

# Galveston County Department of Parks and Cultural Services

## Facility Permitting Policy

Policy Amended: March 17, 2015

In effect: March 17, 2015

In keeping with our mission, it is our desire that every event scheduled at a county park facility be successful and safe. To facilitate this goal, the Galveston County Commissioners Court adopts the following policies and procedures on behalf of Galveston County. The County's Department of Parks and Cultural Services will implement them.

### 1. Definitions

- 1.1 Alcoholic Beverages: The only types of alcohol that may be consumed for private functions in County Park Facilities are wine, beer, and champagne.
- 1.2 Amplified Music: Music that is made louder through the use of a piece of equipment for increasing the strength or power-level of electric currents thus increasing the decibel level or loudness of the music. Amplified sound and equipment is prohibited for outdoor facility reservations. Sound that is not plainly audible outside of the perimeter of the reserved pavilion is allowed (i.e. small portable stereo).
- 1.3 Beach: means state owned beaches to which the public has the right of ingress and egress bordering on the seaward shore of the Gulf of Mexico or any larger area extending from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico if the public has acquired a right of use or easement to or over the area by prescription, dedication, or has retained a right by virtue of continuous right in the public.
- 1.4 Commercial fees: are those fees that apply to all activities conducted for a commercial or for-profit legal entity wherein items are sold or fees are charged for admission, participation, or registration.
- 1.5 Department: means the Galveston County Department of Parks and Cultural Services.
- 1.6 Deposit: is the amount of money tendered that is designed to reimburse the County for possible damages/clean-up to a Site or Facility. Deposits are fully or partially refundable upon clean-up conditions being met. Should the deposited amount not be sufficient, additional monies will be required.
- 1.7 Set-Up/Break Down Charge: is the amount of money charged to reimburse the County for the cost of labor hours required to make a Facility ready (tables and chairs, etc.) for an event and to restore the Facility to its original pre-rental/reservation state upon completion of the event.
- 1.8 Director: means the current Director of the Galveston County Parks and Cultural Services or their designee.
- 1.9 Teen Youth Party: means an organized event with two or more participants of the age of seventeen or under where chaperone(s) are required and admission fees are charged.
- 1.10 Chaperone: is a **person age 21 or older** who accompanies **teen youth age eighteen or under** at social gatherings to ensure proper behavior and/or one delegated to ensure proper behavior.
- 1.11 Curfew: is a regulation to govern the Youth Parties usage of the county park facilities within municipal jurisdictions established curfew ordinances.
- 1.12 Facility Use Agreement/Application: a written promise evidenced by a signed document ("Facility Use Agreement/Application") by applicant for facility reservation by which applicant agrees to the regulations established by the County Department of Parks and Cultural Services for use of a facility as listed in the agreement.

- 1.13 Public/Special Event/Company Picnic Permit Application: a series of forms (“Application and Request For Special Event Permit, Special Event Security Plan, Requirements and Attractions and Special Event Contract”) to be completed and signed by the individual or group requesting a reservation/permit for a special event (Concert, Wedding, Fair, Fun Run, Picnic, Rally, etc.) to be held at a facility and/or including the grounds associated with the facility or for events that exceed facility capacities, or are requesting special accommodations.
- 1.14 Facility Data Report: a form (“Facility Data Report”) executed by and between the Permit Holder and the Department of Parks and Cultural Services operations personnel (Park Maintenance Worker, Park Aide, Seasonal Park Aide, District Supervisor, and/or Park Operations/Trades Manager), which establishes and documents the pre-rental reservation and post-rental reservation condition of a facility including facility grounds if applicable.
- 1.15 Events:
- 1.15.1 Mass Gatherings: a gathering that attracts or is expected to attract more than 200 individuals on any Beach in the unincorporated area of Galveston County who will remain at the location for more than two continuous hours. **Moratorium on Mass Gatherings, effective, November 6, 2002.**
- 1.15.2 Public Events: activities such as rodeos, festivals, religious revivals, and rallies that are open to the public, regardless of whether or not an admission fee is charged.
- 1.15.3 Special Events, a.k.a. Walk-A-Thons, Company Picnics, Fun Runs and Races: that are usually closed to the general public, but open to registered participants of a particular group.
- 1.16 Outdoor Facility: is a park pavilion, gazebo, covered barbecue site, therapeutic garden, athletic field, bunker, rodeo arena, or other similar structure within a Site. Indoor Facility: is the Bacliff Community Center, concession stands, Dickinson Community Center, Jury Assembly Room, Pioneer House, Runge Community Center, Walter Hall Banquet Facility (upstairs and downstairs) and the Wayne Johnson Community Center.
- 1.17 Individual, non-profit, or tax exempt fees: apply to organizations recognized by Texas State Law as tax exempt. Such organizations must be in existence exclusively for one or more specifically exempt purpose(s) at the time of application for permit.
- 1.18 Permittee: means a permit holder. The “Permit Holder” must be twenty-one years of age or older ( $\Rightarrow$  21 Years of Age) in order to be allowed to reserve and/or permit a county facility and/or site.
- 1.19 Person: means an individual, group of individuals, firm, corporation, partnership or association.
- 1.20 Policy: means this Facility Permitting Policy.
- 1.21 Private Functions: small picnics, weddings, birthday parties, family reunions, churches, etc. that are closed to the public and are usually held or sponsored by private citizens, churches, or class/family reunions.
- 1.22 Promote: includes organize, manage, finance or hold.
- 1.23 Promoter: means a person who promotes a Mass Gathering.
- 1.24 Site: is the area (park, center, Beach, public pavilion, etc.) reserved for an event.
- 1.25 Site reservation (user) fees: are fees paid to reserve a Site. They are not deposits and are therefore not refundable except as specified regarding timely cancellations.

- 1.26 Walk-a-thons, fun runs, and races: are any type of race, walk or similar event in which participants use a portion of parkland to begin and/or end the Event. All such events will be assessed a deposit and a reservation fee in accordance with the Site and Event reservations fee policy.

## 2. Scheduling Events or Private Functions (INDOORS AND OUTDOORS)

- 2.1 For Private Outdoor Functions, applicants for permits must complete a Facility Use Agreement/Application. The completed Facility Use Agreement/Application, Facility Deposit (if applicable), and User Fee payments must be submitted to the Parks Administrative Office at a minimum of seven (7) days in advance of the reservation date. For Private Indoor Functions, the completed Facility Use Agreement/Application and User Fee payments must be submitted to the Permit Office at a minimum of 30 days in advance of the reservation date.

For **private outdoor facility rentals**, the Applicant forfeits 100% of the assessed User Fee **if the applicant fails to notify the Parks Office in writing of cancellation of the event seven (7) calendar days prior** to the scheduled event unless the applicant is granted a full or partial refund under the requirements below.

For **private indoor facility rentals, public events, special events and company picnics**, the Applicant forfeits 100% of the assessed User Fee **if the applicant fails to notify the Permit Office in writing of cancellation of the event, 30-calendar days prior** to the scheduled event.

Should your event need to be rescheduled due to a staff/clerical error, health or safety issue, a County function or unforeseen event (i.e. deaths, sudden illness, loss of employment) or “Acts of God” (i.e. declared emergency and natural disasters), Permit Holder will be given notice at the earliest opportunity and User/Deposit Fees will be refunded or the event can be rescheduled.

- 2.2 A person may not promote a Mass Gathering without a permit being first issued by the Department. **“Mass Gatherings” are subject to a MORATORIUM effective, November 6, 2002.** Refer to Section 1.15.1 of this policy for permitting authority for “Mass Gatherings”.
- 2.3 **Indoor Special Events or Private Functions – ADDITIONAL HOURS**: Permittee will be charged “Additional Hours” to accommodate public events, special events, or private events held in an indoor facility (i.e., Community Center, Indoor Pavilion) when the Permittees contracted Caterer, Wedding Planner, etc. arrives to set up for the event prior to the scheduled reservation time for the start of the permitted event. This fee will be based upon the normal extra hours charge fee for the particular indoor facility.
- 2.3.1 **Indoor Facility Usage** is billed by the hour. Facilities will only be open at the times specified on the contract and paid for. Please include your set-up time (remember to include any vendors that may need access to the facility in advance) and allow at least one hour for clean-up when scheduling your event. Permit Holder is responsible for the set-up/break-down of all tables and chairs for the event unless the set-up/break-down fee is paid 30 calendar days prior to the reservation. If the Permit Holder requests assistance from County staff in the set-up or break-down, the fee will be assessed. If usage extends beyond the time specified on the contract, additional usage, overtime fees and security fees (if applicable) will be assessed. County staff will meet the Permit Holder at the time specified on the contract (not any earlier) to open the facility and once the post-event inspection has taken place, the facility will be locked and will not be reopened.
- 2.4 Applicant requesting a facility reservation for an outdoor amenity and/or grounds area cannot reserve the outdoor facility (i.e., picnic shelter, outdoor pavilion, Barbeque (BBQ) Hut and/or grounds) if the reservation request is made less than seven (7) calendar days prior to the event date being requested by the applicant, however special accommodations can be addressed. Please call 409-934-8100, M-F from 8:00am-5:00pm to check availability.

- 2.5 For **Public, Special Events and Company Picnics**, applicants for permits must submit a “Special Event Reservation/Application” Form. The completed “Special Event Reservation/Application Form” must be submitted to the Permit Office at a minimum of 90 calendar days in advance but not more than two years in advance. Deposit payments are due within 30 days of the day that the reservation is made. The Applicant will be required to pay 100% of the required Site Reservation User Fees, and other Fees as determined by the Permit Office as being applicable to the special event, thirty (30) calendar days prior to the event date unless the applicant is granted a full or partial refund under the requirements of section 2.1 or the event is categorized under section 5.1.4 “Gate Fees”. Gate fee applicants shall pay required fees at the conclusion of their event.
- No “Outdoor Special Event” with attendance of 500 or more will be held within 30 calendar days of another “Outdoor Special Event” within the same park location.
- 2.6 Sites and Facilities are limited. For this reason, reservations should be made as far in advance as is reasonably possible. But **no reservation for a private event can be made more than twelve months in advance. Public, special events and company picnics can make reservations up to 24 months in advance.** To reserve a Site or a Facility for a private event a year (twelve months) in advance, the applicant should contact the Permit Office on the first business day of the month that is twelve months before the proposed event. Personal appearances are preferred to phone calls. Should two or more persons arrive at the Permit Office at 8:00am to rent a facility, there will be a drawing (one person from each party with each name written on a piece of paper) to determine who will be eligible to rent the facility.
- 2.7 All Reservation Application Forms must include a valid telephone number, email address if available, cell phone number and/or fax number as alternative means of contact.
- 2.8 Facility and/or User Reservation Fees for both indoor and outdoor facilities and/or grounds are to be **paid by Cash, Personal Check, Cashier’s Check, Money Order** and if applicable by **Credit Card (Visa, MasterCard, Discover, etc.)** made payable to the Galveston County Parks & Cultural Services Department. Personal checks are only accepted more than 30 calendar days in advance of a reservation. If less than 30 days, cash, cashier’s check, money order, or credit card payment is required.
- 2.9 For indoor facility rentals for either private or public/special events and company picnics, following the conclusion of the Event if the Facility, Grounds or Beach or Dunes located on the Beach area is damaged or if the Facility, Grounds or Beach or Dunes area is not thoroughly cleaned, the Permittee agrees, as a condition of the issuance of the Permit to pay such charges as are assessed by the Department. If a dispute arises out of or relates to the breach of this Agreement, and if the dispute cannot be resolved through negotiation, then the County and Permittee agree to submit the dispute to mediation. In the event that the County or Permittee desire to mediate any dispute, that party shall notify the other party in writing of the dispute it desires to mediate. Within thirty (30) days after receipt of the written notice of the dispute and the request to mediate, the parties shall attend a mediation conducted by a mutually agreeable mediator. If the parties do not achieve a resolution of the dispute by mediation, within ten (10) days after the mediator declares an impasse, either party may make a written demand for binding arbitration by an impartial and unbiased arbitrator. Mediation is a condition precedent for the filing of suit by the aggrieved party. The demand for arbitration must describe the dispute and the factual basis for the dispute in reasonable detail. The parties may agree, in writing, to appoint an impartial and unbiased arbitrator to hear the dispute. In the event that the parties are unable to agree on the appointment of an arbitrator, either party may file suit in either the county court-at-law or the district court of Galveston County to request appointment by the court of an impartial and unbiased arbitrator to hear the dispute and a referral of the case to the appointed arbitrator to conduct a binding arbitration. The arbitration shall be conducted according the Commercial Arbitration Rules and Mediation Procedures (Including Procedures for Large, Complex Commercial Disputes) of the American Arbitration Association which are in effect on the date of the demand for arbitration is received by a party, except to the extent of a conflict with this Agreement.

- 2.10 Cleaning and Trash For Indoor Facility Rentals: Permit Holders are responsible for the cleaning of the facility and Permit Holder is allowed to contract cleaning services but must remain on premises until cleaning is complete. Permit Holder agrees to mop and sweep all rooms including banquet rooms, bathrooms, kitchens and entryways and return tables and chairs to proper locations. Trash cans, bags, mops, brooms, mop bucket and cleaning supplies are provided. Trash cans are for use for trash only. County staff will inspect the facility immediately following the event. If the facility is not satisfactorily cleaned, Section 2.9 will apply.
- 2.11 Cleaning and Trash For Outdoor Facility Rentals, the Permittee must pick up trash and litter during and after all Events. Events where in excess of 100 persons are in attendance will be required to remove bags of trash from the Site the same day of the event. In the event that trash is not removed, the permittee may be responsible for other costs incurred by the Department for the removal of trash and litter from the Site.
- 2.12 **Teen Youth Party:**
- a. Any misrepresentation in the intent, type or nature of a youth party will be grounds for cancellation of the event and forfeiture of the event user fee(s) and deposit paid to secure exclusive use rights for the Teen Youth Party.
- b. All “Teen Youth Parties” as defined by this facility permitting policy will be accompanied by a minimum of three (3) chaperones (adults) based upon the number of youth attending and a fee is being charged for admission; in addition the chaperone(s) must sign a written agreement (i.e. Facility Data Report “FDR” acknowledging that the chaperone(s) will be in attendance throughout duration of the youth party where entrance into the event is open to the general public and not restricted to private use and/or attendance.
- 2.13 **Security for Teen Youth Party:** Security for Teen Youth Parties is required, please refer to section 3.2
- 2.14 Indoor events will not be permitted beyond twelve A.M. (Midnight) Monday through Sunday with the exception that those “Events” falling into the category of “Special Events” and requiring the completion of a “Special Events Application”. Special Events will be reviewed for permitting on a case-by-case basis and is subject to the approval of the Director. Outdoor event permits are subject to park hours/curfew.
- 2.15 **County Holidays:**
- Indoor Facility Rentals:** Recognized Holidays & Other Unavailable Dates: Indoor facilities cannot be permitted on County holidays. County holidays are: New Year’s Day, Good Friday, Easter Sunday, Veterans Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve and Christmas Day; the facility may not be available the Friday prior or Monday after the holiday in accordance with the County’s Holiday schedule. County Holidays are subject to change.
- Martin Luther King, Jr. Day, Memorial Day, July 4<sup>th</sup> and Labor Day will be available to permit subject to staff availability and with an additional overtime rate of \$25.00 per hour.
- Outdoor Facility Rentals:** Recognized Holidays & Other Unavailable Dates: Outdoor facilities can be permitted for County Holidays however certain County services may be unavailable on designated Holidays. County holidays are: New Year’s Day, Martin Luther King, Jr. Day, Good Friday, Easter Sunday, Memorial Day, July 4th, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve and Christmas Day; services may not be available the Friday prior or Monday after the holiday in accordance with the County’s Holiday schedule. County Holidays are subject to change.

2.16 **Decorations:**

**Outdoor Decorations:** No decorations, additions or temporary structures may be affixed/added to any park structure at any time. Staples, tacks, or nails may not be used. Candles, sparklers, piñatas, rice, confetti, silly string, smoke, fog machines and glitter are strictly prohibited. Only birdseed and bubbles are permitted outside.

**Indoor Decorations:** No decorations may be applied to the walls, ceilings or windows at any time. Staples, tacks, or nails may not be used in facilities. Candles, bubbles, sparklers, piñatas, rice, birdseed, confetti, silly string, smoke, fog machines and glitter are strictly prohibited inside of facility. Only birdseed and bubbles are permitted outside. No powdered materials are allowed on the floors in any facility. If fire alarm is set-off accidentally due to the above, the deposit will be retained.

2.17 **Permit Modifications for Indoor/Outdoor Facilities:**

Any changes or modifications in the scope of the permit (including security) must be **finalized 30 calendar days in advance for indoor facility rentals and seven (7) calendar days in advance for outdoor facility rentals and a \$30 administrative fee may apply each time a modification is made.**

2.18 **Refunds/Credits for Inclement Weather for Outdoor Facilities:**

Inclement weather: In the event of inclement weather on the day of your event and within one hour of your reservation time, you must call 409-934-8100 and leave a message with the park name, your permit number, and telephone number stating that you will not be using the facility in order to either receive a credit or transfer use to another available date. Your call will be time/date stamped and a staff member will contact you during normal business hours to verify the credit or transfer.

### 3. General Requirements

3.1 **General Liability Insurance Requirements**

Third party general liability insurance is required for all private events with moonwalks or special accommodations, special events, or events open to the public in the amounts set forth below.

**Limits of Coverage:**

Each Occurrence	\$1,000,000.00
Bodily Injury	\$1,000,000.00
Property Damage	\$1,000,000.00
Personal Injury	\$1,000,000.00
Medical Expenses	\$5,000.00
General Aggregate	\$2,000,000.00
*Alcohol	\$1,000,000.00

\*If alcoholic beverages are sold, served, or allowed to be consumed during the event, the insurance certificate must state specifically that it also covers any losses resulting from the consumption of alcohol at the event.

**Certificate Holder:**

The Certificate Holder is: The County of Galveston, 722 Moody (21<sup>st</sup> Street), Galveston, TX 77550

**Additional Insured Required:**

The County of Galveston, the Galveston County Parks & Cultural Services Department and the Galveston County Commissioners' Court must be named as additionally insured on the policy/certificate of insurance.

**General requirements:**

- Proof of insurance must be provided at least five (5) business days before the beginning of the event, or the event will be cancelled. The Director of the Parks & Cultural Services Department reserves the right to require other types of insurance coverage in other instances if circumstances warrant.
- The insurance certificate must be signed (a stamped signature will suffice).

- 3.2 **Uniformed “Texas Commission on Law Enforcement Officers Standards and Education” (TCLEOSE) certified Peace Officers**, with the exception of reserve Peace Officers, employed by Law enforcement agencies located within Galveston County are required for any Public, Special or Company Picnic with alcohol or an estimated attendance of 100 or more, any Mass Gathering, or a Private Event with an estimated attendance of 100 or more, a private event in which alcohol is present, or an event with admission fees, live bands, and DJs or amplified music. Such Peace Officers must also be present at any Public Event, Special Event, or Private Event in which, in the opinion of the Director, the anticipated attendance or the planned activity may affect public health or safety. The Jury Assembly Room has specific security requirements; see section 5.10.7 for more information.
- The Minimum number of Peace Officers required at a Private Event, a Public Event or a Special Event with alcohol is two for the first 100 people in attendance; of the two required Peace Officers **one must be a TCLEOSE Certified Galveston County Sheriff’s Deputy or a Galveston County Constable**, and one additional officer for each additional 100 people in attendance will be required. The Park Patrol Security Supervisor may require additional peace officers if, in their opinion, it appears such additional officers are warranted.
- Arrangements for such Peace Officers must, in normal circumstances, **must be made through the Department’s Park Patrol Security Supervisor**, a minimum of 30 calendar days in advance. But, should the Park Patrol Security Supervisor determine such additional Peace Officers are required; he will notify the applicant within 24 hours of such determination and the applicant will be required to immediately arrange for such additional officers. It is the Applicant’s responsibility to make arrangements for adequate Peace Officers to help ensure the safety of the public attending the Public Event, Special Event or Private Event.
- To arrange for peace officers to handle event security, contact the Park Patrol Security Supervisor during normal working hours between 8:00 a.m. and 5:00 p.m., Monday through Friday of each normal work week. The Park Patrol Security Supervisor contact telephone number is (409) 934-8122 or alternatively the applicant can contact the Park Patrol Security Supervisor through his county issued cell phone number at (409) 771-5855, during the hours of Monday through Friday between 8:00 a.m. and 5:00 p.m.
- 3.3 Applicant must be aware that for Events where food or beverages are sold, served or otherwise made available to the public, the Applicant or the food vendor must obtain, within 15 days of the of the Event Date, **the necessary health permits and approvals from the Galveston County Health District.**
- 3.4 **Applicant must be aware that for “Outdoor Special Events” and other indoor and private events** where alcoholic beverages are sold, served or otherwise made available to the public, the **Applicant** must obtain the proper licensing and training from the Texas Alcoholic Beverage Commission within **15 calendar** days of the **Event Date. Private events are exempted from this requirement.**
- 3.5 **Alcohol Server’s Policy**
- 3.5.1 Persons serving alcoholic beverages at Events must be aware of applicable portions of the State Alcohol Beverage Regulations.
- 3.5.2 Knowledge of Texas Alcoholic beverage serving regulations is required for all persons serving alcohol to the public. At least one person per booth must have attended an alcoholic beverage server’s orientation session of the type offered to volunteer festival workers by the Texas Alcoholic Beverage Commission, or by beer distribution companies, within the year before the Event. Such person(s) must remain at the booth at all times during the Event. Applicants are responsible for ensuring that all persons serving alcohol are aware of and enforce the regulations.
- 3.5.3 A written statement to the Director stating the Applicant will be in compliance with this Section is required.

- 3.6 The Applicant must provide for the Event, at no additional charge to the public, an adequate number of portable toilets (one per 100 attendees), including a proper ratio of such toilets that meet the Americans with Disabilities Act specifications (ADA).
- 3.7 If the Event is a Mass Gathering, vehicular or pedestrian beach access points may not be blocked at any time under any circumstances. Emergency and law enforcement vehicles must have unfettered access to any point within the Site.
- 3.8 The Permittee must place signs at the entrances to the Beach advising all attendees at a Mass Gathering that the use and possession of glass containers and products are prohibited on Beaches and that violators will be subject to criminal prosecution.
- 3.9 The Permittee must also place signs at the entrances to the Beach advising all attendees at a Mass Gathering that it is unlawful to drive upon, remove sand from or otherwise disturb any natural or man-made dune on a Beach.
- 3.10 The Permittee may use for the Event any electrical outlets that currently exist at the Site at a cost of **\$10.00 per outlet**. It is the Permittee's responsibility to contact the Department at least 72 hours before the Event to ensure that the electrical power is turned on. If the Event takes place at a Site where no electrical outlets are currently in place or if the Permittee has additional electrical requirements, it will be the Permittee's responsibility to safely provide for the Event's additional needs.
- 3.11 If the Permittee wishes to use lighted Site facilities such as tennis courts, and open-air areas within public parks after normal hours of operation, an **electrical fee of \$20.00 per hour**, and an **overtime rate of \$25.00 per hour** will be charged.
- 3.12 If the Permittee wishes to have **"Moon Walk Equipment" (NO WATER SLIDES PERMITTED)** brought in at their cost to the park, the permittee will be required to coordinate with park staff as to the placement of the equipment and provide liability insurance coverage. The department will assess a **\$20 moonwalk fee**.
- 3.13 **Outdoor Facilities:** Moonwalks are the only amusement/activity permitted for use at private events. Any and all other amusements are prohibited including, but not limited to: children's rides, amusement rides, dunk tanks, and animal attractions. Events that request amusement/activities that are not a moonwalk require a special rental request application.
- Indoor Facilities:** No amusements are permitted inside County facilities including, but not limited to: moonwalks or inflates, children's rides, amusement rides, dunk tanks, and animal attractions.
- 3.14 The hours of operation of any Mass Gathering shall be limited to 6:00 a.m. through 10:00 p.m. on weekdays and Sundays and 6:00 a.m. through midnight on Saturdays. **Refer to Section, 1.14.1 of this policy for the requirements pertaining to the permitting of "Mass Gatherings".**
- 3.15 Failure to abide by any of these General Conditions will automatically revoke the Permit and cancel the Reservation.

#### 4. Criminal Offenses

- 4.1 A promoter commits the offense of Failure to Obtain a Permit for a Mass Gathering if he promotes a Mass Gathering and fails to secure a permit as set forth in this Policy or if he continues to profligate a Mass Gathering after his Mass Gathering Permit has been revoked. **The offense is a Class B Misdemeanor. (Natural Resources Code Chapter 61 Subchapter G and Galveston County Commissioners' Court Order of May 6, 2002).**
- 4.2 Driving upon, removing sand from or otherwise disturbing any natural or man-made dune on a Beach subjects the violator to civil penalties. (Natural Resources Code §63.181).

## 5. Fee Schedule

- 5.1 Non-Waiver Policy. Site Reservation User Fees and Set-Up/Break Down Fees guarantee the exclusive use of a Facility or of a Site for a specified period of time. Minimal fees are charged for such use. Accordingly, fees will not be waived; however, a reduction may be approved according to the following guidelines:
- 5.1.1 Exception for Special Circumstances. On occasion, non-profit corporations, or other governmental entities have contributed significantly to the development or maintenance of a particular park, to the County's park system in general, or to the Galveston County Community at large. In these situations, the Galveston County Commissioners' Court is authorized to determine whether the benefits derived by the County outweigh revenues that would otherwise be collected for a permit. If such a determination is made, the Galveston County Commissioners' Court may consider reducing a permit fee on a case by case basis. Deposit fees and security requirements will not be waived.
- 5.1.2 Criteria for Requesting Reduction of a Permit Fee. The criteria for requesting such a reduction are:
- i) Submit a written request to the Parks and Cultural Services Department at least 90 days before the event;
  - ii) Describe the level of significant contributions the organization or agency has provided to a Galveston County park, Galveston County cultural services and/or beach facilities, or the Galveston County community in the past year;
  - iii) Submit financial plans on the upcoming event, including all projected revenues and expenditures for the event;
  - iv) Submit background information regarding the organization or agency; and
  - v) Provide proof of current tax-exempt status or non-profit status, including IRS Form 990.
- Once all criteria are met, the Parks Department and Cultural Services Department will submit the item to the Commissioners' Court agenda. Commissioners' Court will either approve reduction of the permitting fee or deny the request. A member of the organization requesting the reduction of a permit fee may be present at the Commissioners' Court meeting.
- 5.1.3 Options and requirements for Fee Reduction:
- i) Fees may be reduced by up to 80%, but not to exceed a \$1,000.00 reduction in fees.
  - ii) Admission to events receiving reduced fees must be open to the public free of charge. While event sponsors may charge for goods or services at the event, no admission or gate fee shall be charged.
  - iii) Galveston County must be identified as a sponsor of any event in which a fee is reduced. The County must be recognized on any and all print media, banners, websites and in a place of prominence at event locations during the event. Galveston County reserves the right to place a banner or signage at/in event grounds.
  - iv) Galveston County reserves the right to view sales and special event documentation at its request at any time.
- 5.1.4 Gate Fees:
- i) All events for which the organizers or sponsors charge an admission or gate fee shall pay the County a user fee in the amount of one dollar (\$1) for each person charged a gate or admission fee. The user fee shall be paid upon conclusion of the event, and the County may audit attendance.
  - ii) The County, if it determines that the standard use fees are likely to exceed the fee generated from gate or admission charges, may elect to assess the standard use fees in lieu of gate or admission charges. The County shall make any such determination prior to the event.

5.1.5 Exception for County Departments:

Site Reservation fees may, at the option of the Director, be waived for Departments of the County upon request of the Department's Elected or Appointed Official or Department Head. But other requirements such as security may be enforced depending upon the nature, size and scope of the event.

5.1.6 Recurring Use Fee Reduction:

For non-profit entities who reserve facilities on a recurring basis, such as monthly or weekly, fee reductions may be approved on an annual basis by the Commissioners Court following these guidelines:

- i) A deposit of \$250.00 will be made biannually and may be rolled over (if cash) as requested to ensure the protection of the property.
- ii) All requirements of the Facility Permitting Policy will be followed.
- iii) Request for recurring use must pose no undue burden to the Parks and Cultural Services Department, such as additional staff nor displacement of other activities or reservations.
- iv) Provide proof of current tax-exempt status or non-profit status, including IRS Form 990.
- v) Annual request must be submitted to Director for consideration of fee reduction 60 days before the first date of rental.
- vi) When above criteria are received and reviewed, Director will make determination of fee reduction up to 25% of regular rental rate.
- vii) Recurring users will not be permitted to store items permanently in the community centers.

5.1.7 Consecutive Year Permits. Whereas non-profits who produce annual events for the enjoyment of the public and to raise funds to support the local community of Galveston County are an important partner in the provision of recreation services to the public, the following conditions apply:

- i) Once a non-profit special event has been successfully permitted and operated for three consecutive years, the annual date may be reserved in advance by the Parks and Cultural Services Department to secure longevity and success of the event.
- ii) Deposit and security requirements will not be waived.
- iii) Fees will be required per the fee schedule and fee reduction policy provisions.

5.1.8 **Fees for Public Events, Special Events and Company Picnics**

Attendance	Fees (Per Day, Per Facility)		Deposit
	Individual/Tax Exempt	Commercial/For Profit	
100 or less	\$70	\$140	\$35
101-300 persons	\$145	\$230	\$75
301-500 persons	\$345	\$700	\$200
501-2,000 persons	\$575	\$1,150	\$1,200
2,001-5,000 persons	\$700	\$1,400	\$1,700
5,001 or more persons	\$700	\$1,400	\$2,700
Events with gate/admission or registration fee	\$1.00 per person	\$1.00 per person	Use attendance to determine

**5.2 Fees for Private Outdoor Facility Permits** other than Mass Gatherings, Special Events, Company Picnics and Rodeo Arenas. Depending on the Site, facilities may include picnic shelters, outdoor pavilions, and other amenities.

Fees (per day, per facility)	Fees (per day, per facility)
Individual/Tax Exempt	Commercial/For Profit
\$70	\$140

5.2.1 The “Preston E. Poole Therapeutic Garden” is designated as a “Special Use” Outdoor Facility and its use will be restricted to the following events and attendance parameters for the useful life of this structure within Carbide Park.

Attendance	Fees (Per Day)	Fees (Per Day)
	Individual/Tax Exempt	Commercial/For Profit
Less than 100 Persons: Weddings, Receptions, etc.	\$200	\$350

5.2.2 Outdoor facility permit fees charged are per day, per facility for each outdoor event. The per day charge provides “Exclusive Use Rights” for the outdoor facility reserved by the permittee and restricts the reserving of an open air outdoor pavilion to one reservation in the same park for the same location within the particular park where the pavilion is reserved for exclusive day use.

5.2.3 After normal hours of operation for indoor facilities, from 10pm-8am and on County holidays (see section 2.14) **an overtime rate of \$25.00 per hour** will be charged for continued use of the facilities.

5.2.4 Private Functions are not required to make a reservation and may use a Site on a first-come, first-served basis. But, since priority will be given to Permitted events, the obtaining of a Permit is advisable to ensure use of the Site desired.

5.2.5 If an Event includes a **carnival or circus**, in addition to the normal security deposit, Set Up/Breakdown, Clean-Up fee, and user fees an additional **\$1,500 deposit** will be required.

**5.3 Fees for Mass Gatherings.** Fees for these Permits are based on the number of people projected to be attending determined by the Director. No amenities will be provided by the Department before, during or after the Event. **Moratorium on Mass Gatherings, effective, November 6, 2002**

Number in Attendance	User Fee (Per Day)	Deposit
201-300 persons	\$600	\$500
301-400 persons	\$800	\$700
401-500 persons	\$1,000	\$900
501 or more persons	\$1,200	\$1,100

## 5.4 **Commercial Photography Fees**

5.4.1 Filming/Photography Fee – All filming or photography requests must be submitted to the Director of Parks & Cultural Services at least 30 days in advance.

5.4.2 – Any filming or photography requests that require partial or complete shutdown of an any park or beach would be subject to the Open Park Space Permit Fee cited in section 5.7.1; a \$150.00 non-refundable application fee.

5.5 **Boat ramps** and/or their parking lots will not be permitted under “Exclusive Use Rights”, except for special circumstances with prior approval by the Director.

## 5.6 **Paranormal Investigation Permits for Fort Travis Seashore Park**

5.6.1 Paranormal investigations require a “Special Use Permit” (SUP). Certain fees and insurance requirements may apply. Activities may be restricted based on time of year, weather or seasonal conditions during high times of visitor use.

5.6.2 Requests for a SUP may be submitted in writing to the Director of Parks & Cultural Services at a minimum of 30 calendar days in advance of the date you are requesting. The request must include: name of group, contact person in charge, address, telephone number, email address, the total number of individuals that will be participating in the investigation, investigation date or dates requested, and arrival and departure time.

5.6.3 A group of 1-10 individuals for an overnight permit from 8pm-8am is \$250.00. Each additional person after 10 will be an additional \$25.00. Additional access time may be granted with additional fees.

## 5.7 **Open Park Space Permit Fee:**

5.7.1 For those events that are wanting exclusive use of areas that will impact other park users, general park operations, or occur after-hours; such as boy scout/volunteer projects that do not directly benefit Galveston County, wedding ceremonies, scientific research or fieldwork, etc. in parks that are not tied to a facility a \$150.00 non-refundable application fee will be required. Requests for open space permits or service projects should be made 30-days in advance in writing to the Director of Parks & Cultural Services.

## 5.8 **Scout Projects/Volunteer Projects:**

5.8.1 Galveston County encourages Galveston County Eagle Scouts and is happy to assist in the development of projects. Galveston County Parks & Cultural Services receives numerous requests annually for Eagle Scout volunteer projects. The Department has established the following application process to assist an Eagle Scout candidate contemplating a volunteer project in conjunction with the County.

Please note that the Eagle Scout candidate must allow a minimum of four months to the project completion deadline. The Galveston County does not accept projects with "emergency" deadlines due to a Scout's impending 18th birthday. Projects exist within the Galveston County's parks and trails and at various County facilities. Eagle Scouts who are interested in pursuing a project with Galveston County Parks & Cultural Services are required to fill out an application form (below) and return it to:

Julie Diaz, Interim Director  
Galveston County Parks & Cultural Services  
4102 Main St. (FM 519)

La Marque, TX 77568

Or return the form via email to julie.diaz@co.galveston.tx.us

After the application has been reviewed, the applicant will be called within 10 business days and given the phone number of the appropriate staff member who will act as the contact for the project. The applicant must call the project contact to set up a meeting to discuss the details of the project.

It is recommended that Scouts look around their neighborhoods and identify projects that could be completed. Please select projects that will have a lasting effect on the community and not require a lot of upkeep from the County. Eagle Scout projects are available on a first-come basis through the following means:

**Staff Generated Projects** - The department staff generates a list of projects every year, which are available to Scouts to take on as their Eagle Award Projects.

**Scout-Proposed Projects** – Galveston County Parks & Cultural Services welcomes and encourages project proposals from Scouts seeking their Eagle Award. The feasibility of project proposals will be judged on a case-by-case basis to determine whether or not the project is a need or benefits the County and the community, as well as to determine if the project falls within County guidelines.

**5.9 Administrative Fee:**

5.9.1 A \$30 administrative fee may be applied each time a permit is modified or changed or in the event that a permit is cancelled and a refund check must be issued.

**5.10 Indoor Facility Permits or Community/Recreation Building Fees**

5.10.1 **Building Room: Capacity 300:** Walter Hall Pavilion (bottom floor), or the Wayne Johnson Community Center (entire main room). Indoor facility rental is for a minimum of three (3) hours.

	<b>Individual/Tax Exempt</b>	<b>Commercial/For Profit</b>
<b>User fee, per hour (3 hr. min)</b>	\$85	\$170
<b>Set-Up/Break Down (optional)</b>	\$250	\$250

5.10.2 **Building Room: Capacity 75-125:** Runge Community Center, Dickinson Community Center, Pioneer House, or Bacliff Community Center, or one-half of the main room of the Wayne Johnson Community Center. No minimum hourly requirement.

	<b>Individual/Tax Exempt</b>	<b>Commercial/For Profit</b>
<b>User fee, per hour (no min.)</b>	\$50	\$80
<b>Set-Up/Break Down (optional)</b>	\$125	\$125

5.10.3 **Building Room: Capacity 25-50:** Walter Hall Pavilion upstairs room or one-fourth of the main room of the Wayne Johnson Community Center. No minimum hourly requirement.

	<b>Individual/Tax Exempt</b>	<b>Commercial/For Profit</b>
<b>User fee, per hour (no min.)</b>	\$20	\$40
<b>Set-Up/Break Down (optional)</b>	\$125	\$125

- 5.10.4 A flat fee of \$100 for portable stage will be charged for use at the Wayne Johnson Community Center.
- 5.10.5 A flat fee of \$50 for a PA system and \$10 for a podium will be charged at any facility where a PA system or podium is available.
- 5.10.6 We are unable to refund for non-usage of additional rental items (stage, podium, PA) unless they were deemed unavailable to rent by Galveston County Parks & Cultural Services.

**5.10.7 Jury Assembly Room: Capacity: 250, seated.**

All rentals require security. The scheduling of deputies will be coordinated by the Galveston County Sheriff's Office. Deputies are paid \$50.00 an hour. For events with less than 100 persons, two (2) deputies are required; for 100 persons or more, three (3) officers are required.

The cost to rent the Jury Assembly Room is \$85.00 an hour with a three hour minimum. Optional fee: AV/Sound system: \$25.00.

The Jury Assembly Room is available to rent Monday thru Friday from 5pm-10pm, Saturdays and Sundays from 8am-10pm, and is not available on County holidays.

All rentals and payments (including security) must be made a minimum of 30 days in advance.

Alcohol, food or drink is prohibited in the Jury Assembly Room.

**COVERED RODEO ARENA:**

**6. Eddie Moore Arena at Jack Brooks Fair and Rodeo Grounds**

- 6.1 The Arena may be reserved under "Exclusive Use Rights".
- 6.2 Groups or individuals wishing to use the Arena and Grounds must schedule their use of the Arena and Grounds with the Galveston County Fair and Rodeo Association considering the Fair and Rodeo Associations "Exclusive Use Rights" for the five week period beginning two weeks preceding the Annual Fair and Rodeo including the two weeks of the event and one week following the event, six other scheduled events (3 day maximum per event) on dates agreed to by both parties (County Department of Parks & Cultural Services) and the Fair and Rodeo Association and Thursday evenings beginning at 5:00 p.m. during the months of June and July as approved under Section F of the second amendment to the interlocal agreement by inclusion of Article VIII-B "Use of Improvements Within Rodeo Arena Area".
- 6.3 Groups or individuals wishing to use the Concession Stand Facilities during their reserved/permitted events must schedule such use with the Galveston County Fair and Rodeo Association, which has the "Right of First Refusal" for use of the Concession Stand Facilities as granted under Section F of the second amendment to the interlocal agreement by the inclusion of Article VIII-B "Use of Improvements Within Rodeo Arena Area".
- 6.4 Individuals and small, non-commercial groups may use the Arena for practice riding on a first-come, first-served basis, if the Facility has not already been reserved by another group under "Exclusive Use Rights".

- 6.5 The Arena will not be available for rental during the following times:
- The two weeks preceding the annual Galveston County Fair and Rodeo;
  - The two weeks during the Fair and Rodeo;
  - The week following the Fair and Rodeo;
  - From 5 p.m. until closing on Thursday nights in June and July of each year;
  - Closed Wednesday and Thursday each week in June and July;
- An additional six designated three-day periods each year. These six designated three-day periods for each year will be determined by March 1<sup>st</sup> of each year.
- 6.6 No rodeos may be scheduled at any Facility in Jack Brooks Park within the 60-day period preceding the beginning of the Galveston County Fair and Rodeo each year.
- 6.7 Site Reservation Fees will be assessed based on the type of event.
- 6.8 The Arena's operating hours are 7:30 a.m. to 11 p.m. Monday through Friday.
- 6.9 The Arena may be reserved under "Exclusive Use Rights" for one or more of the following types of events:
- Concerts
  - Cook-offs
  - Barrel racing
  - Calf roping
  - Team roping
  - Steer wrestling
  - Bull riding
  - Horse shows
  - 4-H shows
  - Dog shows
  - Circus
- 6.10 Other events, which will be considered on a case-by-case basis.
- 6.11 The Arena may also be reserved for Rodeos that are designed to contain a combination of at least two of the following events: Exception: "No Mechanical Bull Rides" may be used during a reserved Rodeo event due to the increased risk of injury to public participants attending the county permitted Public Rodeo Event.
- Barrel racing
  - Calf roping
  - Team roping
  - Steer roping
  - Steer wrestling
  - Saddle bronco riding
  - Bareback riding
  - Bull riding
- 6.12 The Arena may not be permitted for any one of the following events unless they are part of an official Rodeo:
- Steer roping
  - Saddle bronco riding
  - Bareback riding
  - Bull riding
  - Mechanical Bull riding (Even if part of an official Rodeo Permitted Event)
- 6.13 Additional third party liability insurance coverage in the **minimum amount of \$1 million is required for all rodeos, horse shows, 4-H shows, barrel racing, calf roping, team roping, steer wrestling, bull riding, or any other event involving livestock.**

6.14 Permit Holders are required to furnish the Department proof (certificate of insurance) of insurance coverage insuring the contestants against bodily injury.

**6.15 The following Site Reservation Fees, clean-up deposit, and damage deposit will apply. Site Reservation Fees are on a day rate basis at the Eddie Moore Arena at Jack Brooks Fair and Rodeo Grounds.**

Type of Event	User Fees per Day	Clean-Up Deposit	Damage Deposit
Concerts/Circus	\$1,200	\$1,200	\$600
Cook-offs	\$600	\$600	\$600
<b>Rodeos</b>	\$450	\$1,200	\$600
Barrel racing Horse shows Calf roping Team roping Steer wrestling Bull riding	\$350	\$400	\$400
<b>Dog shows</b>	\$200	\$300	\$300

6.16 In addition to the above fees and deposits, concerts and cook-offs will be assessed a **\$30 per hour electrical usage fee**. Other events held outside normal arena operating hours will be assessed a **\$30 per hour fee during non-regular hours**.

**7. OPEN AIR RODEO ARENAS:**

**7.1 (The following Site Reservation Fees, clean-up deposit, and damage deposit will apply. Site Reservation Fees are on a day rate basis at the Jack Brooks Park “Open Air” Arena, Runge Park “Open Air Arena” and Runge Park “Covered Arena”).**

Type of Event	User Fees per Day	Clean-Up Deposit	Damage Deposit
Concerts	\$500	\$500	\$250
Cook-offs	\$350	\$250	\$250
<b>Rodeos</b>	\$200	\$500	\$250
Barrel racing Horse shows Calf roping Team roping Steer wrestling	\$125	\$250	\$250
<b>Dog shows</b>	\$75	\$200	\$200

**Definitions**

**(Rodeo event definitions are based on Professional Rodeo Cowboy Association specifications).**

**Bareback riding:** a rodeo event in which the rider begins with his feet placed above the horse’s shoulder. Bareback riding is an eight-second ride during which time the rider must grasp the leather and rawhide rigging with one hand only. He is not allowed to touch the animal, himself, or any of his equipment with his free hand during the ride.

**Barrel racing:** a timed event, either as part of a rodeo or separate, in which a contestant enters a rodeo at full speed on a sprinting American Quarter Horse and rides a cloverleaf pattern around three barrels in the arena before sprinting back out

of the arena.

**Bull riding:** a rodeo event in which a rider, holding a rigging with only one hand, attempts to stay on a bucking bull for eight seconds. Judging includes good body position, including use of the free arm. Spurring action is not required, but will add to a rider's score. The rider is not allowed to touch the animal, himself, or any of his equipment during the ride.

**Calf roping:** an event, either as part of a rodeo or separate, in which a calf is given a head start into the arena, with horse and rider giving chase. The contestant ropes the calf, dismounts the horse, catches and flanks the calf, tying three of the calf's legs together with a pigging string he has carried in his teeth. The calf must be standing before the flanking and tying occur. Upon completing the tie, the rider throws his hands into the air, remounts his horse, and allows the rope to go slack. If the calf kicks free within six seconds, the run is invalidated.

**Concert:** an event at which live, amplified music is performed, whether by solo performers or musical groups, with acoustic, electrical, or recorded accompaniment, or no accompaniment, and whether sponsored by a commercial or non-profit organization or entity.

**Cook-off:** a judged event at which teams compete against one another to win awards and/or points for cooking specified food items.

**Dog show:** a competitive event during which dogs are judged on appearance, response to commands, and sometimes athletic prowess to win awards and points for other competitions.

**Horse show:** any of several equestrian events that could include, but are not limited to Western pleasure, English riding, side-saddle shows or competitions, walking horse exhibitions, dressage, steeple chase, or other jumping events.

**Rodeo:** a performance featuring such events as calf roping, barrel racing, bull riding, steer roping, and other events.

**Saddle bronco riding:** a rodeo event in which the rider begins with his feet over the bronc's (bucking horse's) shoulders to give the horse an advantage. Spurring action synchronized with the bronc's bucking, the rider's control, the length of his spurring stroke, and how hard the horse bucks are all judged. The rider may not touch the horse, himself, or any of his equipment with his free hand during the ride. Disqualification also results if either of the rider's feet slips out of its stirrups, if he drops the bronc rein, or if he does not have his feet in the proper position at the beginning of the ride.

**Steer roping:** a rodeo event, in which the rider lassos a steer around its horns, tosses the slack rope over the steer's right hip and rides to the left, bringing the steer to the ground. When the steer is lying on its side and the rope is taut, the rider dismounts and ties any three of the steer's legs. The steer must remain tied for six seconds after the tie is complete.

**Steer wrestling:** also known as bulldogging, this is a rodeo event in which the wrestler on horseback starts from behind a barrier, beginning chase after the steer has been given a head start. The bulldogger is assisted by a "hazer", who keeps the steer running in a straight line. When the bulldogger's horse pulls even with the steer, he eases down the right side of the horse, grasps the steer's horns, and digs his heels (the bulldogger's heels, not the steers) into the dirt. The bulldogger turns the steer, lifting up on its right horn and pushing down with his left hand to tip the steer over. He must either bring the steer to a stop or change the direction of its body before the throw or be disqualified. The clock stops when the steer is on its side with all four legs pointing the same direction.

**Team roping:** an event, either as part of a rodeo or separate, in which a rider (header) charges out of the box on horseback, chases down a fast-racing steer, and ropes him around the neck or executes a horn neck catch. The "header" turns the steer to the left and his teammate, the "heeler", attempts to rope the steer's hind legs. When the steer is secured, the riders face each other on horseback on opposite sides of the steer with no slack in the rope.