

Mass Gatherings Rules and Regulations

The Montgomery County Mass Gathering Rules and Regulations are hereby established pursuant to the authority of Chapter 751 of the Texas Health and Safety Code (the Texas Mass Gathering Act).

Section One: Definitions

For purposes of these Rules and Regulations, the following words shall have the meaning ascribed:

1. "Hearing Examiner" means the County Judge or the County official whom the County Judge has appointed to hear reports regarding a mass gathering and to make a determination as to whether a permit should be granted or denied.
2. "Mass gathering" means a gathering:
 - a. All or any part of which is held in the unincorporated areas of Montgomery County and outside the limits of a municipality;
 - b. That attracts or is expected to attract:
 - i. More than 2,500 persons; or
 - ii. More than 500 persons, if 51 percent or more of those persons may reasonably be expected to be younger than 21 years of age and it is planned or may reasonably be expected that alcoholic beverages will be sold, served, or consumed at or around the gathering; and
 - c. At which the persons will remain:
 - i. For more than five continuous hours; or
 - ii. For any amount of time during the period beginning at 10 p.m. and ending at 4 a.m.
3. "Person" means an individual, group of individuals, firm, corporation, partnership, or association.
4. "Promote" includes organize, manage, finance, or hold.
5. "Promoter" means a person who promotes a mass gathering.

Section Two: Exemptions:

Any mass gathering described in this Section is exempt from Section Three and is not required to obtain a permit.

1. Any mass gathering held at a venue that was established specifically for the purpose of events identical to the mass gathering. For example, a football game at a football stadium.
2. Any mass gathering which, because of the venue, time, or other condition for use of the intended location, the Promoter has already been required to obtain authorizations from the Fire Marshal, Sheriff, and the Environmental Health Services Department.
3. Any mass gathering approved by a public entity to take place on a publicly-controlled site and for which the promoter has already been required to obtain authorizations from the Fire Marshal, Sheriff, and the Environmental Health Services Department.
4. Any mass gathering held on private residential property and not commercial in nature.
5. If a promoter of an event is uncertain as to whether the event that they are promoting is covered under an exemption or not, the promoter may file a "Request for an Initial Determination" form with the Permits Office. The County shall review the form and make an initial determination whether the event is exempted from these Mass Gathering Rules and Regulations. The County may revoke its initial determination at any time if it becomes aware of material changes in the plans for the mass gathering. The promoter shall inform the County of any material changes to the plans for the mass gathering.

Section Three:
Permit Required

1. A person may not promote a mass gathering without a current, valid permit issued under these Rules and Regulations and the Texas Mass Gathering Act. A person who does so without a current, valid permit, commits an offense.
2. An offense under this Section is a misdemeanor punishable by a fine of not more than \$1,000, confinement in the Montgomery County jail for not more than 90 days, or both. Each day of the violation is a separate offense. Any law enforcement agency with jurisdiction over the location of the event shall have citation power under this Section.
3. A permit issued under these Rules and Regulations is valid for one mass gathering event. Permits will not be issued for multiple events.
4. These Rules and Regulations apply in addition to any and all other permit requirements of Montgomery County.

Section Four:
Application Procedure

1. At least 45 days before the date on which a mass gathering will be held, the promoter shall file a permit application with the Montgomery County Permits Office at 501 N. Thompson, Suite 100, Conroe, Texas 77301. An application form may be obtained in person at that office or downloaded at www.mctx.org/ehealth. The Permits Office shall date and timestamp the receipt of each application. A permit application will not be accepted later than 45 days prior to the event.

2. The application shall include at least the following information:
 - a. the promoter's full name and addresses (physical and mailing);
 - b. a financial statement that reflects the funds being supplied to finance the mass gathering and each person supplying the funds;
 - c. the full name and addresses (physical and mailing) of the owner of the property on which the mass gathering will be held;
 - d. a certified copy of the agreement between the promoter and the property owner(s);
 - e. the location and a description of the property on which the mass gathering will be held;
 - f. the dates and times that the mass gathering will be held;
 - g. the maximum number of persons the promoter will allow to attend the mass gathering and the plan the promoter intends to use to limit attendance to that number;
 - h. the name and contact information for each performer who has agreed to appear at the mass gathering and the name and address of each performer's agent;
 - i. a description of each agreement between the promoter and a performer;
 - j. a description of each step the promoter has taken to ensure that minimum standards of sanitation and health will be maintained during the mass gathering;
 - k. a description 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 the mass gathering;
 - l. a description of the preparations made to provide adequate medical and nursing care; and
 - m. a description of the preparations made to supervise minors who may attend the mass gathering and insure that they are not able to obtain alcohol.

Section Five:
Investigation

1. After a permit application is filed with the Montgomery County Permits Office, that Office shall send a copy of the application to the Montgomery County Environmental Health Services Office, the Montgomery County Fire Marshal, the Montgomery

County Sheriff, the Hearing Examiner, and the County Judge (if different from the Hearing Examiner).

2. The Montgomery County Environmental Health Services Office shall investigate preparations for the mass gathering and whether the preparations in place would comply with the Minimum Standards for Health and Sanitation for Mass Gatherings, which are attached to this document and incorporated herein for all purposes. The Montgomery County Environmental Health Services Office shall also forward the application to the Montgomery County Hospital District so that the Hospital District may contribute to the report given by the Environmental Health Services Office. At least five days before the date on which the hearing prescribed in Section Six is held, the Montgomery County Environmental Health Services Office shall submit to the Hearing Examiner a report stating whether the Montgomery County Environmental Health Services Office believes that the minimum standards of health and sanitation prescribed by state and local laws, rules and orders will be maintained.
3. The Montgomery County Fire Marshal shall investigate preparations for the mass gathering. The Montgomery County Hospital District may contribute to the report given by the Fire Marshal. At least five days before the date on which the hearing prescribed in Section Five is held, the Montgomery County Fire Marshal shall submit to the Hearing Examiner a report stating whether the Montgomery County Fire Marshal believes that the minimum standards for ensuring public fire safety and order as prescribed by state and local laws, rules, and orders will be maintained.
4. The Montgomery County Sheriff shall investigate preparations for the mass gathering and whether the preparations in place would comply with the Minimum Standards for Public Safety for Mass Gatherings. The Montgomery County Sheriff shall also forward the application to the Montgomery County Engineering Department so that the Engineering Department may contribute to the report given by the Sheriff. At least five days before the date on which the hearing prescribed in Section Six is held, the sheriff shall submit to the Hearing Examiner a report stating whether the sheriff believes that the minimum standards for ensuring public safety and order that are prescribed by state and local laws, rules, and orders will be maintained.
5. The Hearing Examiner may conduct or request any additional investigation that the Hearing Examiner considers necessary.
6. The Montgomery County Environmental Health Services Office, the Montgomery County Fire Marshal and the Montgomery County Sheriff shall be available at the hearing prescribed by Section Six to give testimony on their reports.

Section Six:
Hearing

1. In no event later than the 10th day before the date on which a mass gathering will begin, the Hearing Examiner shall hold a hearing on the application. The Hearing Examiner shall set the date, location and time of the hearing.
2. Notice of the time and place of the hearing shall be given to the promoter and to each person who has an interest in whether the permit is granted or denied.
3. At the hearing, any person may appear and testify for or against the permit.
4. At the hearing, the Hearing Examiner may request information from any other department or organization with knowledge or experience related to the mass gathering.

Section Seven:
Timeline

1. The Environmental Health Services Office, the Fire Marshal and the Sheriff's Office shall investigate the mass gathering and submit a report to the hearing examiner within 30 days after the Permits Office received the application.
2. The Environmental Health Services Office, the Fire Marshal or the Sheriff's Office may request additional time to complete their investigation from the Hearing Examiner in 15 day increments. Additional time will only be granted if there is at least 25 days until the day of the event. Additional time may be requested more than once.
3. The Hearing Examiner shall conduct the hearing within 10 days after receiving all of the reports.

Section Eight:
Findings and Decision

1. After the completion of the hearing prescribed by Section Six, the Hearing Examiner shall enter his/her findings in the record and shall either grant or deny the permit.
2. The Hearing Examiner may deny or revoke the permit upon a finding of any of the following grounds:
 - a. The application contains false or misleading information or omits required information;
 - b. The promoter's financial backing is insufficient to ensure that the mass gathering will be conducted in the manner stated in the application;
 - c. The location selected for the mass gathering is inadequate for the purpose for which it will be used;

- d. The promoter has not made adequate preparations to limit the number of persons attending the mass gathering
- e. The promoter has not provided for adequate supervision for minors attending the mass gathering;
- f. The promoter does not have assurance that scheduled performers will appear;
- g. The preparations for the mass gathering do not ensure that minimum standards of sanitation and health will be maintained;
- h. The preparations for the mass gathering do not ensure that the mass gathering will be conducted in an orderly manner and that the physical safety of persons attending will be protected;
- i. Adequate arrangements for traffic control have not been provided; or
- j. Adequate medical and nursing care will not be available.

Section Nine:
Permit Revocation

1. The Hearing Examiner may revoke a permit issued under Section Eight if the Hearing Examiner finds that preparations for the mass gathering will not be completed by the time the mass gathering will begin, on any grounds listed in Section Eight, Subsection 2., or that the permit was obtained by fraud or misrepresentation.
2. The Hearing Examiner must give notice to the promoter that the permit will be revoked at least 24 hours before the revocation takes effect. If requested by the promoter, the Hearing Examiner shall hold a hearing on the revocation.
3. If the Hearing Examiner revokes a permit upon a finding of one of the above grounds, the promoter shall have five business days to cure the deficiency. If the deficiency has been cured, as determined by the Hearing Examiner, then the permit shall be reissued.

Section Ten:
Appeal

A promoter or a person affected by the granting, denying, or revoking of a permit may appeal final action to a district court having jurisdiction in Montgomery County.

Section Eleven:
Inspections

1. The Montgomery County Environmental Health Services Department may inspect a mass gathering during the mass gathering to ensure that the minimum standards of health and sanitation prescribed by state and local laws, rules, and orders are being maintained. If the Montgomery County Environmental Health Services Department determines a violation of the minimum standards is occurring or is likely to occur, the Montgomery County Environmental Health Services Department may order the promoter of the mass gathering to correct the violation.

2. The Montgomery County Fire Marshal may inspect a mass gathering during the mass gathering to ensure that the minimum standards for ensuring public fire safety and order as prescribed by state and local laws, rules, and orders are being maintained. If the Montgomery County Fire Marshal determines a violation of the minimum standards for fire protection and safety is occurring or likely to occur, the Fire Marshal may order the promoter of the mass gathering to correct the violation. The Fire Marshal and the Montgomery County Hospital District may coordinate with each other to provide inspections to ensure that the minimum standards for public safety are being observed.
3. The Montgomery County Sheriff's Office may inspect a mass gathering during the mass gathering to ensure that the minimum standards for ensuring public safety are being maintained. If the Montgomery County Sheriff determines a violation of the minimum standards is occurring or is likely to occur, the Montgomery County Sheriff may order the promoter of the mass gathering to correct the violation.
5. A promoter who fails to comply with any order issued under this Section commits an offense. An offense under this section is a Class C misdemeanor punishable by a fine of up to \$500.00. Each day of violation is a separate offense. Any law enforcement agency with jurisdiction over the location where the event is held shall have citation power under this Section.

Section Twelve:
Fees

1. An application for a permit to promote a mass gathering must be accompanied by payment of the minimum inspection fee in the amount set out in the attached Fee Schedule.
2. Special events that require more extensive review from the Fire Marshal, the Sheriff, or the Environmental Health Services Department may be assessed a reasonable surcharge to compensate for the additional time spent inspecting the event. Applicants will be informed of any surcharges via a "Notice of Surcharge." The surcharge must be paid within ten days of receiving the "Notice of Surcharge" for the event.
3. All fees relating to the issuance of a Mass Gathering Permit shall be determined by Commissioners' Court and incorporated into these Mass Gathering Rules and Regulations. These fees shall remain in effect from the effective date hereof until changed by Commissioners' Court. Fees may be changed at any time and from time-to-time by Commissioners' Court, as it deems appropriate. The fees shall be approved or amended by Commissioners' Court in the manner authorized by law for the taking of official action by a political subdivision. Any changes shall be effective for events in which the application is filed after the date of the change.
4. All payments of fees shall be non-refundable; payments must be made by cashier's check or money order payable to "Montgomery County, Texas."

Section Thirteen:
Effect of Other Laws

It is not intended, and no provision herein should be construed, to contravene any applicable law or to pre-empt any federal statute. To the extent any part or any provision in these Rules and Regulations might otherwise be construed as invalid, illegal, or unenforceable in any respect, it should be construed as being limited in its scope and applicable to only those circumstances to which it can legally apply. To the extent that any provision or part hereof is found to be invalid, illegal or unenforceable in any respect, it shall not affect any other provision. A Mass Gathering Permit is obtained in addition to any other permits that may be required under any local, state or federal law.

Section Fourteen:
Effective Date

These Rules and Regulations, with approval of Montgomery County Commissioners' Court, shall become effective on August 8, 2011. Consequently, on and after August 8, 2011 a promoter of a mass gathering shall be subject to the provisions herein.

Section Fifteen:
Communications and County Contact

Questions concerning these Rules may be submitted to the Montgomery County Environmental Health Services Department.

Environmental Health Services Department:
501 North Thompson, Suite 101
Conroe, Texas 77301
936-539-7839

Section Sixteen:
Material Changes in Plans

1. If after a Permit has been granted, a material change in the plans for the mass gathering has occurred, the promoter shall notify the Hearing Examiner so that the Hearing Examiner may determine whether the Permit shall be revoked or not.
2. If Montgomery County becomes aware of road construction in the vicinity of the mass gathering that may affect the mass gathering, Montgomery County will make every effort to notify the Promoter so that accommodations may be made. Montgomery County reserves the right to revoke a Permit for a mass gathering because of unexpected road construction if the unexpected road construction causes there to be inadequate parking or traffic control. Every effort will be made to avoid revoking a permit based on unexpected road construction.

Application for Permit to Promote a Mass Gathering
in Montgomery County, Texas

At least 45 days prior to the planned mass gathering, the Application must be received and filed at the Montgomery County Permits Office located at 501 N. Thompson, Suite 100, Conroe, Texas, 77301. Additional sheets may be attached.

A minimum inspection fee must be paid at the time of filing of the application.

Event Description

1. Promoter's Full Name :

2. Promoter's Address (physical and mailing) and other Contact Information:

Telephone: _____

Fax: _____

Email: _____

3. Full name of Owner(s) of the Property on which the Mass Gathering will be held.

4. Property Owner's Address (physical and mailing):

5. Location of the Property where the Mass Gathering will be held:

6. Description of the Property where the Mass Gathering will be held: (barn, open field, etc.)

7. Date(s) of Mass Gathering:

8. Time of Event:

9. Maximum number of persons to be allowed to attend:

10. A hearing will be held no later than 10 days prior to the event and the promoter or the following representative of the Promoter will be available to attend, if necessary:

Name: _____

Telephone: _____

Fax: _____

E-Mail: _____

11. Will food be served? _____ By Whom? _____

12. Will alcohol be served? _____ By Whom? _____

13. Will attendees be allowed to bring in food or alcohol? _____

14. Are minors allowed into the event? _____

15. Briefly describe your plans for parking. _____

Event Financial and Contractual Obligations

Attach the following documents:

1. A certified copy of the agreement between the promoter and the land owner.
2. A list of the names and contact information of each performer and of their agent who has agreed to appear at the mass gathering including a description of the terms of the agreement.
3. Financial statement reflecting the funds being supplied to finance the mass gathering and each person supplying the funds.

Health & Sanitation Compliance

1. Describe the steps taken to ensure that minimum standards of health and sanitation will be maintained during the gathering:

2. Describe the steps taken to ensure the physical health/safety of the persons attending:

3. Describe the preparations taken to provide adequate medical and nursing care:

Public Safety Compliance

1. Describe how attendance will be limited to the maximum number stated in the event description above:

2. Describe the preparations you will take to provide traffic control:

3. Describe the steps you will take to ensure that the mass gathering will be conducted in an orderly manner:

4. Describe the preparations you will take to supervise minors who may attend the mass gathering:

5. Identify the location on the grounds where the promoter or a representative will be available at all times during the event.

Acknowledgment

State of Texas

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County of Montgomery

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I affirm that the information I have given in this document and its attachments are correct and I hereby set my hand on this the _____ day of _____, 20__.

Signature of Promoter

Printed Name of Promoter

Received by the Permits Office on this the ____ day of _____, 20__, together with the following:

Inspection Fee: _____

Fee Schedule for Mass Gathering Permit

The minimum fee for the health inspection, fire marshal inspection and sheriff's inspection must be paid at the time of the filing of the application. Special events that require more extensive review from the Fire Marshal, the Sheriff, or the Environmental Health Services Department may be assessed a reasonable surcharge to compensate for the additional time spent inspecting the event. Applicants will be informed via a "Notice of Surcharge" of any surcharges. The surcharge must be paid within ten days of receiving the notice of surcharge for the event. All payments of fees shall be non-refundable; payments must be made by cashier's check or money order payable to "Montgomery County, Texas."

Inspection Fees due at the time the Promoter makes application:

\$400.00 for Mass Gathering less than 5,000 people.

\$800.00 for Mass Gathering greater than 5,000 people.

Surcharge amounts for each additional inspection:

\$200.00

Notice of Surcharge

Date: _____

Promoter: _____

Promoter's Address: _____

Description of Mass Gathering: _____

Mass Gathering Date: _____

This Notice is to inform you that a surcharge is being assessed for the mass gathering permit which you applied for as the "Promoter" on _____, 20____. This surcharge is being assessed because due to special circumstances of your event, more than one inspection is needed by the following departments _____. Please remit the amount below to the Permits Office by the date listed below. Montgomery County reserves the right to assess further surcharges by different department, or because more inspections are needed by the same department due to unforeseen circumstances. Payment is due in the Permits Office by the date listed below. All payments of fees shall be non-refundable; payments must be made by cashier's check or money order payable to "Montgomery County, Texas."

Amount Assessed: _____

Due Date: _____ (ten business days after the date above)

Department Requesting Surcharge: _____

Montgomery County Permits Office
501 North Thompson, Suite 100
Conroe, Texas 77301

Processed by: _____

Minimum Standards for Health and Sanitation for Mass Gatherings

1. Water Supply.
 - a. The quality and quantity of water to be supplied shall meet the approval of the Montgomery County Environmental Health Services Department, and on its request, an evaluation of the supply may be made by the Department of Health Resources.
 - b. Water shall be provided at the rate of at least one pint per hour for each person present at the site.
 - c. Water shall be delivered to the dispensing points in such a manner as to preclude the possibility of contamination. All water conveyor facilities shall be cleaned and disinfected prior to being used and any containers used for water delivery shall be covered to prevent the entrance of dust, insects, or other contaminants.
 - d. A suitable water outlet of water and the ability to provide oral re-hydration to affected individuals.
 - e. The use of the common drinking cup is prohibited. At least one dispensable cup shall be provided for each person per hour of attendance.
2. Toilet facilities
 - a. Toilet facilities, separate for each sex and plainly marked "Men" and "Women" shall be provided at a rate of no more than 50 persons per toilet seat. Such facilities shall be designed to shield the occupants from public view.
 - b. Portable type toilets, if provided, shall have waste therefrom collected at intervals sufficient frequency to preclude overflow and the wastes therefrom shall be disposed of in a manner that does not create a health hazard or nuisance.
 - c. Hand washing and drying facilities shall be provided in the vicinity of each toilet building or location. Waste produced from such hand washing facilities shall be collected and disposed of either by holding tanks or subsurface absorption fields or hand sanitizing systems.
3. Vector and Rodent Control. Sufficient equipment and chemicals shall be available to control insect vector or rodent problems in a manner approved by the Montgomery County Environmental Health Services Department. The grounds shall also be free of mosquito breeding sources.
4. Solid Waste Facilities.
 - a. All solid waste shall be stored in suitable containers with tight fitting lids and such containers shall be conveniently located throughout the area.
 - b. All solid waste shall be collected twice daily or at such more frequent intervals as may be necessary to maintain sanitary conditions at the site and be disposed of in a facility which has been approved by the Montgomery County Environmental Health Services Department.
5. Food Sanitation.
 - a. Food to be administered to the public may not be prepared in a private residence. For special fundraisers such as bake sales, pies, cakes and cookies will be allowed to be prepared in a private residence as long as all of the other following conditions are met.

- b. All food, including ice must be from an approved source and kept in a food grade container.
 - c. The storage of food in contact with water or un-drained food is prohibited.
 - d. Food must be protected during storage, display, and cooking as follows:
 - i. Must be kept covered;
 - ii. Must be stored on a clean surface;
 - iii. Must be kept at the proper temperature: Potentially hazardous food requiring cold storage must be kept at 41 degrees Fahrenheit or below; frozen foods at 0 degrees Fahrenheit or below; foods requiring hot storage at 135 degrees Fahrenheit or above. Thermometers must be kept in equipment or a metal stemmed product thermometer may be used to check internal food temperature;
 - iv. All food, single service containers and utensils should be stored at least six inches above the floor.
 - e. Food dispensing utensils should be stored in food with handle out.
 - f. Enough portable water shall be available in the establishment for cleaning and sanitizing utensils and equipment and for hand washing; a heating unit facility capable of producing enough hot water for these purposes must be provided. Bleach must be available for sanitizing purposes.
 - g. Three plastic dish pans for washing, rinsing, and sanitizing food preparation equipment, such as cooking utensils, pots, pans, must be provided.
 - h. A thermos with a spigot shall be available for employee hand washing. Warm running water, soap, and individual paper towels must be provided.
 - i. Facilities must be available to retain all liquid wastes.
 - j. All stands must have adequate covered garbage containers and all permittees' are responsible for keeping the area clean and free of garbage.
 - k. A temporary health permit for each stand must be obtained by mail **two (2) weeks** in advance of the event date or in person **two (2) full business days** before the event date. A **late fee of \$25.00** will apply if not obtained in advance.
 - l. Non-compliance with these rules will result in the immediate closing of the stand and/or citation issued by the Montgomery County Health Services Department.
 - m. Omit items g through j if only prepackaged foods are being sold.
6. Medical and nursing care.
- a. A minimum of one and at least one emergency aid station for each 10,000 persons or fraction thereof shall be maintained and be clearly identifiable by a prominent signage during the entire time of the mass gathering.
 - b. Each emergency aid station shall have on duty at all times at least two persons who have had, as a minimum, training in first aid either by the American Red Cross or as a medical corpsman in the armed services and be a Texas Certified EMT or Nationally Registered EMT. One shall be in charge.
 - c. Each emergency aid station shall be provided with the following equipment and supplies:
 - i. an air-conditioned tent or other suitable temporary shelter shall be provided at a convenient location on the grounds of the mass gathering to house the emergency aid station.
 - ii. folding cots-six;

- iii. blankets-eight;
 - iv. chest or box (for supplies) –one;
 - v. chairs – four;
 - vi. flashlights-two;
 - vii. pail or plastic wastebasket-two, and a biohazard disposal container;
 - viii. paper bags for waste- 24;
 - ix. paper towels (roll or package) – four;
 - x. pitcher (with cover) – two;
 - xi. adhesive bandages (assorted) – four dozen;
 - xii. adhesive tape, three inches and four inches – four rolls each size;
 - xiii. triangular bandage, 40 inches – six;
 - xiv. hydrogen peroxide
 - xv. trauma sheers
 - xvi. snake bite kit - one;
 - xvii. splints – six;
 - xviii. bag mask resuscitator with oxygen supply – one;
 - xix. stretcher – one;
 - xx. thermometer, oral – two;
 - xxi. bandage compress, two inches, three inches and four inches – six each size;
 - xxii. four inches by four inches cotton gauze squares – 100
 - xxiii. Automated External Defibrillator
 - xxiv. EpiPen
 - xxv. disposable gloves
 - xxvi. hand sanitizer
 - xxvii. blood pressure cuff – one
 - xxviii. stethoscope – one
 - xxix. oral glucose – one tube
 - xxx. bio-hazard emesis bags
 - xxxi. ice packs – twelve
 - xxxii. Neosporin or other antibiotic ointment
 - xxxiii. Acetaminophen or ibuprofen for individual packet distribution
 - xxxiv. trauma dressings – four
7. A written plan for the evacuation of sick or injured persons shall be provided and approved by the Montgomery County Fire Marshal covering the following services and a copy of the plan shall be placed in a conspicuous place in the emergency aid station.
- a. name, location, and telephone number(s) of one or more available licensed physicians;
 - b. name, location, and telephone number(s) of a local 911 EMS provider who shall be utilized for transport if necessary;
 - c. name, location, and telephone number(s) of an available nearby hospital;
8. Final site cleanup. At the conclusion of a mass gathering, the site shall be inspected by the Montgomery County Environmental Health Services Department for health and sanitation considerations. The landowner, upon notification by the Montgomery County Environmental Health Services Department of the existence of any unsanitary conditions,

shall immediately cause such conditions to be corrected. The site must always remain clean and well drained.

9. Other: there must not be any objectionable odors or humidity; garbage must be properly stored and maintained; toxic items must be stored properly.

Minimum Standards for Public Safety at Mass Gatherings

1. Control of Admission to Spectators.
 - a. All admission tickets sold or offered for sale by the promoter, or by others acting in his behalf, will be serially numbered or otherwise coded in such a manner so as to be able to determine the days of admission and the number of people that have been admitted at any given time. The promoter will advise the issuing officer at the time of the hearing on the application of the number of tickets known or believed to have been sold and the anticipated number to be sold.
 - b. The promoter will certify to the sheriff or the issuing officer, upon request, the number of tickets known to have been sold at the time the request is made.
 - c. The promoter will grant admission to spectators only on the presentation of a valid ticket to the event, and each spectator will be required to present an individual ticket. The promoter will retain all tickets so presented, and will make them available for inspection by the sheriff of the county in which the mass gathering is being held, or by any other peace officer, at any time during the period of time for which the permit is granted, and for 10 days thereafter.
2. Adequate Parking Space Required. An adequate parking space shall be provided for the parking of vehicles. The parking area shall be deemed adequate if it meets the following requirements.
 - a. Provides a parking space large enough to accommodate one four-wheeled vehicle for each four tickets sold.
 - b. The parking area shall be well drained and the surface of such consistency so as to provide for easy entry and exit during any type of weather conditions.
3. Camping Area. Any area provided by the promoter as a camping area for the benefit of paying spectators shall be separated from the entertainment areas and the area provided for the parking of vehicles by a distance of at least 1000 feet. No overnight camping will be permitted in the area designated for the parking of vehicles.
4. Adequate Lighting. Provisions shall be made to light adequately the entire area provided for the occupancy of spectators. The required lighting shall be deemed adequate if it is sufficient to make clearly recognizable the features of any person within the area provided for the occupancy of spectators by an observer 50 feet from that person, and if the required illumination may be turned on by the operation of not more than two devices.
5. Access by Emergency Vehicles. The promoter will at all times during the time for which the permit is issued maintain a clear and unobstructed access route through the area under his control for the use of emergency vehicles attempting to reach any platform, stage, bandstand, grandstand, or other seating facility, concession stand, or parking area.
6. Access to Facility Without Undue Delay.
 - a. The promoter will plan, construct or otherwise make provisions necessary to assure that spectators or others seeking admittance to the facility under his control at which the mass gathering is to be held may enter the facility without impeding the progress of those who follow to the extent that exit from any federal, state, or county highway giving access to the facility is delayed in any manner.
 - b. This section is to be interpreted to mean that it is the responsibility of the promoter to expedite, by any necessary means, the flow of traffic into the facility

he provides to the extent that persons seeking admission will not be delayed to the extent that their presence will interfere with the normal movement of traffic on adjacent public streets or highways.

7. Construction of Public Facilities. Any platform, bandstand, stage, grandstand, or other facility upon which people may assemble to make music, dance, or otherwise entertain or sit or stand as spectators shall be constructed in such a manner as to safely support the weight of the maximum number of people who are able to assemble thereon.
8. Preservation of Order. The promoter will be responsible for and will be held accountable for preserving order within the confines of the area designated in the permit application.
9. Promoter to be Available at All Times. The promoter or a representative designated by him in his permit application will be present and available on the grounds at all times during the period for which the permit is issued and until all those in attendance have departed the area. The permit application shall specify a location on the grounds at which the promoter or his designated representative may be located within undue delay.

Request for an Initial Determination

Event Description

1. Promoter's Name :

2. Promoter's Address and other Contact Information:

Telephone: _____

Fax: _____

Email: _____

3. Location of the Property where the Event will be held:

4. Description of the Property where the Even will be held: (barn, open field, etc.)

5. Date(s) of Event:

6. Time of Event:

7. Maximum number of persons to be allowed to attend:

8. Will alcohol be served?

9. Brief Description of the Event? (entertainment, purpose etc.)

#30

22c

AUG 22 2011

RESOLUTION ADOPTING THE MONTGOMERY COUNTY
MASS GATHERING RULES AND REGULATIONS

WHEREAS, Montgomery County Commissioners' Court desires to improve the safety and welfare of its citizens and acknowledges that Montgomery County is growing and becoming a popular place to conduct events;

WHEREAS, Montgomery County Commissioners' Court desires to better serve the citizens of Montgomery County by requiring promoters who plan to have mass gatherings to comply with these Mass Gathering Rules and Regulations;

WHEREAS, Chapter 751 of the Texas Health and Safety Code (The Texas Mass Gathering Act) gives Commissioners' Court the authority to proscribe certain rules and regulations regarding mass gatherings ; and

WHEREAS, a copy of the Montgomery County Mass Gathering Rules and Regulations are attached as *Exhibit "A."*

Motion was made by Commissioner Doyal and seconded by Commissioner Meador that this Commissioners' Court does hereby accept the attached Mass Gathering Rules and Regulations for use by all the departments in Montgomery County.

NOW THEREFORE, BE IT RESOLVED THAT the Commissioners' Court hereby adopts the attached Montgomery County Mass Gathering Rules and Regulations.

PASSED AND APPROVED this 22 day of August, 2011.

MONTGOMERY COUNTY, TEXAS

ALAN B. SADLER, COUNTY JUDGE

Mike Meador
MIKE MEADOR, PCT. 1

Craig Doyal
CRAIG DOYAL, PCT. 2

Ed Chance
ED CHANCE, PCT. 3

Ed Rinehart
ED RINEHART, PCT. 4

ATTEST

Mark Turnbull
MARK TURNBULL,
COUNTY CLERK

