

## CHAPTER 80: AMUSEMENTS

### Section

#### **Carnivals, Circuses, and Tent Shows**

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#### **Carnivals, Circuses, and Tent Shows<sup>1</sup>**

##### **§ 80.01 Permit Required; Exemptions**

It shall be unlawful for any person, group, or organization to hold a circus, carnival, or tent show without first obtaining a permit from the City. This section shall not apply to funeral processions, school functions such as pep rallies, fundraisers, marching bands, etc., provided such conduct is under the immediate direction and supervision of appropriate school authorities or a government agency.

##### **§ 80.02 Application for Permits**

(a) Any person desiring to hold a circus, carnival, or tent show within the City shall make an application in writing to the City Secretary at least forty-five (45) days prior to the date such circus, carnival, or tent show is to be conducted.

(b) The application for a permit shall be on forms furnished by the City which shall set forth the following information:

- (1) The name, address, and telephone number of the person, sponsor, group, or organization desiring such permit;
- (2) The name, address, and telephone number of the person who will be responsible for the conduct of the circus, carnival, or tent show;
- (3) The proposed date(s) the circus, carnival, or tent show is to be held;
- (4) The proposed location of the circus, carnival, or tent show;
- (5) A description of the proposed circus, carnival, or tent show which is to be held; and
- (6) Any additional information which the City may deem pertinent as to whether a permit should or should not be issued.

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<sup>1</sup> **State law references** - Municipalities are authorized to regulate, license, or tax exhibitions, shows, or amusements through V.T.C.A., Local Government Code, § 215.032; authority to regulate treatment and disposition of animals is found in V.T.C.A., Health & Safety, Chapter 821.

(c) Each application for a permit shall be accompanied with a permit fee as provided for in the Schedule of Fees (Appendix A of this Code) before its consideration. This fee shall be nonrefundable regardless of whether the permit is granted or denied.

### **§ 80.03 Consideration of Application**

(a) Upon the filing of an application for a permit for a circus, carnival, or tent show, the City Secretary shall cause or make an investigation to determine whether or not the proposed event is in conflict with any laws or ordinances and not detrimental to the public health, safety, and welfare. When reviewing the permit application the following concerns, and any other information as may otherwise be obtained, shall be considered before approving any permit:

(1) The proposed event will not substantially interrupt the safe and orderly movement of traffic, both vehicular and pedestrian;

(2) The proposed event will not require the diversion of so great a number of police officers of the City to properly police the event that customary protection to the City will not be available;

(3) The concentration of persons, animals and vehicles will not unduly interfere with proper fire and ambulance service to all portions of the City;

(4) The conduct of the event is not reasonably likely to cause injury to persons or property or to provoke disorderly conduct or create a disturbance;

(5) The event is for a meaningful purpose and is of sufficient interest to the general public to justify any inconvenience it may cause;

(6) The event has been planned to ensure that the general safety, health, and welfare of all persons is provided as is reasonably possible.

(b) The City Manager shall consult with the Chief of Police and any other City officials and/or staff deemed to have an interest in or information regarding the desirability of issuing a permit under the terms of this ordinance.

### **§ 80.04 Approval or Denial of Permit; Appeal**

After completion of his investigation, the City Manager shall make a recommendation to the City Council regarding approval of the permit. The City Council shall then approve or disapprove the permit. If approved, the City Secretary shall then issue a permit to the applicant.

## **§ 80.05 Compliance with Permit Conditions and Applicable Laws and Ordinances**

It shall be unlawful for any person participating in any parade for which a permit hereunder has been issued to fail to comply with all directions and conditions of such permit and all applicable laws and ordinances.