

22

## NAVARRO COUNTY RIGHT-OF-WAY/MASS GATHERING INFORMATION

**Whereas;** frequency of events involving gatherings of a large number of people in ever increasing numbers are becoming more and more prevalent in our county; and,

**Whereas;** these events are being held in unincorporated areas of the county where municipal regulations do not exist; and,

**Whereas;** the State Legislature of Texas has authorized counties to adopt a process and procedure for issuing permits for such mass gatherings pursuant to Title 9 of the Health and Safety Code, Chapter 751; and

**Whereas;** the Commissioner's Court of Navarro County first and foremost has the responsibility to do all it can to ensure the health and safety of the county's residents and visitors to our;

**Therefore;** Beginning on May 1, 2024, all landowners and event organizers / promoters of events in the unincorporated area of Navarro County will be required to obtain a mass gathering permit from the county commissioner's office for any mass gathering that meets the following:

1. That is held outside the limits of a municipality
2. That attracts, or is expected to attract:
  - a. More than 25 or more entries you must complete a right-of-way application
  - b. More than 2500 persons; or
  - c. More than 500 persons, if 51% or more of those persons may reasonably be expected to be younger than 21 years of age and it is planned or may be reasonably expected that alcoholic beverages will be sold, served or consumed at or around the gathering; and
3. At which the persons will remain:
  - a. For more than five continuous hours; or
  - b. For any amount of time during the period beginning at 10:00 p.m. and ending at 4:00 a.m.

Code 751.004 requires the event promoter to apply for a permit from the county commissioner's office not later than forty-five (45) days prior to the event. The elements required by the application are set out in Code 751.004(b), and include adequate protection for traffic control and public health and safety. Applicants are encouraged to review Chapter 751 of the Texas Health and Safety Code for a comprehensive perspective on Mass Gatherings and the application of Texas law applicable to such events.

An application for an event may be denied for any reason enumerated in Section 751.007 of the Texas Health and Safety Code. In the event that an application for a Mass Gathering is denied, the applicant may request an informal appeal hearing with the county judge. The request must be received no less than fourteen (14) days prior to the date of the event and a hearing will be held no less than ten (10) prior to the event.

No application shall be considered to have been submitted until it is accompanied by an application fee. Fees will be paid with a Cashier's Check or Money Order, payable to Navarro County, Texas in the standard application amount for a mass gathering of **\$500.00**.

#### Mass Gathering Permit Application Requirements:

- The date, location and time(s) of the event, including starting and ending time
- Certified copy of and description of any agreement with the organizer/promoter and the landowner and any agreement between the organizer / promoter and any performer.
- Description of the plan to prevent illegal parking on the roadways and properties near the location of the event
- The name and address of the location of the event, the name and address of the landowner of the event location, the name and address of each performer and the name and address of the organizer / promoter of the event
- The maximum number of persons that will be allowed to attend the event and the plan the organizer / promoter intends to use to limit the attendance to that number
- Description and rendering of the property on which the mass gathering will be held that includes and identifies; 1) parking area(s); 2) vendor area(s); 3) stage; 4) restroom facilities; and 5) entrance /exit location(s)
- Description of emergency plans to include: (1 description of plans to ensure minimum standards of sanitation and health to include water supply, toilet facilities, solid waste facilities, noise control, food sanitation and final site cleanup, (2 description of plans to ensure adequate medical and nursing care to include any agreement or contract for ambulance service, (3 description of plans to ensure the event will be conducted in an orderly manner and to protect the physical safety of the persons in attendance to include minimum standards of Texas Administrative Code Title 37, Chapter 1 and copy of agreements with the Sheriff's Department and Volunteer Fire Department.
- Plan for security for the event that will be necessary if alcoholic beverages will be sold, served, consumed and or allowed at the event
- If applicable: A copy of the permit from TABC and the description of how alcohol will be sold or served.

#### General Requirements for Mass Gatherings:

1. All requirements for mass gatherings in unincorporated areas will fall under the rules and regulations as outlined in the following:
  - a. Title 9. Safety; Subtitle A. Public Safety; Chapter 751 Mass Gatherings
  - b. Texas Penal Code 42.03 Obstructing Highway or Other Passageway
  - c. Tex. Admin. Code Chapter 265 Health and Sanitation for Mass Gatherings, Minimum Standards; and Tex. Admin. Code Chapter 265 Subchapter L Rule §1.161, Control of Admission to Spectators, Rule §1.162, Adequate Parking Space Required; Rule §1.163, Camping Area; §1.164, Adequate Lighting; §1.165, Access by Emergency Vehicles; §1.166, Access to Facility Without Delay; §1.167, Construction of Public Facilities; §1.168, Preservation of Order; and §1.169, Promoter to be Available at All Times.

# NAVARRO COUNTY RIGHT OF WAY/MASS GATHERING PERMIT APPLICATION

All applications must be submitted to the Navarro County Commissioner's Office by event organizers / promoters at least 60 days prior to the first day on which any event that requires a Right-of-way/ Mass Gathering Permit will be held

\*\*\*If your event will have 25 or more entries you must complete a right-of-way application\*\*\*

No Application shall be considered to have been submitted until is accompanied by an Application Fee. Fees shall be paid with Cashier's Check or Money Order, payable to "Navarro County, Texas". The standard application fee for a Mass Gathering Permit is **\$500.00** for all events requiring a Mass Gathering Permit.

In the event a permit is denied, the applicant may request a hearing by the county judge. A request must be received in the judge's office no later than 21 days prior to the event and the hearing must take place no later than 10 days before the event. Applications may be denied for any of the reason enumerated in Section 751.007 of the Texas Health and Safety Code.

ORGANIZATION / ORGANIZER / PROMOTER:

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PH: \_\_\_\_\_ CELL: \_\_\_\_\_

PROPERTY OWNER:

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PH: \_\_\_\_\_ CELL: \_\_\_\_\_

RESPONSIBLE PARTY PRESENT AT EVENT: (Attach Additional Page if More than One)

NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ PH: \_\_\_\_\_ CELL: \_\_\_\_\_

EVENT TYPE: \_\_\_\_\_ Trail Ride \_\_\_\_\_ Bike Ride \_\_\_\_\_ Other

Texas Mass Gathering Act: Will this event require a mass gathering permit as required by Health and Safety Code Title 9, Safety, Subtitle A, Public Safety Chapter 751. Mass Gatherings? \_\_\_\_\_ YES \_\_\_\_\_ NO

The planned event will affect the following Navarro County and State of Texas and United States roadways with increased traffic and parking that may impede passage of vehicles:

Road Name(s) / Number(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*Applicant must attach a map indicating ALL roadways affected by this event\*\*\*\*

**ENTRIES:**

Estimated # of Riders / Entries: \_\_\_\_\_  
Estimated # of Spectators: \_\_\_\_\_  
Estimated # of Vehicles (Non-Entries / Parked): \_\_\_\_\_  
Estimated # of Total Attendees (All persons present): \_\_\_\_\_  
Estimated # of Attendees Under the Age of 21: \_\_\_\_\_

\*\*\*\*NOTE: NO Persons under the age of 18 can ride in the bed of a truck or trailer  
ATV (i.e. 4 wheelers, side by sides, golf carts or other type of off road vehicle must  
be in compliance with State Laws) \*\*\*\*

Please describe how the total number of attendees, vendors, staff and participants will be  
controlled so as not to exceed the estimated #:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please describe the planned event:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Public Event: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Will This Event Have Amplified Sound: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Will This Event Have Fireworks: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Will This Event Have Loud or Unmuffled Gas/Diesel Vehicles: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Will Food Concessions be Available at the Event: \_\_\_\_\_ Yes \_\_\_\_\_ No  
Will Alcoholic Beverages be Sold / Served / Consumed: \_\_\_\_\_ Yes \_\_\_\_\_ No

\*\*\*\*NOTE: If a permit is approved the applicant must cooperate with Navarro County Sheriff's  
Personnel and comply with nuisance noise statutes and Texas Penal Code regarding  
disorderly conduct.\*\*\*\*

**EMERGENCY ACTION PLAN:**

Please provide an attached Emergency Plan (EAP) describing you plan if a life threatening  
emergency should occur. This plan must include a specific location for reporting an  
emergency or incident. This plan should also include the route(s) for emergency vehicles on  
the event property and the plan for keeping those routes open.

DATE(S) OF EVENT: START TIME/DATE: \_\_\_\_\_ END TIME/DATE: \_\_\_\_\_  
EVENT LOCATION/ADDRESS: \_\_\_\_\_

### Additional Information to be Attached to this Permit Request Form:

1. Description and rendering of the property on which the mass gathering will be held- Identifying: Parking Area/Stages/Vendors/Toilets/Entrances and Exits.
2. Description on how the promoter intends to prevent illegal parking on the roadways and properties near the event location.
3. Description on how the promoter intends to prevent illegal parking on the roadways and properties near the event location.
4. Name and address of each performer who has agreed to appear at the mass gathering, as well as the name and address of each performer's agent.
5. A description and plan of all preparations being made to provide traffic control to ensure that the mass gathering will be conducted in an orderly manner, and to protect the physical safety of the persons who attend according to the minimum standards of the Texas Administrative Code Title 37, Chapter 1, Subchapter L.
6. A description of each step the promoter has taken to ensure that minimum standards of sanitation and health will be maintained during the event according to the minimum standards of the Texas Administrative Code, Title 25, Section 265.3 that addresses water supply, toilet facilities, solid waste facilities, noise control, food sanitation, medical, nursing care, and final site cleanup).
7. Description of the preparations made to provide adequate medical and emergency care. Including a copy of agreements or contracts for ambulance service.
8. If applicable: A copy of permit from TABC and the description of how alcohol will be sold, served or consumed
9. A certified copy and description of the agreement between the organizer / promoter and the property owner.
10. Plans to prevent minors from consuming alcoholic beverages will in attendance at the event.
11. Plans for security for the event. (Note if alcoholic beverages will be sold / served / allowed / consumed...security MUST be present)
12. If applicable: A copy of any Fireworks exhibition permit.
13. If applicable: A copy of the agreement between the organizer/promoter and land owner for the event.
14. If applicable: A copy of any agreements made with any law enforcement agency or fire protection agency.

Initial Each of the Following:

I have reviewed the Navarro County Right of Way / Mass Gathering Permit Request Form and I agree that I will abide by all the terms and conditions should this request form be approved by Navarro County. \_\_\_\_\_Yes

I acknowledge that all information on this request form is true and correct to the best of my knowledge and that I will follow all the rules and regulations as set out in the Permit Request Form and any all local, state and federal laws. \_\_\_\_\_Yes

I also understand that all permits, required forms and approvals must be submitted along with this application and approved by Navarro County at least 60 days prior to the date of the event. \_\_\_\_\_Yes

I also understand that as the promoter of this event I accept all liability as it relates to any property damage or injuries that occur at this event. \_\_\_\_\_Yes

I acknowledge and understand that if any criminal activities occur at the event or if I am in violation of the rules and regulations of this permit at any time that this permit can be revoked, and the event will be terminated by any Law Enforcement Officer and ALL Participants and Spectators will be required to vacate the event. \_\_\_\_\_Yes

I agree that any Law Enforcement personnel may enter my property at any time to enforce any and all provisions of this permit or any other lawful entrance. \_\_\_\_\_Yes

Organizer / Promoter:

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

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

Land Owner:

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

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

**OFFICE USE ONLY:**

DATE RECEIVED IN COMMISSIONER'S OFFICE: \_\_\_\_\_

APPROVED: \_\_\_\_\_ DENIED: \_\_\_\_\_

DATE OF APPROVAL/DENIAL: \_\_\_\_\_

DATE APPEAL RECEIVED IN COUNTY JUDGE'S OFFICE: \_\_\_\_\_

DATE OF APPEAL HEARING: \_\_\_\_\_

RESULT OF APPEAL: \_\_\_\_\_ DENIED \_\_\_\_\_ APPROVED