

**ORDINANCE NO. O-2026-001**

**AN ORDINANCE OF THE TOWN OF BROCK, TEXAS, ESTABLISHING A PERMIT REQUIREMENT FOR SPECIAL EVENTS; PROVIDING FOR THE ESTABLISHMENT OF A FEE APPLICABLE TO SPECIAL EVENTS; AUTHORIZING THE MAYOR OR THEIR DESIGNEE TO ADMINISTER THE SPECIAL EVENT PERMIT; PROVIDING A SEVERABILITY CLAUSE, REPEALING AND SAVINGS CLAUSE, AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Commission of the Town of Brock, Texas, is empowered to enact ordinances for the protection of public health and safety through the use of its police powers; and

**WHEREAS**, special events that create additional traffic, public safety risks, and pedestrian hazards require additional attention and scrutiny from Town staff to ensure the protection of public health and safety; and

**WHEREAS**, due to these additional burdens created by certain special events, the Town Commission has determined that it is necessary to create a permit requirement and empower the Mayor, or their designee, to administer the permit program.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF BROCK, TEXAS:**

**SECTION 1.** The recitals and findings set forth above are hereby found to be true and correct and incorporated as if fully set forth herein.

**SECTION 2.** There is hereby created a “Special Event Permit” for certain events of an infrequent occurrence and temporary nature, to be administered as provided by this ordinance. It shall be unlawful for any person to hold a Special Event within the Town of Brock without holding a Special Event Permit issued by the Town.

**SECTION 3.** Applicability – Any person holding a Special Event within the Town Limits of the Town of Brock must apply for and receive a Special Event Permit under the deadlines and application requirements provided by this ordinance. A “Special Event” is a temporary event, gathering, or organized activity, including but not limited to parades, bike and foot races, block parties, street fairs, concerts, carnivals, holiday festivals, or other attractions or gatherings of people. Special Events are conducted primarily outdoors in public locations and may interfere with the normal flow or regulation of pedestrian or vehicular traffic, and may require special town services, including but not limited to, street closure, provisions of barricades, special parking arrangements, special electrical services or special police or emergency services. The term does not include events held inside residential structures on private property. The Mayor, or their designee, shall determine whether or not an event requires a Special Event Permit under this ordinance.

**SECTION 4.** Exceptions – The following types of events are excluded from the requirement to hold a Special Event Permit under this ordinance:

- (a). An event conducted on the property of a school or other educational institution with the approval of the administration governing that school or educational institution.
- (b). An event held entirely on private property specifically designed for the event, for which the property has a valid certificate of occupancy for the attendance of the event, adequate existing parking and street access designed for the vehicular traffic of the event, and all necessary fire code and building code approvals for the type of event.
- (c). Funeral or dignitary processions.
- (d). Gatherings for athletic events that are held in facilities designed for those athletic events.
- (e). Town sponsored events.
- (f). Expressive activities protected under the United States and Texas Constitutions that do not obstruct pedestrian access or the flow of vehicular traffic on public streets or highways.

**SECTION 5.** Permit Application and Fee – The Mayor, or their designee, shall prepare and make available the necessary permit application and associated documentation for a Special Event Permit. The Town Commission shall establish a fee for the issuance of a Special Event Permit and provide the fee in the Master Fee Schedule adopted by the Commission from time to time. An applicant for a Special Event Permit must apply on forms provided by the Town and pay the required fee prior to issuance of the Special Event Permit. Failure to complete all necessary portions of the application form or to submit the required fee shall be grounds for denial of the Special Event Permit application.

**SECTION 6.** Timeframe and Deadlines – The Mayor, or their designee, shall establish necessary timeframes and deadlines for the submission of the Special Event Permit application form and supporting documentation, including any approvals or plans required from third parties and traffic control diagrams. An application shall not be filed more than 365 days before the first day of the planned Special Event.

**SECTION 7.** Issuance or Denial of Permit – The Mayor or their designee shall determine whether to approve or deny an application for a Special Event Permit based upon the public health and safety of the residents of the Town. The Mayor or their designee shall consider whether the event will interrupt the safe and orderly flow of traffic or divert public safety resources from other portions of the Town, whether the event will pose an unnecessary risk to the safety of attendees or nearby residents, whether the event is likely to cause injury to persons or property in the Town, whether adequate sanitation facilities and parking are available for the event, and whether the applicant and all participants hold the necessary federal, state, or local permits, licenses, or authorizations required for the nature of the event. If the Mayor determines that it is in the best

interest of the Town, they may request that the Town Commission approve or deny a permit application at a public meeting.

**SECTION 8.** Special Requirements – The Mayor or their designee may determine, in their sole discretion, that additional special requirements are necessary prior to the issuance of a Special Event Permit. These requirements shall be related to ensuring the public health and safety of the residents of the Town and the adherence to all applicable laws and ordinances. Special requirements may include, but are not limited to:

- (a). Providing proof of a valid license or permit issued by TABC for serving or selling alcoholic beverages.
- (b). Providing notice to adjoining landowners or other stakeholders that may be impacted by the traffic and noise created by the event.
- (c). Providing proof of current Texas Sales and Use Tax Permit(s) for all vendors.

**SECTION 9.** Duration of Permit – No Special Event Permit issued under this ordinance shall be valid for more than three consecutive days. The Mayor, or their designee, may grant an exception to this limitation at their sole discretion.

**SECTION 10.** Inspection and Revocation – The Mayor, or their designee, may inspect the premises of any event held under a Special Event Permit to ensure compliance with applicable requirements. If it is determined that the holder of a Special Event Permit is not complying with the applicable requirements for their permit, or if the continued operation of the event is unlawful or otherwise threatens the public health and safety of residents of the Town, the Mayor shall revoke the Special Event Permit and order the event to cease operation.

**SECTION 11.** Insurance – The Mayor or their designee shall establish required insurance amounts for each Special Event Permit in an amount adequate to ensure liability coverage for all damages to public property or personal injury suffered as a consequence of the event. Each applicant for a Special Event Permit must provide proof of the required insurance coverage prior to the issuance of a permit. The insurance policy must be in effect during the duration of the event and must list the Town as an additional insured. The applicable insurance coverage amount may be satisfied by a special policy issued solely for the event or by a standing liability policy in an amount adequate to satisfy the requirements of this ordinance.

**SECTION 12.** Indemnity – The applicant for a Special Event Permit, the eventual permit holder, and each sponsor of the Special Event agrees to defend, indemnify, protect, and hold harmless the Town, its officers, directors, employees, agents, successors, contractors, subcontractors, assigns, and volunteers, from and against any and all claims, demands, liens, lawsuits, liability, costs, expenses, damages, and causes of action for or because of injury to persons and injury or damage to property arising from or caused by, in whole or in part, the acts and/or omissions of the applicant, eventual permit holder, and each sponsor of the Special Event, including their officers, directors, agents, employees, contractors, subcontractors, volunteers, and participants in the Special Event.

**SECTION 13.** Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this ordinance be adjudged or held, in whole or in part, to be invalid, voided, or unconstitutional, the same shall not affect the validity of the remaining portions of the ordinance, which shall remain in full force and effect.

**SECTION 14.** All ordinances of the Town in conflict with the provisions of this ordinance are hereby repealed and all other ordinances of the Town not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 15.** This ordinance shall become effective from and after its passage and approval and after publication as may be required by law.

**PASSED AND APPROVED BY THE TOWN COMMISSION OF THE TOWN OF BROCK, TEXAS ON THIS THE 12<sup>TH</sup> DAY OF JANUARY 2026.**



ATTEST:

Melanie Matheus, Town Secretary

**TOWN OF BROCK, TEXAS**

Ben Davis, Mayor

APPROVED AS TO FORM:

Alex M. Phipps III, Town Attorney