

SPECIAL USE PERMIT APPLICATION

Please read the enclosed application materials carefully as some of our policies and procedures have changed. As the event organizer, it is your responsibility to know the guidelines and requirements for your type of event and make sure the application is completed.

- All permit applications require a copy of the applicant's ID and a site/event plan of the rental area.
- All rental and permit fees are due when packet is submitted.
- Applicant must be at least 21 years of age to apply for a Special Use Permit.
- Be advised that parks are open to the public and the Parks and Recreation Department cannot be held responsible for the intrusion of members of the public not associated with your reservation. Should you experience any problems during your rental, please contact the Park Ranger on duty, 830-837-0048. In case of emergency, call 911.
- The Parks and Recreation Department reserves the right to audit functions for excessive attendance. Additional fees will be assessed if the rental exceeds stated participation and/or the rental can be terminated immediately.

Do not assume your event is approved or start advertising your dates until you have an approved permit.

Name of Event: _____

Name of Organization/Individual: _____

Applicant Name: _____

Phone Number (Primary): _____ (Secondary): _____

Email address: _____

Address: _____ City: _____ State: _____ Zip: _____

Rental Area: _____ Estimated Attendance: _____

Date of Rental: _____ Event Start/End Time: _____

Rental Start Time (set up): _____ End Time (take down): _____

1. Type of Event: Concert Parade Picnic Walk/Race Tournament Other

2. Summary of Event:

3. Will the majority of participants be under 20 years of age? Yes No

If yes, number of adults in attendance? _____

*Two adult chaperones, 21 years or older, are required **for every 50 participants that are 20 years of age or younger**. Chaperones shall be present when the rental begins and remain present through the completion of the rental and until all participants 20 years of age or younger have left the park grounds.*

4. Will the event include music or amplified sound? Yes No

If yes, a \$25 permit fee is required.

5. Will you be using an oversized grill or catering/food truck? Yes No

If yes, a \$25 permit fee is required per truck.

6. Will the event include Inflatable Amusement Rides/Games? Yes No

If yes, a \$25 permit fee is required.

7. Will an entry fee be charged? Yes No

If yes, fee amount and type: _____

If walk/run, \$50 permit fee is required.

8. Will there be tents larger than 20'x20'? Yes No

If yes, a permit from the City is required. Tents may not be staked into the ground.

9. Will there be more than 200 people attending? Yes No

*Two portable toilets and one hand wash station for **each 200 estimated attendees are required** at each event. At least one (1) of the portable toilets must be wheelchair accessible. Portable toilets must be in place three (3) hours prior to advertised start of event and placed in a location designated by the Parks and Recreation Department. Additional portable toilets may be required at those parks or locations that do not have restroom facilities. Portable toilets must be picked up within one business day after event. The renter is responsible for the care and cleaning of portable toilets. ***Portable toilets are REQUIRED for all Walks/Runs* Receipt or rental confirmation must be submitted prior to rental***

Dumpster requirement: *Renter may be required to provide, at minimum, one eight-yard (8) dumpster depending on the level of park use on the day of the event.*

10. Will there be food that is not pre-packaged? Yes No

If yes, and rental is open to the public, a Food Permit is required. Contact City Hall.

11. Will your rental include athletic fields for a tournament or other multi-day, multi-hour event or program? Yes No

If yes, coordination with the Athletic Supervisor and the Athletic Field Special Use Request is required.

Complete the following permits as applicable to your event.

Amplified Sound Permit Request

Fee: \$25

Area(s) Reserved	Permitted Time	Max Hours	Type of Sound	Start Time	End Time
Dance Slab	8am-10pm	4			
Picnic Area #11	8am-10pm	4			
Pavilion #16	8am-10pm	4			
Cypress Bend Pavilion	8am-Dusk	4			
Fischer Park Amphitheater	8am-9pm	2			
Faust Street Bridge	8am-9pm	2			
Other:					

1. The Parks and Recreation Department has discretion for approval of permits based on park activity level on the day of the rental.
2. Please be considerate of other patrons near you and residents living next to parks. Although you may receive permission for this activity, the Police Department/Park Rangers can still issue a citation for amplified sound/live music violating the noise ordinance. You may be asked to lower the volume.
3. Park Rangers will monitor decibel levels during the duration of the event. If found in violation, the permit can be revoked, and the amplified sound/live music shut down.

I certify that I have read the Permit Regulations and that the above information is true and correct.

Ordinance 82-9 Noise Prohibitions

- c) **Maximum permissible sound levels.** No person shall conduct, permit or allow any activity or sound source to produce a measurable sound that exceeds the applicable dB(A) level listed below when measured, subject to the exception stated for residential districts only, at the nearest public right-of-way to the offending residence or business:
- (1) Residential district.
 - a. Up to 85 decibels from 10:00 a.m. to 10:00 p.m.
 - b. Up to 75 decibels at all other times.
- A police officer taking a noise measurement in a residential district may take the measurement from either the closest public right-of-way to the offending residence or with the consent of a complainant, may take the measurement from the property line of the complainant.

Ordinance 82-10 Noise prohibitions, public right-of-way and property

- a) In addition to the general noise prohibition, it shall be unlawful for any person or persons to play, use, operate or permit to be played, used or operated any radio, tape recorder, cassette player, compact disc player, DVD player, MP3 player or other machine or device for reproducing sound, if the sound generated is audible at a distance of 50 feet or more from the device producing the sound and the device is located in or on any of the following:
 - (1) Any public property, including any public street, highway, building, sidewalk, park, waterway or thoroughfare;
- b) The prohibitions of this section shall not apply to any athletic event, cultural event or concert authorized by the city.

Oversized Grill / Vendor Truck Permit Request

Fee: \$25

**Permit and Fee required for each vendor to be used.*

Park or Area(s) Reserved: **Landa Park:** 4 5 6 11 11A 16 Landa Haus

Cypress Bend

Fischer Park Hilltop Pavilion

Camp Comal

Fred Fields

HEB Soccer Complex

Permit Requested: Oversized Grill Catering Truck Food Truck Game Truck

Set-up Time: _____ Name of Caterer: _____

Notes:

Oversized Grill/Vendor Truck Permit Regulations

1. Parks and Recreation has discretion for approval of permits based on activity level on the day of the reservation.
2. Catering/Food Trucks are not permitted to sell food to park guests other than the party making the reservation.
3. Permit does not guarantee parking space availability. All parking is first come/first served.
4. The use of propane on oversized grills is allowed and must be contained on the trailer/vehicle.
5. Heating of oil (ex. fish fry), may be done by licensed caterers only and will require proof of liability insurance.
6. All oversized grills must be permanently affixed to a trailer.
7. When parked, trailers must be unhinged from vehicles and not be under trees or on grass
8. Oversized grills/Vendor Trucks must fit within one parking space. Overall trailer size may not exceed 14' in length. (Exception: Trailers at the Hilltop Pavilion in Fischer Park may not exceed 21' in length. Trailers at the Camp Comal Softball Complex may not exceed 20' in length).
9. Trailers/Trucks must be parked on a hard surface and not extend into the roadway, over grass/turf, or impede traffic.
10. Renter will be responsible for insuring safe use of grill/truck and proper disposal of all waste and coals.
11. Electric and water hook ups are not allowed/provided.

I certify that I have read the Permit Regulations and that the above information is true and correct.

Inflatable Amusement Device Permit Request

Fee: \$25

Area Reserved:

Landa Park								Cypress Bend Park
Dance Slab	5	6	7A	11	11A	15	16	Cypress Bend Pavilion

Vendor to be used: _____

Receipt from Inflatable Vendor must be presented when requesting permit.

**Vendor must have on file with the Parks and Recreation Department or must provide a certificate of liability insurance for one million dollars naming the City of New Braunfels as additionally insured and have a current inspection sticker from the Texas Department of Insurance.*

Inflatable Amusement Rides/Festival Equipment Regulations

1. Inflatable Amusement Rides are permitted only within specifically designated park areas with a permit.
2. Inflatable Amusement Rides requiring water for operation are prohibited.
3. Inflatable Amusement Rides may be no larger than 400 sq'. With approval of the Parks and Recreation Director or designee, larger rides may be considered for use at Cypress Bend Park.
4. Inflatable Amusement Rides may not be staked in the ground, but secured with other means (sand bags, water barrels) to insure safety of guests.
5. Parks and Recreation shall determine the location of such equipment within the park.
6. A "Hold Harmless and Indemnification Agreement" must be submitted seven days prior to the rental.
7. A certificate of liability insurance of one million dollars will be required and must be on file with City of New Braunfels Parks and Recreation Department. The renter shall name the City of New Braunfels as additionally insured.
8. Inflatable Amusement Rides must also have a current inspection certificate from the Texas Department of Insurance.
9. Usage of devices is restricted to the party receiving written permission and is not to be used by the public.
10. A fee to use the device cannot be charged to individuals participating in your event within the park on the day of your reservation.
11. Inflatable device must be monitored by an adult (18 years or older) at all times.
12. You must bring this agreement and receipt from Inflatable Vendor on the day of your reservation.

I certify that I have read the Permit Regulations and that the above information is true and correct.

INFLATABLE AMUSEMENT RIDE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

I, _____
(Name of Lessee)

agree to indemnify, defend, and hold harmless the City of New Braunfels, its agents, officers, and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, arising from or connected with

(Name of vendor/company)

operations or services for a special event, (examples: inflatable castle/moonwalk, or other rentable amusement devices, etc.), including, but not limited to, liability, expense, and claims for damages of any nature whatsoever, arising from or connected with special event under this agreement, including, but not limited to, liability, expense, and claims for: bodily injury, including death or property damage caused by negligence, creation or maintenance of a dangerous condition of property, breach of express or implied warranty of product, defectiveness of product, or intentional infliction of harm, including any worker's compensation suits, liability, or expense, arising from or connected with services performed by or on behalf of any person pursuant to this agreement.

Signed: _____ Date: _____

Walk/Race Start & End Time: _____

Will there be a child's Walk/Race? Yes No If Yes, Start & End Times: _____

Last Day for Participant Registrations? _____

- Attachments required:
- Map of Walk/Race route
 - Map of Child's Walk/Race route (if applicable)
 - Insurance certificate
 - Road Closure Form (obtained from City Hall)

- The Parks and Recreation Department reserves the right to audit functions for excessive attendance. Additional fees will be assessed if the rental exceeds stated participation and/or the rental can be terminated immediately.
- Renter will be responsible for costs associated with Park Ranger patrol/traffic control, as well as any Police Department requirements for traffic control.

I certify that I have read the Permit Regulations and that the above information is true and correct.

All Walks and Races in city parks require the following:

1. Walk/Race Special Use Permit Request
2. Map of route
3. Insurance certificate
4. Road closure form (obtained from City Hall)
5. Review of route by NBPD
6. Portable restrooms as required
7. Solid waste containers as required
8. The Parks and Recreation Department reserves the right to audit functions for excessive attendance. Additional fees will be assessed if the rental exceeds stated participation and/or the rental can be terminated immediately.
9. **Organization/individual sponsoring the walk/race will be responsible for costs associated with Park Rangers for traffic control.**

Vendor Permit Request

Fee: \$25 per vendor

Event must be open to the public. Vendor permits are not permitted for private park rentals.

Name of Vendor	Fee

Please Note: Proof of Insurance Coverage May Be Required.

USER agrees and acknowledges that it has inspected and accepts the Premises in their present physical condition and agrees to make no demands upon the City for any improvements or alterations. USER is responsible for maintaining the Premises in good, clean and orderly condition and agrees to repair all damages caused by USER, its representatives or affiliates and return the Premises to its pre-Agreement condition, within 48 hours after termination of this Agreement, unless otherwise agreed to in writing by the DEPARTMENT.

USER shall indemnify and hold harmless the CITY, its agents, officials and employees from any and all claims for bodily injury, illness, death, personal injury or property damage arising out of the activities of USER and its members and invitees in connection with activities conducted under this Agreement

SPECIAL USE PERMIT REGULATIONS

Right of Review

The Parks and Recreation Department may impose reasonable conditions or restrictions on the approval of permits, including but not limited to any of the following:

- Amplified Sound
- Sports
- Equipment or Vehicles
- The number of persons to be present
- The location of performance areas, bandstands, stages, etc.
- Inflatable Amusement Rides
- Time of Event

Entry Fees

It is not permissible to charge entry into any public park without written approval from the Parks and Recreation Administration Office. Citizens must not be denied entry into any park due to your special event.

Insurance

All events that involve the following are required to purchase a general liability insurance policy for one million dollars naming the City of New Braunfels as an additional insured. The Parks and Recreation Department may require the renter to purchase additional insurance because of the type of event or event history.

- walking
- running
- biking
- athletic competitions
- where a fee or donation is paid for admission

Security

If it is deemed necessary, it shall be the responsibility of the person or organization making the reservation to provide necessary security to ensure orderly behavior and protect property. If required, security for Reserved Area Picnic rentals will be determined by the NB Police Department. An additional cost for security will be assessed by the NB Police Department. Parks and Recreation reserves the right to cancel the event if adequate security is not on site. Please contact the NB Police Department at 830.221.4100 to arrange security.

Conditions that may require security include, but are not limited to, closing of roadways, number of guests and type of event.

Refunds

The reservation fee, as set forth in this section, may be refunded under the following conditions:

1. Full refund of the reservation fee in those cases where the Director of Parks and Recreation or designated representatives are notified of cancellation of reservation not less than 14 days prior to the date of use of the reserved area.
2. Refund of one-half of the reservation payment may be authorized if cancellation is received by the Director of Parks and Recreation or designated representatives between 14 days and the day prior to the date of use of the reserved area.
3. The only exception to the refund provisions as set forth in this subsection shall be with the approval of the Parks and Recreation Director.

Exceptions for Issuance of Permits

A permit shall be issued, unless it is found:

- That the proposed activity or use of the park will unreasonably interfere with or detract from the general public use and enjoyment of the park;
- That the proposed activity or use of the park will unreasonably interfere with or detract from the public health, safety or welfare;
- That the conduct of the proposed activity or use is likely to result in or create a clear and present danger of violence by the applicant to persons or property resulting in serious harm to the public;
- That the facilities desired have been reserved for another activity or use at the day and hour requested in the application;
- That the event would violate any federal, state or municipal law;
- That the nature of the event could cause unreasonable or undue environmental damage to the site.

CITY OF NEW BRAUNFELS PARK RULES

The following are prohibited in all city parks:

- Glass containers
 - Individual portable (personal) grills
 - Tents and hammocks
 - Items staked into the ground
 - Ground fires
 - Skateboarding, in-line skating, or roller skating on or around historical monuments and the Dance Slab.
 - Use of metal detector in city parks and wildlife preserves
 - Use of firearms, air-guns, slingshots, bows & arrows, or gigs
 - Loud music, excessive noise, and disturbing conduct
 - Littering
 - Camping or overnight lodging
 - Launching or docking watercraft in Landa Park or Fischer Park
 - Use of tobacco products on or within 50 feet of any outdoor city-owned youth athletic fields, skate park, playground, or playground equipment located within the city limits of the city.
 - Nails or staples are not allowed to secure decorations. No additional signage is allowed to advertise your picnic and you are responsible for total cleanup of picnic areas.
 - Cutting, destroying, or removing vegetation, trees, and deadwood without permission from park officials.
 - Feeding wildlife
-
1. Park hours for all parks: 6:00 am- 12 Midnight. Exception: Cypress Bend Park: 6:00 am - Dusk
 2. Reservations are required for all group picnic areas and pavilions.
 3. Park Rangers will collect a \$25.00 per picnic space fee in season (Easter Weekend – Oct 31). A picnic space includes but is not limited to tables, chairs, blankets, and/or canopies. City of New Braunfels residents may use one picnic space free of charge with proof of residency.
 4. With the exception of Landa Park, Fischer Park and Camp Comal, the consumption of alcoholic beverages or the possession of an open alcohol container in city owned parks is prohibited by city ordinance. At Landa Park, Fischer Park and Camp Comal, the consumption of alcoholic beverages or the possession of an open alcoholic beverage container in designated parking areas or within 25 feet of a roadway is prohibited.
 5. All parking areas are available on a first come, first served basis. Parking in any grass area or non-designated parking area is prohibited.
 6. Pets must be on a leash at all times and are not allowed in Comal Springs, in any waterway throughout Landa Park, Fischer Park or the Fischer Park Sprayground.
 7. Only freestanding canopies without bottoms are permitted for use.
 8. Skateboarding, in-line skating, or roller skating is permitted on sidewalks only. Walkers have the right-of-way on multipurpose trails. JAWS Skatepark allows skates and skateboards only.
 9. Events will be required to remit a fee of \$25 for each vendor selling merchandise or concessions.
 10. Volleyball and horseshoes are permitted only in designated areas.
 11. Wading and swimming permitted only in designated areas.
 12. Nature trails are for pedestrian use only. Bicycles, motorcycles, vehicles, etc. are prohibited (except Dry Comal Trail).
 13. No person may operate a motor vehicle at any park facility or wildlife preserve, except upon roads, driveways, parking areas, and areas designated open to motor vehicles except as authorized by the department.
 14. Advertising, selling of goods, products, or services by authorized park concessionaires only.
 15. No person may use an area or facility for any purpose contrary to its designated purpose. Facility users may not exceed the maximum limit of people established for a facility. For example, a single table maximum is 8 people.
 16. Fishing is allowed only with a regular rod and reel. Net fishing is not permitted in environmentally sensitive areas. A state fishing license and freshwater fishing stamp are required per Texas Parks and Wildlife regulations.
 17. All habitat and wildlife are protected.
 18. All sites, objects, buildings, artifacts, implements, and locations of historical, archeological, geologic, scientific or educational interest of every character located in, on or under the surface of any park facility and wildlife preserve are protected.

Applicant Acknowledgment of Special Use Permit Regulations

Initial _____ I agree to indemnify, defend and hold harmless the City of New Braunfels from all liability claims arising from the actions of myself, or my agents, employees, or participants while conducting activities under this permit in City of New Braunfels parks.

Initial _____ I understand that in the case of an emergency or for reasons beyond the City’s control, the City reserves the right to cancel the scheduled rental prior to scheduled use without liability. Refunds will be made if cancellation by the City is necessary.

Initial _____ I understand that this is only an application and not a guarantee that a permit will be issued. If a permit is issued, I agree that: (1) if any of the information contained in the application is found to be false; or (2) should my conduct, or the conduct of any participants or guests, not be as described in the application; or (3) should any applicable City, County, State, or Federal rules, regulations, codes or laws be violated, any reservations issued shall automatically become null and void and any activity associated with this application will immediately cease.

Initial _____ I agree that I: (1) am financially responsible for any costs incurred by the City of damages to City property; (2) **forfeit all fees and deposits if it is determined that false information was provided on this application**; (3) am financially responsible for any City costs that exceed fees and deposits already collected by the City for enforcement of provisions related to this application for reservation.

Initial _____ I agree that I am responsible to see that all debris and trash is picked up from the rental site and placed in appropriate refuse containers immediately after the rental. Any trash removal expenses (for debris left at rental site not placed in appropriate refuse containers) incurred by the City because of this rental are my responsibility.

Initial _____ I understand that permission to hold this rental/activity does not grant exclusive use of any park. The park is to remain open for public use.

Initial _____ I understand that I am responsible to obtain the necessary permits/approvals granted by agencies or City departments other than the Parks and Recreation Department needed to hold this activity. Permission granted by the Parks and Recreation Department to hold this activity does not imply approval of items under other agencies’ jurisdictions.

I hereby attest that to the best of my knowledge, the information contained in this application is true and correct. I have received a copy of the Park Rules and the Special Use Permit Regulations that govern park rentals for the City of New Braunfels. I understand that failure to abide by the same could result in denial of any future rentals.

Signature of Applicant: _____ **Date:** _____
Note: Application is NOT valid without initials and signature of applicant.

Event organizer must have a copy of the approved Special Event Permit Application on-site during the reservation times of the rental.

PARD Use Only	07/2021
Permit Approved: Yes ___ No ___ If No, Reason: _____	
DL Copied: _____ Applicant Contacted: _____	
Reviewed by: _____ Date: _____	
Additional Requirements:	