

## ORDER REGULATING THE USE OF COUNTY ROAD RIGHTS-OF-WAY FOR SPECIAL EVENTS

Whereas, Section 251.151, Transportation Code provides that the Commissioners Court of a county may regulate traffic on a county road or on real property owned by the county, that is under the jurisdiction of the Commissioners Court; and

Whereas, Section 251.016, Transportation Code provides that the Commissioners Court of a county may exercise general control over all roads, highways, and bridges in the county; and

Whereas, Section 251.017, Transportation Code provides that the Commissioners Court of a county may set a reasonable fee for the county issuance of a permit authorized by this chapter for which a fee is not specifically prescribed; and

Whereas, Section 542.202, Transportation Code provides, in part, that this subtitle does not prevent a local authority, with respect to a highway under its jurisdiction and in the reasonable exercise of the police power from regulating or prohibiting a procession or assemblage on a highway.

**NOW, THEREFORE, BE IT ORDERED** by the Commissioners Court of Robertson County, Texas as follows:

- 1. An unauthorized procession or assemblage is hereby prohibited on all county roads and county road rights-of-way in Robertson County, Texas. This prohibition shall not apply to a funeral procession under the direction of a licensed funeral director.
- 2. An unauthorized procession or assemblage consists of ten or more motor vehicles; ten or more horses, mules, or donkeys; ten or more bicycles; ten or more wagons, buggies, or trailers; or any combination of ten or more of the above, operating on a county road or county road right-of-way without a permit.
- 3. A violation of this Order is a misdemeanor punishable by a fine not to exceed five-hundred dollars (\$500.00).
- 4. A permit for a procession or assemblage may be considered by the Commissioners Court upon completion of the attached application and payment of a permit fee of two-hundred and fifty dollars (\$250.00).

	ORDERED thisday of	Lugust 2024.
	Joe	e David Searpinato, County Judge
	1-7 Jan	Little The fill
	Ty Rampy // County Commissioner, Precinct 1	Donald Threadgill  County Commission on President 2
	WI Stime	County Commissioner, Precinct 2
	Chuck Hairston	James Taylor
	County Commissioner, Precinct 3	County Commissioner, Precinct 4
	ATTEST:	
769	Syptamu !! I. Dano	Levs
	Stephanie Sanders, County Clerk	
4.14.1.		

## INSTRUCTION FOR COMPLETION OF

## USE OF COUNTY ROAD RIGHT-OF WAY FOR SPECIAL EVENTS PERMIT APPLICATION

# Upon completion of the PERMIT APPLICATION, it is to be returned to the office of the ROBERTSON COUNTY JUDGE 201 E. Decherd St, Franklin Texas

(Located on the 3<sup>rd</sup> floor of the historical court house)

979-828-3542

\*\*Please note if the application is turned in to any other office it will NOT be considered for approval.



## USE OF COUNTY ROAD RIGHT-OF-WAYS FOR SPECIAL EVENTS PERMIT APPLICATION

\*\*If your event will have 10 or more entries (see definition on page 17) you must complete and submit a Special Event Permit application\*\*

Application must be received at least 45 days prior to the planned county road right-of-way for special event at the Robertson County Judge's Office on the third floor of the Robertson County Courthouse, Located at 102 E. Decherd St. Franklin, Texas 77856. A permit fee of \$250.00 (nonrefundable) must be paid at the time of submitting the application. Permit fee must be made payable to Robertson County by cashier's check, certified check or money order. Applicant is referred to Texas Health and Safety Code Section 751 for further guidance.

Representatives from the Robertson County Sheriff's Department, Robertson County ESD, Robertson County Office of Emergency Management, and Robertson County Road and Bridge will need to sign off on permit application prior to submission and will also attend the hearing to ensure that the minimum standards in health and sanitation, fire safety and public safety and order are maintained at the special event as prescribed by state and local laws, rules and orders.

Organization Name:							
Date of Event:							
Kind of Event:							
Address of organizer:							
Street:							
City: Stat	e:	Zip:		_			
Representative/Promoter for organization	:						
Name:	9	Title:					
Address:	Address:						
City:	State:		_ Zip:				
Phone Number:	Cell:			_			
Email:		Э.					

Individual(s) Name (partnerships must list all partners, additional pages shall be attached as needed to this page).

#### I Contact Information

1. This shall be the person who is ON SCENE with the event and in charge.

Title:		
Address:		
City:	State:	Zip:
Phone Number:	Cell:	
Email:		
Emergency Phone Number:		
Emergency Phone Number:  This shall be the BACKUP person  Contact Person:	ON SCENE with the event a	nd second in charge
This shall be the BACKUP person  Contact Person:	ON SCENE with the event a	nd second in charge
This shall be the BACKUP person  Contact Person:  Title:	ON SCENE with the event a	nd second in charge
This shall be the BACKUP person  Contact Person:	ON SCENE with the event a	nd second in charge
This shall be the BACKUP person  Contact Person:  Title:  Address:	ON SCENE with the event a	nd second in charge

#### II Property Owners Information, If Applicable

Property Owner			
	·		
	State:		
Phone Number:	Cell:		
Email:			
	<del></del>		
2. Ending Point:			
Property Owner:		<u>.</u>	
Address:	·	·	
City:	State:	Zip:	
Phone Number:	Cell:		
Email:		<del></del>	
3. GPS Coordinates of Startin	g/Ending Points:		
:		orth .	
;	W	est	
	ee that any and all Law Enforcement pe ons of this permit or for any other lawfu		y at
	Title:		
Print			
:Signature	Date:	···	

## III <u>Date, Time and Route</u>

1. The event will have	a start date of:			
Month:	Day:	Year:	Time:	
2. The event will have	e an end date of:			
Month:	Day:	Year:	Time:	
approximate times sta		at all entries must abid		JS Highways at the I Federal laws (including
Road Name:			Time:	
Road Name:	<del></del> -	<del>.</del>	Time:	
Road Name:		·	Time:	<del></del>
Road Name:			Time:	
Road Name:			Time:	
Road Name:		<u> </u>	Time:	
Road Name:			Time:	
Road Name:			Time:	

<sup>\*\*</sup>Applicant must attach (1) printed map that outlines the planned route and the traffic control plan consistent with Texas Manual on Uniform Traffic Control Devices. \*\*

<sup>\*\*</sup>At the Counties discretion, event signage may be required\*\*

## IV <u>Entries</u>

1.		timated number of entries that will be involved must be listed below. If number of tries exceed the estimate provided below; the event shall be terminated immediately.
		a. Number of riders:, Number of pedestrians
		b. Number of animal drawn vehicles:
		c. Number of vehicles: Trucks, Trailers, Cars, ATV's Others(Explain)
		(Must meet Texas Traffic Code to operate on a public roadway)
		NOTE:
		No person may ride in/on a Pickup truck bed or trailer on a public roadway unless participating in a parade/hayride, as provided by Texas Transportation Code.
		ATV i.e.: 4 wheelers, side by sides, golf carts or any other type of off-road vehicles are not allowed on public roads unless they are in compliance with State Laws.
		${f v}$
		Participants/attendees
	1.	Estimated number of participants, attendees, vendors, and staff that will be involved: (If number of participants/attendees, vendors, and staff exceeds the estimate provided above, the event shall be terminated immediately.)
	2.	Please describe below how the number of participants/attendees, vendors, and staff will be controlled (as not to exceed the estimated number above).
		<del></del>
		· · · · · · · · · · · · · · · · · · ·

Texas Mass Gatherings Act: this event may require a Mass Gathering Permit as required by Texas Health and Safety Code, Title 9. Safety, Subtitle A. Public Safety, Chapter 751. Mass Gatherings?

\*\*If a permit is required, contact the Robertson County Judge's office for a Mass Gathering Application which should be completed and attached. \*\*

A Mass Gathering is defined under Chapter 751 of the Texas Health and Safety Code as an event that can be defined by the following three (3) conditions:

- 1) A gathering that is held outside the limits of a municipality; and
- 2) A gathering that attracts or is expected to attract more than 2,500 persons; or more than 500 persons, if 51 percent (51%) or more of those persons may be reasonably 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) A gathering where participants will remain for more than five (5) continuous hours; or for any amount of time beginning at 10:00 p.m. ending at 4:00 a.m.

#### VII Activity Agenda

A description of the planned activity is as follows:			
			_
			_ _
2. Will this be a private or public event?		Public_	_
3. Will this event have any amplified sound?	Yes	sNo	<b></b> -
(a) If a Special Event permit is approved, the applicant and other County personnel to monitor noise levels. U Code, Disorderly Conduct.			
Amplified sound in the County Right-of-Ways is p	orohibited <u>after 10:00</u>	<u>P.M.</u>	
1. Will there be publicity encouraging attendance or advertisi	ng for this event? YES	SNO	_
a. If yes, attach one (1) copy of all the publicity i.e.; flyers the date of this Permit Application.	s, documents, posters, F	Facebook pages, web	osite, etc. prior to

distributed/used/published after the date of this Permit Application is submitted, it must be PRESENTED TO

b. If different/revised publicity i.e.; flyers, documents, posters, Facebook pages, website or the likes is

Robertson County. The changes must be sent to the Administrator at the place below.

5. Will Alcoholic beverages be consumed during this event:	YES	NO
a. Bring your own	YES	NO
b. Provided with entry fee (giveaway) - Attach copy of TABC Permit	YES	NO
c. Available to purchase - Attach copy of TABC Permit	YES	NO
d. Will minors (under 21 years) be attending this event	YES	NO
		· · · · · · · · · · · · · · · · · · ·

Administrator: Robertson County Judge's Office Address: 201 E. Decherd St. Franklin, TX 77856 Phone #: 979-828-3542

E-mail: jdscarpinato@co.robertson.tx.us

#### VIII **EMERGENCY ACTION PLAN**

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		IX <u>Traffic Escorts</u>
orm a eterm	escorts are needed, it will be my re re off duty peace officers certified tine the number of paid traffic esco	y acknowledge Robertson County may require traffic escorts at our every esponsibility to provide those traffic escorts (traffic escorts as defined by the State of Texas). The Robertson County Sheriff's Office (RCS orts required for this event based on the estimated attendance/entries. on County Sheriff's Office before the event. Initial:
a.	Number of Traffic Escorts as d	letermined by RCSO:
	Traffic Escort Entity:	
		•
		Title
	Contact person:	
	Contact person: Phone #:	Cell phone#:
	Contact person: Phone #:	
b.	Contact person: Phone #:	Cell phone#:

	·
Address:	
Phone #:	Cell phone #:
E-mail:	<del></del>
*Note: Attach any contracts for	r traffic escorts or control pursuant to this section.
c. Approved by Robertson County	Sheriff Office:
By:Print	Title:
Print	
By:	Date:
Signature	
	X
	Coggins Papers
checked by the Texas Animal Health Commeach participating equine to confirm proof of	before they will be allowed to participate at the event. The Coggins papers may be mission. The event sponsor is required to implement a procedure for review of records of current, negative Coggins tests in accordance with Texas Administrative Code, Title to confirm proof of current, negative Coggins tests on each participating equine:
	<del></del>
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<u> </u>	<del></del>
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#### XI Applicant Acknowledgement

I have reviewed this Robertson County Special Event Permit Application and I agree that I will abide by all the terms and conditions should this Permit Application be approved by the Robertson County Commissioners Court.

	YES	NO
I hereby acknowledge that all information on this Permit Application is tr regulations as set out in this Permit Application and any and all local, stat acknowledge that if I provided incorrect information on any documents re Permit Application is terminated, and no money will be refunded.	e, and federa	l laws and I further hereby
	YES	NO
I also understand that as the requestor and promoter of this event, we accedamage or injuries that occur during this event.	ept all liability	as it relates to any property
	YES	NO
I acknowledge that I understand that if any criminal activities occur at my any time, the permit can be revoked, and the event will be immediately te everyone will be required to vacate the event and there will be no refund	rminated by a of any money	any Texas Peace Officer and
I acknowledge that by signing and submitting this application, I am giving Designee, for the recording of drone footage of my event.		
•	YES	NO

#### XII

#### **Section Headings**

Any line marked "NO", in section VI, could result in denial of application.

Headings and titles at the beginning of the provisions of this Special Event Permit Application have been included only to make it easier and more convenient to locate the subject matter covered by that part, section or subsection and shall not be used in interpreting or construing this Special Event Permit Application.

#### XIII

#### **Governing Law**

The validity and interpretation of any of the terms and provisions of this Permit Application or of the rights and duties of the parties hereunder shall be governed by the laws of the State of Texas. The venue for any cause of action arising out of this Permit Application and/or the permit shall be in Robertson County, Texas.

#### XIV

#### **Severability**

In the event that any one or more of the provisions contained in this Permit Application shall be held, for any reason, to be invalid, illegal, or unenforceable in any respect, by a Court of competent jurisdiction, such invalidity, illegality, or enforceability shall not affect any other provision of this Permit Application and this Permit Application shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

#### XV <u>Gender and Number</u>

Words of any gender in this Permit Application shall be construed to include any other gender; and words in either number shall be construed to include the other, unless the context in this Permit Application clearly requires otherwise.

#### XVI Permit Fee

A fee of \$250 will be collected and deposited in Robertson County's account before any work will be performed in conjunction with the approval of this Permit Application. This fee is non-refundable.

#### XVII <u>Hearing</u>

A hearing will be held no later than ten (10) days prior to the event and the following representative will be available to attend.

Name:	 	
Contact Information:	 	<del></del>
a. Date paid:		<u>.</u>
b. Received by:	 	

#### XVIII

#### Amendment/Modification

Any amendment or modification to the terms of this Permit Application or any Exhibit attached hereto shall be in writing, shall be dated subsequent to the date of this Permit Application, shall be approved by the Robertson County Commissioners Court and shall be signed by each party to this Permit Application. No officer, agent, employee or representative of Applicant has any authority to amend or modify the terms of this Permit Application or any Exhibit attached hereto, unless expressly granted that authority by the Robertson County Commissioners Court.

#### XIX Administrator

The Robertson County Judge is the Administrator for this type of permit. All correspondence pertaining to this Permit Application shall be directed to:

Administrator: Robertson County Judge's Office Address: 201 E. Decherd St. Franklin, TX 77856

Phone #: 979-828-3542

E-mail: jdscarpinato@co.robertson.tx.us

#### XX Signatures of Applicants

\*By signing this Application, we agree to comply with the restrictions set out in this permit and all laws of the State of Texas.

Representative/Individuals		
By:	Date:	
, rint		
By:	Title:	Signature
Mailing Address:	<del></del> -	
City	State Zip	
Phone #:	Cell phone #:	
E-mail:	·	
NOTARY REQUIRED		
IPrint Claimant Name provided herein is true and correct.	_ do hereby solemnly swear, under perjury, that all information	
Signature of Claimant	-	
Sworn to and Subscribed before me_	, Notary Public in and for the State	
of Texas this day of	,(year).	
Seal	Commission Expiration:	<del>.</del>
Representative/Individuals		
By:Print	Date:	

Ву:	Signature	
Mailing Address:		
City	StateZip	
Phone #:	Cell phone #:	
E-mail:		
NOTARY REQUIRED		
Print Claimant Name provided herein is true and correct.	_do hereby solemnly swear, under perjury, that all information	
Signature of Claimant	-	
Sworn to and Subscribed before me_	, Notary Public in and for the State	
of Texas this day of	,(year).	
Seal .	Commission Expiration:	_

#### XXI Signatures of Officials

Approved By: ROBERTSON COUNTY SHERIFFS OFFICE

By:		Date:
	Print	
y:	Signature	· · · · · · · · · · · · · · · · · · ·
•	Signature	·
itle:	Phone	e#:
-mail:		, TXDOT Official Notified:
		Name
Note: Sign	natures may also be require	d for Traffic Escorts and for Security.
almandadaad D	sy: ROBERTSON COUNTY	V ECD
скиоwieagea в	y: ROBERTSON COUNT	Y ESD
y:	Print	Date:
	Print	
у:	G.	
	Signature	
itle:	Phone	e#:
-mail:		<del></del>
cknowledged B	y: ROBERTSON COUNT	Y OFFICE OF EMERGENCY MANAGEMENT
<b>1</b> /•	•	Data
y:	Print	Date:
¥.14		
y:	Signature	<del></del>
itle:	Phone	e #:
	c@co.robertson.tx.us	
-man. <u>100co.em</u>	c(w.co.rooertson.tx.us	
.cknowledged B	y: ROBERTSON COUNT	Y ROAD AND BRIDGE DEPARTMENT
RECINCT#		
DEPARTMENT #		

By:		Date:	
	Print		
By:			
	Signature		
Title:	Phone #:		
E-mail:			

## XXII <u>Robertson County</u> <u>Commissioners Court Action</u>

On this the	day of	20	, the Robertson County Commissioners
Court hereb	y voted to:		<del></del>
	APPROVED, PERMIT GRANTED		
	DENY, PERMIT NOT GRANTED		
	for a **Use of County Road Right-of- of the meeting of the same date as this		Events Permit. This action is recorded in
X			
	County Judge	ii — — —	

### Exhibit A Definitions

- Animal and Animal-Drawn Vehicles as defined by Texas Transportation Code 542.003 as follows:
   A person riding an animal on a roadway or operating a vehicle drawn by an animal on a roadway has the rights and duties applicable to the operator of a vehicle under this subtitle, except a right or duty that by its nature cannot apply to a person riding an animal or operating a vehicle drawn by an animal.
- 2. Bicycle is defined as any bicycle, unicycle, tricycle, skate board, roller skates or any form of human or mechanical powered vehicle.
- 3. Bicycle Ride/Race is defined as the same as event.
- 4. Entry/Entries is defined as any wagon, cart, buggy, trailer, animal, bicycle, vehicle or any wheeled device. All entries must meet and obey all local, state and federal laws, including but not limited to person or persons participating in, attending, watching, working for the event.
- 5. Entry Fee is defined as a gate fee, admission fee, entrance fee, admission charge.
- 6. Event is defined as a thing that happens, a planned or unplanned public or social occasion which has a gathering of people for the purpose of but not limited to a trail ride, parade, camp out, bicycle ride, bicycle race or rally, ceremony, party, recreational gathering, meet, adventure, competition, contest, occasion, celebration, or get together.
- 7. Permit Application is defined as an Event Application.
- 8. Person is defined as an individual, group of individuals, firm, corporation, partnership, or association.
- 9. Participants are defined the same as attendee, partygoer, observer, watcher, viewer, gaper, spectator, or participant.
- 10. Promote is defined as to organize, manage, finance, or hold an event.
- 11. Promoter is defined as a person who promotes, finances, oversees, manages, controls, supervises, directs, or organizes an event and/or a mass gathering.
- 12. Ride is defined as the same as event.
- 13. Race is defined as the same as event.
- 14. Security Personnel, as defined by this form, are off duty peace officers certified by the State of Texas.
- 15. Traffic, as defined by Texas Transportation Code #541.301, are pedestrians, ridden or herded animals, and conveyances, including vehicles and streetcars, singly or together while using a highway for the purposes of travel.
- 16. Traffic Escort, as defined by this form, are off duty peace officers certified by the State of Texas.
- 17. Trail Ride is defined as a function where two (2) or more are gathered together to ride animals such as horses.
- 18. Vehicle is defined as any device or form of a device with a wheel or wheels that will move under its own power, and/or assisted by any form of auxiliary power, which can be animal, human, or natural (such as, but not limited to solar, wind), or any other form of mechanical power.
- 19. RCSO is defined as the Robertson County Sheriff's Office

#### **Indemnity Agreement & Waiver of Liability**

#### Indemnification and Hold Harmless:

The undersigned also hereby agree to INDEMNIFY, DEFEND AND HOLD the Releasees HARMLESS from any and all claims, actions, suits, procedures, costs, expenses, damages and liabilities including, but not limited to, attorney's fees, arising from, or in any way related to, Participant's participation in the Event, except for those arising out of the willful misconduct, gross negligence or intentional torts of the above parties, as applicable.

#### Severability:

The undersigned expressly agree that the foregoing assumption of risk, release and waiver of liability and indemnity agreement is intended to be as broad and inclusive as is permitted by the law of the State of Texas and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

#### Release and Waiver:

The undersigned hereby RELEASE, WAIVE, DISCHARGE AND COVENANT NOT TO SUE The County of Robertson, all elected officials, and employees, (collectively, the "Releasees"), from and for any liability resulting from any personal injury, accident or illness (including death), and/or property loss, however caused, arising from, or in any way related to, Participant's participation in the Event, except for those caused by the willful misconduct, gross negligence or intentional torts of the above parties, as applicable.

#### STATE OF TEXAS COUNTY OF ROBERTSON

I affirm that the info	rmation I have give	n in this docume	nt and its	s attachmen	its are correct a	ınd I
nereby set my hand this	day of		_, 20	•		
	Si	gnature			<u> </u>	
	D	•				
	Pr	inted Name				

## **Texas Animal Health Commission Equine Event Validation Sheet**

Event			
			Date
Owner Name	Accession #	Date	Lab
1			
2			
3	<u></u>		
4			
5			
6			
7			
8	<del></del>		
9			
10			
11			
12			<del></del>
			-
15	<del></del>		<del></del>
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17	· ,.		-
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30			