS; PROHIBITIONS; EXCEPTIONS; ENFORCEMENT, PUNISHMENT, PENALTIES AT LAW AND EQUITY; INCLUSION IN PHARR CODE OF ORDINANCES; INCORPORATION OF OTHER ORDINANCES; REPEALING CONFLICTING ORDINANCES AND EFFECTIVE DATE**

§ WHEREAS, the City of Pharr hereby acts in exercising its legislative powers to define acts and prohibit the commission of those acts that may be detrimental to the public health, safety, and welfare of the residents of the City of Pharr or persons located within its corporate boundaries.

§ WHEREAS, the City of Pharr hereby acts in an effort to further the interests of the residents and potential attendees of related entertainment and public amusements.

*NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:*

**SECTION 1: AUTHORITY; AREA:**

- A. The provisions contained herewith are allowed pursuant to the legislative powers of a home rule municipality, and are in accordance with Texas Local Government Code, Chapter 215, Subchapter D, §215.071-215-075.
- B. The City of Pharr hereby adopts and enacts this Ordinance that shall be enforceable within the municipality's municipal boundaries and extra territorial jurisdiction. This Ordinance and provisions herewith shall be included in the Pharr Code of Ordinances. Further, as matters related to the public's health, safety, and welfare is of the utmost concern, the City of Pharr shall be authorized to enforce, through its City Attorney, this Ordinance as may be allowed by law herein.

**SECTION 2: DEFINITION(S):**

*"Public Amusement" shall include any event or activity that may be an open-air or tent show, carnival, circus, exhibition of common showmen, show, exhibition of natural or artificial curiosities, caravans, menageries, and musical exhibitions or performances.*

*“Open-Air or Tent Show”* shall include any exhibition, event or activity in open air or in tents.

*“Carnival”* means an organized activity involving any amusement rides, games, or other festivities.

*“Circus”* means an organized activity involving any trained animals, acrobats or clowns.

### **SECTION 3: APPLICATION AND OTHER PROCEDURES:**

- (a) Not less than forty-five (45) days before the date on which a public amusement is to be held, any persons or representatives of the organized activity shall file a permit or license application with the City Clerk’s office.
- (b) Along with a non-refundable application fee made payable to the City of Pharr in the amount of \$500.00, the application shall include the following information and materials:
  - (1) The contact information (name, address, telephone numbers) of all representatives, promoters, owners, performers, and vendors associated with the activity;
  - (2) A financial statement itemizing the funds being utilized to finance the activity;
  - (3) The location and description of the property where the event will be held as well as the name, address, and telephone numbers of the owners of the property on which the activity will be held;
  - (4) A copy of the agreement between the property owners and event representatives or promoters;
  - (5) The dates and times of the activity;
  - (6) The maximum amount of persons the activity will allow to attend on each day of the activity;
  - (7) A specific, written description of the plan that will govern any and all clean-up procedures for the entire activity that comply with legal and established standards of sanitation and health and prevention;

- (8) A specific, written description of the plan that will govern any and all fire, smoke, traffic, food preparation and sales, parking, and security hazards and prevention;
  - (9) A specific, written description of the plan that will govern any and all event and activity parking and locations used solely for parking;
  - (10) A specific, written description of the preparations made to provide adequate medical and nursing care during the event and activity;
  - (11) A copy of the general and/or special liability insurance policy and declarations and/or bonds covering event and activity personnel, visitors, invitees, and participants.
- (c) Following timely submission of the application fee and all necessary information and materials, the application shall be subject to review by the following:
- (1) Director or designee of the Planning and Zoning Department;
  - (2) Director or designee of the Public Works Department;
  - (3) Fire Chief or designee;
  - (4) Police Chief or designee; and
  - (5) Representative of the Health Department.
- (d) The personnel considering the application shall submit to the City Manager a report stating an individual recommendation including approval, denial, conditions, or other fees required for compliance or to reimburse the City for its costs. The City Manager shall be charged with the final decision in consideration the application.
- (e) An application shall be subject to the following factors:
- (1) Adequacy of the location of the property where the event will be held;
  - (2) The dates and times of the activity, or whether such activity will conflict with a city sponsored or city-wide event;
  - (3) The maximum amount of persons the activity will allow to attend on each day of the activity;

- (4) Reasonableness of the plan that will govern any and all clean-up procedures for the entire activity that comply with legal and established standards of sanitation and health and prevention;
- (5) Reasonableness of the plan that will govern any and all fire, smoke, traffic, food preparation and sales, parking, and security hazards and prevention;
- (6) Reasonableness of the plan that will govern any and all event and activity parking and locations used solely for parking;
- (7) Reasonableness of the preparations made to provide adequate medical and nursing care during the event and activity; and
- (8) Adequacy and sufficiency of the general and/or special liability insurance policy and declarations and/or bonds covering the event or activity, personnel, visitors, invitees, and participants.

**SECTION 4: PROHIBITION; CONSPIRACY TO CIRCUMVENT; EXCEPTIONS:**

- (a) It shall be unlawful for any person seeking an application to submit false information or materials. It shall also be unlawful to conduct an event or activity without having received final, written approval and necessary permits from the City of Pharr in accordance herewith.
- (b) It shall also be unlawful to knowingly conspire to circumvent this ordinance by allowing the unauthorized use, transfer, or possession of a permit, license, or other authorization or agreement.
- (c) This section shall not apply to a public school event, or event contracted or sponsored by the municipality to conduct a public festival or similar event.

**SECTION 5: ENFORCEMENT; PUNISHMENT; PENALTIES:**

- (a) Should any person or business violate the prohibitions contained herein, or allow the commission of any act or condition that proximately resulted in a violation of this ordinance, the City Attorney may take any action to enforce this or any ordinance to prevent and summarily abate the action and remove or seize any objects used to violate this ordinance. These actions may also include but not be limited to allowing for municipal resources and personnel to: abate any premises or property, closure, condemn, remove any person or thing, court action, suspend, cancel, or void any license or permit issued by the City of Pharr or a state or federal

agency, and any and all other relief as may be necessary.

- (b) Any violation of this Ordinance shall be subject to both civil and criminal penalties. A criminal conviction shall be a Class C misdemeanor. A violator shall also be subject to the maximum penalties allowed by law for failing to appear in Court when charged with an offense as described herein. If conduct constituting an offense under this ordinance also constitutes an offense under another law, the person may be prosecuted under all applicable laws.
- (c) A liable party shall be subject to a civil penalty up to \$1,000 per violation, or the maximum allowed by law.

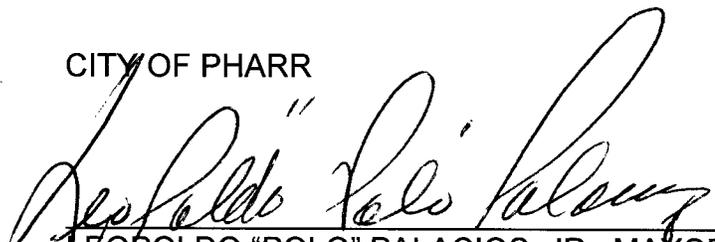
**SECTION 6:** This Ordinance shall incorporate herein all other ordinances and those that exist in the Pharr Code of Ordinances related to similar events. Any ordinance in direct conflict with this Ordinance is repealed to the extent of the conflict, and this Ordinance shall supersede any provisions in conflict herewith. All other provisions of the above described ordinance shall remain in full force and effect.

**SECTION 7:** If any section, part of provisions of this Ordinance is declared unconstitutional or invalid, such declaration shall not affect the validity of the remaining sections, parts or provision of this Ordinance.

**SECTION 8: PUBLICATION AND EFFECTIVE DATE:** The Ordinance shall take effect and be in force from and after its passage and approval on three (3) separate readings in accordance with Section 8, Article 3 of the Charter of the City of Pharr, Texas. Publication, if necessary, may also be in caption form as allowed under Section 9 of the Pharr City Charter.

PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 8TH day of JUNE 2010, A.D.

CITY OF PHARR



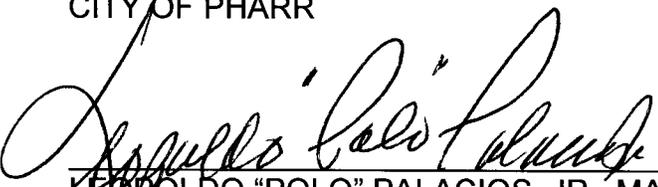
LEOPOLDO "POLO" PALACIOS, JR., MAYOR

ATTEST:

  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 15TH day of JUNE 2010, A.D.

CITY OF PHARR

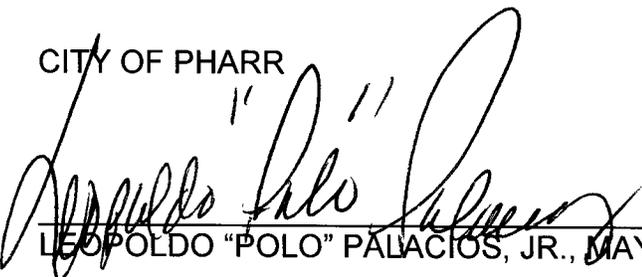
  
LEOPOLDO "POLO" PALACIOS, JR., MAYOR

ATTEST:

  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 6TH day of JULY 2010, A.D.

CITY OF PHARR

  
LEOPOLDO "POLO" PALACIOS, JR., MAYOR

ATTEST:

  
HILDA PEDRAZA, CITY CLERK