

ORDINANCE NO. 13-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS ADDING TO CHAPTER 13, SEC. 13-22.4, EVENT PERMIT-NOTICE; REQUIRING NOTIFICATION FORM; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF FIVE HUNDRED DOLLARS (\$500.00) FOR ANY VIOLATION AND FOR EACH HOUR A VIOLATION OCCURS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR PUBLICATION IN CAPTION FORM

NOW, THEREFORE, BE IT ORDAINED BY CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:

SECTION 1. Chapter 13 of the Code of Ordinances of the City of South Padre Island pertaining to Events is hereby amended to add the following:

“Sec. 13-22.4. EVENT PERMIT- NOTICE.

1) Definitions.

- A. **Event.** A gathering on private or public property, that is not a part of the regular course of business, and that attracts or is expected to attract more than 1500 persons.
- B. **Promoter** means a person who promotes an Event, and may or may not include the owner.
- C. **Owner** is the person who owns the private property on which an Event is held.
- D. **Regular Course of Business** means an Event that occurs at least twelve (12) times or more a year on that owner’s property.

2) Requirements: Permit and Notification Form

To hold an Event that has not otherwise been permitted by the City, the Promoter or Owner shall:

- A. Obtain a permit issued by the City with an initial fee of \$25.
- B. Complete and submit Event Notification Form four (4) weeks before the scheduled date of the proposed event to allow adequate preparation time by the City; however, this time frame may be waived by the City Manager or its designee. The applicant may submit and pay electronically **or** pay and file one original hard copy with four (4) copies of the Form with the City, which will thereafter be distributed to the appropriate departments.
- C. The Form shall contain, at minimum, the following, and may be amended accordingly:
 - 1) Venue name and address
 - 2) Date(s) of Event
 - 3) Name and Cell phone numbers:
 - (a) Owner
 - (b) Promoter

(c) On-duty security officer and their supervisor's name/agency/contact information

(d) On-site Event Contact person

- 4) Type of Event
- 5) Event Company Name
- 6) Number of expected Attendees
- 7) Number of planned Staff Personnel on site at time of Event
- 8) City Services requested (list in detail)
- 9) Owner's consent to Event
- 10) Site Plan

3) Process after application. Within 10 working days of receipt of the completed Notification Form, a permit will be issued and the appropriate City designee will communicate with the Owner or Promoter in order to coordinate and ensure maximum safety for both visitors and residents during the Event.

4) Responsibility. The property owner and promoter are presumed to have consented to all of the conduct on their property and are both liable for violations.”

SECTION 2. Any violation of this Event Ordinance may be punished by a fine not to exceed five hundred dollars (\$500.00) for each offense, and for each hour such offense shall continue shall be deemed a violation and a separate offense, and the penalty provisions of Sec. 21-1 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

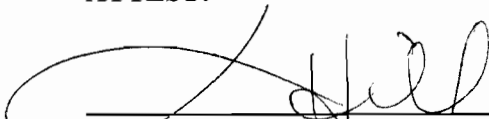
SECTION 3. If for any reason any section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this Ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

SECTION 4. This Ordinance shall become effective April 1, 2013 and when it is published in caption form.

PASSED, APPROVED, AND ADOPTED on First Reading, this 6TH day of February 2013.

PASSED, APPROVED, AND ADOPTED on Second Reading, this 20TH day of February 2013.

ATTEST:



SUSAN HILL, CITY SECRETARY



CITY OF SOUTH PADRE
ISLAND, TEXAS



ROBERT N. PINKERTON, JR., MAYOR