



**CITY OF TEXARKANA, TEXAS  
PARKS & RECREATION  
DEPARTMENT PARK EVENT USAGE  
AGREEMENT 2019**

This agreement is for use by any individual or organization that reserves the use of any park facility or park property whether the event is private or public.

I, (name) \_\_\_\_\_ representing  
(organization) \_\_\_\_\_, being 18  
years of age or older, am requesting the use of \_\_\_\_\_ (Park)  
on (Date) \_\_\_\_\_ which is park property owned by the City of Texarkana, Texas. I  
agree to abide by all the aforementioned rules, regulations, and ordinances established by the City.

Event Name: \_\_\_\_\_

Event Time: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address:

\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

**RULES AND REGULATIONS:**

1. All park and recreation rules and ordinances will be strictly enforced. The Director of Parks and Recreation or his designee has the authority to enter on to the facility at any time for any reason. The Director of Parks and Recreation or his designee has the authority to cancel the event at any time without warning if rules, regulations, and ordinances are not being observed.
2. If the user fails to abide by rules, regulations, and ordinances, the director has the authority to deny the individual or organization the use of the facility in the future.
3. By reserving the facility, user is responsible for actions of all participants during the event. User understands that city ordinances and park rules must be followed by all participants. Violators are subject to citation by local authorities and banishment from the facility. Listed are some of the rules that apply to all facilities:

- The sale, possession or consumption of alcohol is prohibited in all parks with the exception of Spring Lake Park, Bringle Lake Park and authorized by the Parks & Recreation Director and the City Safety Committee. All requests must apply for a Temporary Daily Permit from Texas Alcoholic Beverage Commission and/or be in accordance with all applicable State of Texas and federal regulations. Individual consumption of alcohol during small private/family gatherings will not be allowed.
- Amplified music or speaking is prohibited except as authorized by the Director of Parks and Recreation. Small stereos, compact disk players, instruments, etc. may be used as long as they are not amplified and do not disturb other park users.
- Fund raising activities are allowed on park property only when the event is sponsored by a non-for profit (501c3) organization and co-sponsored by the City.
- Small shade covers may be used for outings, no tents may be erected without approval of the Director of Parks and Recreation or designee.
- All pets must be on a leash outside the Dog Park area.
- Vehicles must remain on roads and be parked in designated parking areas.
- No Hunting (Including Trapping) or Firearms of any kind (Including: Bows, Arrows, and Slings) are allowed.
- No person shall build or attempt to build a fire except in designated picnic areas with outdoor cookers available.
- No person shall gamble or participate in or abet any game of chance.
- No person shall go onto the ice of any of the waters in any park.
- No glass containers or bottles are allowed in the park except authorized by written permission issued by the Parks & Recreation Director.
- No commercial vending except authorized by contract or permission issued by the Director of Parks & Recreation. (All Food Vendors must be pre-approved with the Bowie County Health Department)
- No Fireworks or Explosives of any kind.
- No overnight camping or temporary shelter (Including Vehicles) for the use of overnight camping without approval of the Director of Parks and Recreation or designee.
- No wading, bathing or swimming in any park lake.
- No person shall willingly harm or injure wildlife in any park.
- Park curfew is 10:00 PM for all parks except Kidtopia, Bringle Lake West and the Bringle Lake Wilderness area. These areas are for day use only.
- Radio-controlled model airplanes are only allowed at the designated flying circle area in Spring Lake Park and must have permission by the Parks and Recreation Director or designee. Absolutely no flying over persons inside or outside the designated area.
- In restricted-use facilities, such as athletic complexes, metal detectors are not allowed except to find a specific lost item. We request that the manager of the facility be notified when the item is lost. Permission to use a metal detector at these facilities will be granted by the manager and will be at a time when the facility is open to the public.
- All special events must be coordinated and approved through the park office. Special events are defined as any event that is coordinated by an individual or group that advertises to the public and invites the public to its event. Use of the Parks for a special event must be made in at least 1 month prior of the event.
- No boats are allowed on city lakes with exception of Bringle Lake Park

1. All special events must be submitted to the Parks and Recreation Director for preliminary review. If the event is deemed by the Parks and Recreation Director to be a special event as defined by the Ordinance, the applicant must submit the appropriate Special Event application which is located on the City website. The application will be forwarded to the City Secretary for review by the City Safety Committee in accordance with the Ordinance.
2. An event coordinated by an individual or group that advertises to the public and invites the public to its event, or
3. Parties, dances, parades, weddings, celebrations, or other gatherings which would likely result in traffic congestion, parking problems, crowds, sanitation problems, excessive noise, security or safety concerns, violations of any city ordinance, or any other circumstances likely to cause a breach of the peace or adversely affect the health and safety of the public or any participant at the special event.
4. The user shall be responsible for any and all damages to City property that occurs due to neglect or abuse by the user or the participants.

### **Indemnity and Hold Harmless Agreement**

To the Applicant Sponsor:

For your special event or public amusement, the City does not assume any liability or responsibility for injury or damage to persons or property. In the event such claims or causes of action are asserted against the City, the City will assert immunity from suit when applicable. The City Council requires that you sign an agreement to indemnify and hold harmless the City, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the special event or public amusement [Code of Ordinances, Ch. 36, §36-44(b)], and that you provide a signed statement promising to clean up the city property and restore the property to the pre-event condition [Code of Ordinances, Ch. 36, §36-44(c)].

The City Council also has provided that you may be required to furnish the City with a certificate of insurance in a sufficient amount as determined by the City to protect city-owned property [Code of Ordinances, Ch. 36, §36-44(a)] and that you acknowledge that you may be required to fully reimburse the City for any city resources expended before, during, or after the special event to handle any matter related to the special event, including time spent by city personnel, city equipment, or other city resources [Code of Ordinances, Ch. 36, §36-43(c)(10)].

The undersigned Applicant / Sponsor agrees and acknowledges:  
to defend, indemnify, and hold harmless the City, its officers, employees, agents, and representatives, against all claims of liability and causes of action resulting from injury or damage to persons or property, including death, arising out of the special event or public amusement, **even if the City, or its officers, employees, agents, and representatives, are allegedly or found to be negligent or otherwise liable or legally culpable in whole or in part for such injury or damage,** said indemnification to include the amounts of such claims and the costs of defending against same (including expenses, court costs, and reasonable attorney's fees);

To clean up the city property and restore the property to the condition that existed prior to the special event or public amusement;

or public amusement to handle any matter related to the special event, including time spent by city personnel, city equipment, or other city resources, with the fee to be determined by the City Department providing the resource subject to the approval of the City Manager; and

To furnish the City Secretary upon request with a certificate of insurance in a sufficient amount as determined by the City to protect city-owned property.

By signing, I acknowledge that I agree to the terms stated. I understand that the rules listed in this agreement are not all inclusive and that other Park Rules or City Ordinances may apply.

Signature: \_\_\_\_\_ Representing: \_\_\_\_\_

Date Signed: \_\_\_\_\_

### Liability Insurance Requirements

Listed below are the following requirements:

- 1) General Liability insurance for personal injury (including death) and property damage with a minimum of \$1 million per occurrence and \$2 million aggregate, including coverage for advertising injury and products coverage.
- 2) IF THE CONTRACTOR SERVES ALCOHOLIC BEVERAGES: Liquor liability with a minimum of \$1 million per occurrence and \$2 million aggregate.
- 3) IF HIGH RISK OF DANGEROUS ACTIVITIES: Umbrella coverage of liability excess coverage of \$2 million.
- 4) IF AUTOMOBILE OR LIMOUSINE SERVICE IS INVOLVED EVEN IF USING VOLUNTEERS: Automobile liability with a minimum of \$1 million combines single limit.

All insurance and certificate(s) of insurance shall contain the following provisions:

- 1) Naming the City, its officers, agents, representatives, and employees as additional insured as to all applicable coverage with the exception of workers compensation insurance.
- 2) Providing for a waiver of subrogation against the City for injuries, including death, property damage or any other loss to the extent the same is covered by the proceeds of insurance.

INSURANCE COMPANY QUALIFICATION: All insurance companies providing the required insurance shall be authorized to transact business in the state of Texas and rated at least "A" by A M Best's Key Rating Guide or other equivalent rating service.

### *General Liability Insurance-REQUIRED*

Please attach a copy of the insurance certificate and additional insured endorsement at the end of the application.

SEE AN EXAMPLE OF A CERTIFICATE OF LIABILITY INSURANCE ON THE FOLLOWING PAGE.

# CERTIFICATE OF LIABILITY IN SURANCE

DATE (MM/DD/YYYY)  
xx/xx/xxxx

<b>PRODUCER</b> Your Insurance Agency address	THIS CERTIFICATION IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
<b>INSURED</b> Your Name Here Address of insured	<b>INSURERS AFFORDING COVERAGE</b>
	<b>NAIC #</b>
	INSURER A: Your Insurance Company INSURER B: INSURER C: INSURER D: INSURER E:

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN. THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	ADDL	TYPE OF INSURANCE	POLICY NUMBER	EFFECTIVE DATE	EXPIRATION DATE	LIMITS
A	y	<b>GENERAL LIABILITY</b> MERICIAL GENERAL LIABILITY CLAIMS MADE OCCUR ost Liquor Liability GENL AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> DIRECT <input type="checkbox"/> LOC Retail Liquor Liability	3333333333333333	xx/xx/xxxx	xx/xx/xxxx	EACH OCCURRENCE INCLUDES BODILY INJURY & PROPERTY DAMAGE \$ 1,000,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 1,000,000 DEDUCTIBLE \$ 1,000 \$
		<b>AUTOMOBILE LIABILITY</b> ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS				COMBINED SINGLE LIMIT \$ (Per accident) BODILY INJURY \$ (Per person) BODILY INJURY \$ (Per accident) PROPERTY DAMAGE \$ (Per accident)
		<b>GARAGE LIABILITY</b> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
		<b>EXCESS/UMBRELLA LIABILITY</b> DEDUCTIBLE \$ RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below OTHER				E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

The City of Texarkana, its officers, agents, representatives and employees as additional insured as to all applicable coverages with the exception of workers' compensation. Provide a waiver of subrogation against the City for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance.

<b>CERTIFICATE HOLDER</b> City of Texarkana, Texas 226 Texas Blvd Texarkana, TX 75501	<b>CANCELLATION</b> SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL REPIRE TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT. IF THE POLICY IS CANCELLED, IT & THE POLICY WILL BE VOID. AUTHORIZED REPRESENTATIVE: <i>[Signature]</i>
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**Portable Toilets and Handwashing Sinks**

Do you plan to provide portable toilets and/or handwashing sinks at your event?

o YES - Please complete the following information:

Number of regular toilets \_\_\_\_ Number of ADA approved toilets \_\_\_\_ Number of handwashing sinks \_

Name of Portable Toilet Company \_\_\_\_\_

Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

Equipment Set-Up Date \_\_\_\_\_ Equipment Pick-Up Date \_\_\_\_\_

o NO- Please provide information as to the availability of restroom facilities in the immediate area of the event site that will be open to the public during the event (include ADA accessible and non-ADA accessible facilities).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

o N/A

## Garbage/Waste Services

How will garbage or waste be handled at the event? -----

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Please specify below with the number and size of containers.

	Garbage	Size(s)
Number of Containers/Receptacles	_____	
Number of Dumpsters with Lids	_____	_____
Number of Roll-off Bins	_____	_____

**\*\*Note:** The City does not provide garbage or waste containers. Arrangements needed? Contact WASTE MANAGEMENT at (903) 794.4111 for garbage service. Non-City sponsored events are responsible for any expenses and fees associated with garbage services.

Date(s) of garbage container drop-off \_\_\_\_\_ pick-up \_\_\_\_\_  
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How will the event site be cleaned during and after the event?

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Will animals be a part of this event? o YES o NO o N/A

**\*\*Note:** (See Code of Ordinances, Chapter 8, Animal Care and Control, Section 8-1. Definitions)

If yes, what type(s) of animals will be used in this event? \_\_\_\_\_

What is the purpose of the animals (petting zoo, part of parade, etc)? \_\_\_\_\_

Contact information for person or group responsible for cleaning up event site and organizing the handling of garbage and/or animal waste.

Name \_\_\_\_\_ Phone Number \_\_\_\_\_

## Food, Vendor, and Merchandise Services

(FOOD)

Will food be sold at this event?  YES  NO  N/A  
(Please call the Health Inspections Office at (903) 798.3263)

Will food be prepared or served at this event?  YES  NO  N/A

Is food being prepared inside of a tent? If yes, contact Environmental Health Inspector at (903) 798.3912.

Please describe how food will be served and/or prepared.

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Is cooking equipment included?  YES  NO  N/A

If yes, please show location on site plan and provide the following for review:

Type of cookingsystem \_\_\_\_\_

\_ Type of fuel (check all types)

Gas

Electric

Charcoal

Other (specify) \_\_\_\_\_

Will extension cord(s) be used?  YES  NO  N/A

(VENDORS)

Will food, goods, or services be sold at this event?  YES  NO  N/A

If What is the anticipated number of Vendors? \_\_\_\_\_

Will alcohol be served at this event?  YES  NO  N/A

If yes, contact TABC at (903) 939-0481. A copy of the temporary alcohol permit must be provided to the City Secretary prior to the event.



## Tent, Structures, or Entertainment Devices

Are you installing or constructing any structures, including buildings, climbing structures, etc.?

YES  NO  N/A

If yes, please show structures on the site plan. Also, describe type, size, and number of structures. Plans may be required for review.

Are you installing any tents or canopies?  YES  NO  N/A (If yes, see Fire Department for requirements)

Canopy Size \_\_\_\_\_ Tent Size \_\_\_\_\_

If yes, please show all tents and/or canopies including dimensions on the site plan. If any tents are greater than 400 square feet or if any canopies are greater than 700 square feet, provide the following for review: Flame Spread Certificate Interior Tent/Canopy Plan

Are you installing any stages?  YES  NO  N/A

If yes, please show locations and dimensions on the site plan. Any stages greater than 30" above grade are required to meet structural, guardrail, stairway and accessibility requirements and the following must also be provided for review: Construction plans Structural calculations may be required

Are you installing any grandstands, bleachers, or folding or telescoping seating?  YES  NO  N/A

If yes, please show locations and dimensions on the site plan. Any grandstands, bleachers and/or folding or telescoping seating greater than 30" above grade is required to meet structural, accessibility, guardrail and handrail requirements and the following must also be provided for review: Construction plans Structural calculations may be required

Do you plan to have any sound amplification?  YES  NO  N/A

\_\_\_\_\_ Music \_\_\_\_\_ Other, please describe \_\_\_\_\_

If yes, what are the beginning and ending times of usage? \_\_\_\_\_

Is electrical power required (for sound amplification, lighting, etc.)?  YES  NO  N/A

If yes, please show items on the site plan and describe how power is to be provided. Additional review may be required.

\_\_\_\_\_ Portable generator \_\_\_\_\_ Temporary power service \_\_\_\_\_ other, please describe \_\_\_\_\_

Will extension cord(s) be used?  YES  NO  N/A

If yes, how many? \_\_\_\_\_ Length of cord(s)? \_\_\_\_\_

Will there be carnival rides and game booths?  YES  NO  N/A

A copy of a valid "Ride Safety Certification Inspection Report" must be provided for each ride.

Will there be any automotive shows or motor vehicle events?  YES  NO  N/A

If you answered "Yes" to any of the questions above, please provide the following information of the

Name of Person or Company \_\_\_\_\_

Office Phone Number \_\_\_\_\_

Cell Phone Number \_\_\_\_\_

Mailing Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

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**Advertising Information**

Do you plan to place any signs or banners or other advertisements? Please check all that apply.

Event site?  YES  NO  N/A

Private property?  YES  NO  N/A

Public property (i.e. light poles, fences, etc.) or in a public right-of-way?  YES  NO  N/A

If yes, please show the location on the site plan and provide the following for review:

Sign/ba nner detail \_\_\_\_\_  
Dimensions \_\_\_\_\_

Method of attachment or support \_\_\_\_\_

Display time period \_\_\_\_\_

Please list the person responsible for installation and removal of all items.

Name \_\_\_\_\_ Contact Number \_\_\_\_\_

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**Police and Security Services**

Do you need Police Officers for your event?  YES  NO  N/A

(Please Note: Your event may requires contract overtime services after review.)

Do you plan to hire Security/Crowd Control other than Police Officers?  YES  NO  N/A

If yes, please provide the following information.

Name/Company \_\_\_\_\_ Contact Person \_\_\_\_\_

Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_

Business Number \_\_\_\_\_ Cell Number \_\_\_\_\_

Security plan must be attached, explaining how many people will be working, what hours they will be working and a primary contact person. Security may be required for issuance of the permit and if so, it must be coordinated through the Texarkana, Texas Police Department at (903) 798.3116.