

City of Nacogdoches Guidelines for Festivals, Events & Parades

The City of Nacogdoches recognizes that special events serve an important role in Nacogdoches, including building a sense of community, expressing the city's cultural and historic diversity, as well as entertaining and educating. Each year the City of Nacogdoches commits available resources through staff time, facilities and equipment to provide support to these events. As the number and size of events grow, it is necessary to provide individuals and event organizers with a consistent process to better coordinate efforts related to event management and support.

The purpose of the Festival, Events & Parade Guidelines and Permit process is to provide a resource to event organizers to streamline the approval process for special events held in the City of Nacogdoches. It also allows staff an opportunity to review events and be able to prepare effectively in advance. The checklist and other required information are designed to help event organizers prepare more effectively and as a result, present a successful event to their intended audience.

I. Introduction

Nacogdoches offers a unique and rewarding setting to host many different events, festivals & parades. The City of Nacogdoches may support festivals and events that benefit:

- A.) The community as a whole
- B.) The character of the City
- C.) Nacogdoches' position as a tourist destination
- D.) Economic activity within Nacogdoches

II. Objectives

The objectives of the Guidelines are to:

- A.) Ensure festivals and events are in keeping with the character of Nacogdoches
- B.) Ensure public health, safety and welfare
- C.) Provide quality entertainment and leisure opportunities for local residents and visitors and
- D.) Ensure unacceptable and/or irreversible damage does not occur to the local environment

III. Definitions

- A.) The term, '*festival*' refers to a series of events occurring simultaneously or in conjunction with one another, including but not limited to, downtown streets/sidewalks, Eugenia Sterne Park and Festival Plaza, that may require road closure and/or city support.
- B.) The term, '*large event*' refers to a stand-alone activity requiring use of City property and may require road closure and/or city support.
- C.) The term, '*small event*' refers to a stand-alone activity with fewer than 500 expected attendees, requiring use of City property and *will not*
 - a. require road closure,

- b. have food vendors,
 - c. include the use or sale of alcohol,
 - d. last for more than 5 hours
- D.) The term, '*Not For Profit*' refers to a legal structure authorized by state law allowing people to come together to either benefit members of an organization (a club, or mutual benefit society) or for some public purpose (such as a hospital, environmental organization or literary society).
- E.) The term "Parade" means a march or procession that does not comply with normal traffic regulation or control on a roadway and consists of 20 or more parade entries.
- F.) A parade entry is defined as: either a float or non-float entry.
- a. A float is any wheeled structure, motor driven or not, participating in the Parade
 - b. A non-float is any non-wheeled or other entry such as clowns, dancers, performers, jugglers, etc.
 - c. Individual vehicles do not count as an "entry"

IV. *Permit Process*

- A.) Festival, Event & Parade personnel shall meet with Main Street Manager prior to permit submittal to City.
- B.) A permit must be obtained in order to host a festival, parade or event in Nacogdoches.
- C.) Festivals and Large Events
- a. A permit must be submitted to the Main Street Manager no later than 60 days prior to the event (exception alcohol sales – see section V.A.B.)
 - b. Required permit attachments and fees must be submitted to the Main Street Manager no later than 30 days prior to the event.
 - c. The application must be reviewed by the Main Street Manager, Facility Maintenance Supervisor, Health Inspector, Public Works Director, Police Chief, and Fire Chief, or their designees.
 - d. The application will then be forwarded to the City Manager no later than 45 days prior to the festival or large event.
 - e. The City Manager has the discretion to forward the application to the City Commission for final consideration and approval.
 - f. The Main Street Manager will provide notification of the permit approval or denial within 30 days of submission. Notification will be provided to the contact person listed on the application as well as the Facility Maintenance Supervisor, Health Inspector, Public Works Director, Police Chief, and Fire Chief.
- D.) Small events
- a. Permit must be submitted to the Main Street Manager no later than 30 days prior to the event.
 - b. Required permit attachments and fees must be submitted to the Main Street Manager no later than 20 days prior to the event.

- c. The application must be reviewed by the Main Street Manager and forwarded to the City Manager no later than 20 days prior to the small event.
- d. The City Manager has the discretion to forward the application to the City Commission for final consideration and approval.
- e. The Main Street Manager will provide notification of the permit approval or denial within 14 days of submission. Notification will be provided to the contact person listed on the application as well as the Facility Maintenance Supervisor, Health Inspector, Public Works Director, Police Chief and Fire Chief.

E.) Parades

- a. A person who participates in a march or procession that consists of fewer than 20 parade entries must comply with normal traffic regulation or control on a roadway.
- b. Permit must be submitted to the Main Street Manager no later than 30 days prior to the event.
- c. Required fees must be submitted to the Main Street Manager no later than 20 days prior to the event.
- d. The application must be reviewed by the Main Street Manager and forwarded to the City Manager no later than 20 days prior to the parade.
- e. The City Manager has the discretion to forward the application to the City Commission for final consideration and approval.
- f. The Main Street Manager will provide notification of the permit approval or denial within 14 days prior to the parade. Notification will be provided to the contact person listed on the application as well as the Facility Maintenance Supervisor, Health Inspector, Public Works Director, Police Chief and Fire Chief.

V. *Sale or Use of Alcohol*

- A) Festivals and large events involving sale or use of alcohol must be coordinated with the Nacogdoches Main Street Manager to ensure compliance with City of Nacogdoches ordinances and policies.
- B) If alcohol is to be sold, \$1,000,000 liquor liability insurance is required, in addition to general liability insurance.

The City of Nacogdoches Code of Ordinances allows for the sale of alcohol in Festival Plaza with the following restrictions (Section 74-62)

Sec. 74-62. Consumption and possession of alcoholic beverages.

- (a) It shall be unlawful for any person to possess or consume alcoholic beverages within any public park, except for Liberty Hall in the El Camino Real Park, and the designated portion of Banita Creek Park South.
- (b) Alcoholic beverages may be allowed in foregoing areas provided the appropriate application and deposit, as referenced by the adopted City of Nacogdoches Festival Guidelines, and a reservation agreement is issued. In addition, the following guidelines and procedures apply to alcoholic beverages in the designated area of Banita Creek Park South:

- (1) Alcohol is allowed only during a festival or event that is approved by the City of Nacogdoches.
- (2) Applicant must submit a festival/event permit application at least 90 days prior to the proposed festival that includes the following documentation:
 - a. A map depicting the following:
 - i. The boundaries of the festival area
 - ii. Locations of fencing and type of fencing material to be approved by the City Manager
 - iii. Locations of entrance and exit points
 - iv. Locations of alcohol sales
 - b. Proof of required licenses, permits and paid fees mandated by state and local law for the sale of alcoholic beverages.
- (3) Applicant must present the request to the city commission for consideration.
- (4) The sale and/or consumption of alcoholic beverages shall be limited to the area(s) indicated on the festival/event permit application.
- (5) If the event is gated with controlled access:
 - a. Alcohol may be sold throughout the gated, controlled access area of Banita Creek Park
 - b. The gating and access control must be approved by the City Manager
- (6) If the event is not gated with controlled access:
 - a. Alcohol may only be sold in areas designated in the festival/event permit application.
 - b. Each designated area shall be "double-fenced" of a material approved by the City Manager with a four-foot spaced between fences for security personnel and minimum height of 48 inches.
 - c. The designated area shall meet all applicable health and safety codes.
 - d. The designated area shall have no more than one public entrance.
- (7) Peace officers licensed in the State of Texas must be on site throughout the event's operation and outside the perimeter to provide security. The City Manager shall determine the number of officers required for the event. The event holders will pay for the service of the peace officers.
- (8) Alcoholic beverages may only be sold or consumed in accordance with state law
- (9) No glass containers will be allowed in Banita Creek Park South.
- (10) The applicant will be responsible for the proper disposal of all trash on any property, public or private, which was utilized by the organizer during the event. Proper disposal of trash shall occur no later than 24 hours following the end of the event.

VI. Public Safety

- A.) Festival and large event organizers must designate a specific area for first aid and lost children, and indicate such area on the festival/large event layout plan.

- B.) Festivals and large events with expected attendance in excess of 5,000 attendees shall provide a security and emergency plan as an attachment to the permit application. These plans are subject to review by the Police and Fire Chiefs or their designees. The plans must include, but are not limited to
 - a. Details regarding the number and placement of security personnel and who the security personnel will be, i.e. off duty police officers, volunteers, etc.
 - b. Details regarding first aid and emergency medical plans, i.e. location of first aid station, number of ambulances and medics provided, etc.
 - c. Emergency evacuation plan
- C.) Festival, parade, and event organizers are responsible for removal of all items on Main Street *immediately* following the event. Items on other City Streets must be removed within 24 hours of the conclusion of the festival or large event, or by 5 p.m. on the first business day after the event. Items in Festival Park must be removed within 24 hours of the festival or event or by 5 p.m. on the first business day after the event.
- D.) No trailers shall be parked on Main Street except during the hours the street is closed for the festival.

VII. Insurance

- A) Festivals must provide proof of liability insurance to the City of Nacogdoches Main Street Manager 60 days prior to the festival.
- B) The proof of insurance shall consist of a Certificate of Insurance showing the City of Nacogdoches as an additional insured in the amount of \$1,000,000 general liability
- C) If alcohol is to be sold, \$1,000,000 liquor liability insurance is also required.

VIII. Restrooms

- A.) Small events may utilize the public restrooms located on the west side of Banita Creek Park South. Event organizers will be held responsible for any damages to these restroom facilities during the period of the event.
- B.) Festivals and large events must provide at least one public, non-gender restroom per every 1,000 anticipated attendees.
- C.) For every 3,000 anticipated attendees, at least one ADA, public, non-gender restroom must be provided.

IX. Fees

A.) Damage Deposits

- b. Festivals will make a refundable deposit of \$300.00 to the City of Nacogdoches. This deposit must be submitted to the City of Nacogdoches Main Street Manager no later than 20 days prior to the event.
- c. Large Events will make a refundable deposit of \$200.00 to the City of Nacogdoches. This deposit must be submitted to the City of Nacogdoches Main Street Manager no later than 20 days prior to the event.

- d. Small Events will make a refundable deposit of \$100 to the City of Nacogdoches. Deposit must be submitted to the City of Nacogdoches Main Street Manager no later than 20 days prior to the event.
- e. Parades will make a refundable deposit of \$250.00 to the City of Nacogdoches. This deposit must be submitted to the City of Nacogdoches Main Street Manager no later than 15 days prior to the event.
- f. Events sponsored solely by the Nacogdoches Convention and Visitor's Bureau and the Nacogdoches Main Street Program are exempted from making the above required deposits. Assessments may be made to these organizations if damages do occur during events sponsored solely by these organizations.
- g. In the event of damages or failure of the event organizers to clean up trash, the deposit will not be refunded and additional costs may be assessed.

B.) Damage Deposit Refunds

- a. Refunds will be issued to event organizers via USPS within 15 days after the end of your event *if* all guidelines have been followed accordingly.
- b. It is the sole discretion of the City of Nacogdoches not to issue a refund if the festival guidelines have not been adhered to.

C.) Gated Festivals or Events

- a. Gated festivals and events are subject to review and approval by City Commission.
- b. Festivals and events with gated entrance fees will be charged a non-refundable fee of \$500.00 in addition to the damage deposit. The fee must be paid no later than 20 days prior to the festival or event.

X. *Street Banners*

- A.) Applications and fees for temporary overhead street banners must be submitted to the Nacogdoches Planning Department.
- B.) All temporary overhead street banners must be hung, maintained and removed by festival or event personnel on poles provided and approved by the City.

XI. *Street Closure*

- A.) A minimum of 75 vendors must be participating in the festival or event in order to close Main Street for more than four hours.
- B.) A final count of vendors and a list of food vendors including detailed electrical and water needs must be submitted to the Main Street Manager no later than 14 days before the event or festival.
- C.) Any festival or event requiring closure of Main Street for more than four hours must be reviewed and approved by the City Commission. This closure request will be forwarded to Texas Department of Transportation for final approval.
- D.) Main Street will not be closed for more than 48 consecutive hours between 6:00 p.m. on Friday and 6:00 p.m. on Sunday. Roads surrounding Main Street will not be closed longer than 48 consecutive hours.
- E.) To allow emergency vehicle access, event organizers must arrange pick up and drop off locations on the north side of the square.

XII. Parades

- A.) A minimum of 20 parade entries must be participating in the festival or event in order to hold a parade.
- B.) A separate parade route must be submitted with the permit application to the Main Street Manager.
- C.) A separate entry count must be submitted no later than 15 days prior to the festival to the Main Street Manager.
- D.) All parade participants riding or standing on floats or motorized vehicles must wear safety belts, have hand holds or back supports securing them in place while the float or vehicle is in motion.
- E.) All parade participants who drive floats or motorized vehicles shall have a valid driver's license and vehicle liability insurance.
- F.) No candy or materials may be thrown along the parade route. The distribution of gifts, merchandise, literature or other material along the parade route is prohibited unless prior approval is given by the Nacogdoches Police Department.
- G.) Squirt guns, silly string or other items potentially dangerous to spectators or participants are prohibited during the parade.
- H.) Any changes in the parade route must be authorized by the Main Street Office and the Nacogdoches Police Department.
- I.) No alcoholic beverages of any kinds will be allowed in or on the float or tow vehicle. The consumption of any alcoholic beverage is strictly prohibited and violators will be prosecuted.
- J.) Floats must not exceed 20 feet in width and must not be taller than 15 feet (overall height). Floats with parts that are taller than the 15-foot requirement must be lowered in a quick and efficient manner. Maximum float length is 55 feet. **NO 18 WHEELERS WILL BE ALLOWED!**
- K.) All part of the frame must be high enough to clear surfaces to and from the parade assembly area through the dispersal area. All parts of the full-decorated float must clear the ground by a minimum of ten inches with the exception of fringe. Flooring must be strong enough for all riders
- L.) A turn radius of 45 degrees to the right and left is mandatory.
- M.) Portable generators used in conjunction with float lighting must be securely mounted on a vehicle or other substantial base. A minimum of 12 inches clearance must separate any part of the generator from light, combustible fabrication or decorating material. At least one five-pound dry chemical or 10-pound carbon dioxide fire extinguisher should be placed within easy reach of the float driver. There should be at least one fire extinguisher near each generator.
- N.) All drivers must be licensed and adequately trained to drive their float. The driver should have perfect visibility of the road ahead. Once the float is in position in the line-up area, the driver must be in attendance at all times and available to move the unit as necessary. No one will be allowed to ride on floats, cars or other vehicles unless properly secured to such. No one will be allowed to ride on hoods of vehicles etc.
- O.) Parade Organizers are responsible for debris clean up immediately following the parade. Failure to do such will result in deposit remittance to the City of Nacogdoches.

- P.) Wire and lighting devices must have sufficient capability for the use intended for them on the float. Wiring should be properly secured to the float to avoid mechanical damage and injury to float riders and other participants.
- Q.) If livestock are not diapered, Parade Organizers are responsible for immediate clean up after the conclusion of the parade. Failure to comply will result in remittance of deposit.

XIII. *Trash Pick Up*

- A.) Festivals, parade, and event coordinators are responsible for trash and litter cleanup.
- B.) Trash and litter must be monitored and cleaned during the festival as well as immediately after the festival/parade.
- C.) The refundable deposit will be forfeited if litter/trash pick up is not completed within 24 hours of conclusion of the event or festival. Additional fees may be assessed to reimburse the City the cost incurred by the City to complete trash pick up.
- D.) Parades will have 4 hours clean up any and all debris after the conclusion of the parade.
- E.) Festival and event coordinators are responsible for requiring each vendor booth provide at least one trash receptacle for public use.
- F.) Each vendor is responsible for disposal of all trash from the vendor booth and trash must be disposed of in the provided dumpster. If the festival or event coordinator needs the City to provide a dumpster, it is the responsibility of the coordinator to make this request on the permit application.

XIV. *Vendor Booths and Activities*

- A.) Festival and event personnel are responsible for each vendor booth, including placement of the booth.
- B.) Vendor booth placement must allow for 14 feet of clearance on the street.
- C.) "Vendor" means any person who sells or provides goods or services to the festival attendees onsite. Vendors will be counted as such by city personnel.
- D.) Booth spaces do not constitute vendors, and will be counted differently than vendors.
- E.) The festival or event personnel are responsible for providing the City Main Street Manager with detailed electrical and water needs for vendor booths 14 days prior to the event
- F.) Entertainment stages, bounce houses, etc will not count as vendors.
- G.) Vendor booths and activities may not be placed in the middle of streets, as this may block primary emergency access routes.
- H.) Vendor booths may not block the sidewalks and/or business entrances.
- I.) Food booths
 - a. A separate temporary food permit must be obtained from the Health Inspector by the vendor.
 - b. A list of vendors selling food must be submitted to the Health Inspector no later than 14 days prior to the festival. This list shall include name, phone

number, and address for each vendor as well as the type of food the vendor will sell.

- c. All food vendors must have one 5lb ABC Dry Chemical Extinguisher with a current State Fire Marshal inspection tag attached.
- J.) Vendors may not use generators at festivals or events being held on the brick streets. Vendors in Festival Plaza may use generators.
 - a. Vendors with generators at Festival Plaza must have a 5lb ABC Fire Extinguisher with current State Fire Marshal inspection tag attached
- K.) For-profit vendors must possess a sales tax permit.
- L.) Activities to be held in unoccupied structures must contact the Nacogdoches Fire Department at least 30 days prior to the festival or event to schedule a fire inspection. The unoccupied structure must pass the fire inspection prior to the activity taking place.

XV. Fire Regulations

- A.) Use of open flame devices in the downtown area must be approved by the Fire Marshall prior to the event.
- B.) Fire/Safety Inspections will be performed on the day of the event, including but not limited to checking floats and vendor booths for fire extinguishers.
- C.) All electrical systems must be in safe working condition
- D.) All electrical wires should be secured to prevent trips and falls.
- E.) Compressed gas cylinders (such as those containing helium) must be secured using a durable device such as a chain or webbed strap.

XVI. Wrap-Up Meetings

- F.) Festival coordinators will be responsible for holding a wrap-up meeting within 10 business days of the festival or event, with all parties involved, including but not limited to, the Main Street Manager, representative(s) from the Nacogdoches Convention and Visitor's Bureau, and representative(s) from the Downtown Business Association.
- G.) Festival coordinators are responsible for providing Main Street Manager with a closeout report within 10 days of the festival or event, which will be reviewed by the Main Street Manager and City Manager. It is the discretion of the City Manager to forward the report to the City Commission.
- H.) This report shall include:
 - a. Number of vendor booths,
 - b. Estimated number in attendance,
 - c. Amount of money generated, including but not limited to, vendor booth rentals and profit events, from the festival.

XVII. City Departmental Review

- A.) The permit application will be reviewed by each of the following departments for compliance with safety issues, City policy, local ordinances and state laws:

