



BURLESON COUNTY RIGHT-OF-WAY PERMIT REQUEST FORM

DATE _____

****If your event will have 25 or more entries (see definition on page 20) you must complete and submit a Right-of-Way application****

Organization Name: _____

Kind of Event: Trail Ride: _____ Bicycle Ride: _____ Bicycle Race: _____ Other: _____

Address of organizer: _____

City: _____ **State:** _____ **Zip:** _____

Representative/Promoter for organization:

Name: _____ **Title:** _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: _____ **Cell:** _____

Email: _____

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.

Contact Person: _____

Title: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: _____ **Cell** _____

Email: _____

Emergency Phone Number: _____

- 2. This SHALL be the BACKUP person on SCENE with the event and second in charge.**

Contact Person: _____

Title: _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Phone Number: _____ **Cell** _____

Email: _____

Emergency Phone Number: _____

II

Texas Mass Gatherings Act

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

Yes _____ No _____

Please contact the Burleson County Emergency Management Coordinator for assistance.

If a permit is required, contact the Burleson County Judge's office for a Mass Gathering

Application which should be completed and attached.

V
Entries

1. Estimated number of entries that will be involved must be listed below. If number of entries exceeds the estimate provided below, the event shall be terminated immediately.

a. Number of riders: _____

b. Number of animal drawn vehicles---must meet Texas Traffic Code to operate on a public roadway: _____

c. Number of vehicles---trucks _____

---trailers _____

---cars _____

---others (explain) _____

---others (explain) _____

---others (explain) _____

---others (explain) _____

NOTE:

---No persons may ride in the bed of a pickup truck or trailer under the age of 18 years old.

---No person may ride in/on a trailer on a public roadway unless participating in a parade/hayride, as provided by Texas Transportation Code.

---ATV ie: 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.

2. Number of ATV's (in compliance with state law): _____

2. Will this be private or public event? Private _____ Public _____

3. Will live band/bands be provided: Yes _____ No _____

If yes, attach the band names and contact information to this page.

4. Will a DJ/DJ's be provided: Yes _____ No _____

If yes, attach the DJ/DJ's names and contact information to this page.

5. Will this event have any amplified sound Yes _____ No _____

(a) If a Right-of-Way permit is approved, the applicant must cooperate with the Burleson County Sheriff's Office and other County personnel to monitor noise levels. Unreasonable noise may result in a violation of §42.01, Penal Code, Disorderly Conduct.

(b) Amplified sound in the County Right-of-Way is prohibited after 10:00 P.M.

(b) Start time for music on each day of the event: _____

(c) End time for music on each day of the event: _____

Note: If more space is needed, attach to this page.

6. Is there to be a charge (admission, registration fee, meal fee, etc.) to participants or Attendees? Yes _____ No _____

If yes, describe below:

6. Will there be publicity encouraging attendance or advertising for this event: YES _____ NO _____

- a. If yes, attach twelve (12) copies of all the publicity ie; flyers,documents, posters, Facebook pages, website, etc. prior to the date of this Permit Request Form
- b. If different/revised publicity ie; flyers,documents, posters, Facebook pages, website or the likes is distributed/used/published after the date of this Permit Request Form is submitted, it must be PRESENTED TO Burleson County. The changes must be sent to the Admistrator at the place below.

County Official: _____.

Mail: _____

Phone #: _____

Cell #: _____

E-mail: _____

VIII

Concessions

Will Concessions be available during this event? YES ___ NO ___

1. Food: _____ YES ___ NO ___

 a. provided with entry fee (giveaway) YES ___ NO ___

 b. available to purchase YES ___ NO ___

2. Non-alcoholic beverages: _____ YES ___ NO ___

 a. Provided with entry fee (giveaway) YES ___ NO ___

 b. Available to purchase YES ___ NO ___

3. Alcoholic beverages: _____ YES ___ NO ___

 a. Provided with entry fee (giveaway) YES ___ NO ___

 b. Available to purchase YES ___ NO ___

 c. Will minors (under 21 years) be attending this event YES ___ NO ___

If yes, Explain how you will prohibit minors from obtaining/ consuming alcohol.

If you answered yes to # 3, attached to this page a copy of your TABC Permit.

4. Concessionaire (Name) _____

Address _____

City: _____ State: _____ Zip: _____

Contact Person _____

Phone # _____ Cell _____

E-mail _____

- a. Provide the above information for ALL concessionaires and attach to this page.
- b. All food concessionaires must have a current STATE Food Establishment Permit issued by Texas Department of State Health Services. A Copy of the current inspection permit issued by Texas Department of State Health Services must be attached to this page.

IX

Emergency Action Plan

Please provide an Emergency Action Plan (EAP) below. Describe your plan if a life-threatening emergency should occur. This plan must list a "given location" for reporting, or a meeting place to report an incident, emergency, or make complaints. This must include the entire time the event is occurring. Additional sheets can be attached to this page.

XII
Applicant
Acknowledgement

I have reviewed this Burleson County Right-of-Way Permit Request Form and I agree that I will abide by all the terms and conditions should this Permit Request Form be approved by the Burleson County Commissioners Court.

YES ___ NO ___

I hereby acknowledge that all information on this Permit Request Form is true and that I will follow all the rules and regulations as set out in this Permit Request Form and any and all local, state, and federal laws and I further hereby acknowledge that if I provided incorrect information on any documents requested, this request will be denied and the Permit Request Form is terminated, and no money will be refunded.

YES ___ NO ___

I also understand that any and all permits, required forms, and any/all approvals must be submitted along with this application and approved by Burleson County Commissioner Court at least 90 days prior to the date of the event.

YES ___ NO ___

I also understand that as the requestor and promoter of this event, we accept all liability as it relates to any property damage or injuries that occur during this event.

YES ___ NO ___

I acknowledge that I understand that if any criminal activities occur at my event or if I am in violation of this permit at any time, the permit can be revoked, and the event will be immediately terminated by any Texas Peace Officer and everyone will be required to vacate the event and there will be no refund of any money.

YES ___ NO ___

XIII
Section Headings

Headings and titles at the beginning of the provisions of this Right-of-Way Permit Request Form 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 Right-of-Way Permit Request Form.

XIV

Governing Law

The validity and interpretation of any of the terms and provisions of this Permit Request Form 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 Request Form and/or the permit shall be in Burleson County, Texas.

XV

Severability

In the event that any one or more of the provisions contained in this Permit Request Form 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 Request Form and this Permit Request Form shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

XVI

Gender and Number

Words of any gender in this Permit Request Form 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 Request Form clearly requires otherwise.

XVII

Permit Fee

A fee of \$50 will be collected and deposited in Burleson County's account before any work will be performed in conjunction with the approval of this Permit Request Form. This fee is non-refundable.

a. Date paid: _____

b. Received by: _____

XVIII

Amendment/Modification

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

XIX

Administrator

Burleson County Commissioner Court in session on the 23rd day of September 2019 has appointed Burleson County Office of Emergency Management as the Administrator for this type of permit.

All correspondence pertaining to this Permit Request Form shall be directed to:

Department: Burleson County Office of Emergency Management

Mail: 100 West Buck St., Suite 303

Phone #: 979-567-2001

E-mail: emc@burlesoncounty.org

XXI
Signatures of Officials

Approved By;

BURLESON COUNTY SHERIFFS OFFICE

By: _____ **Date:** _____

Print

By: _____

Signature

Title: Sheriff **Phone #:** (979)567-4343

E-mail: E-mail: _____

Note: Signatures may also be required for Traffic Escorts and for Security.

Acknowledged By;

BURLESON COUNTY OFFICE OF EMERGENCY MANAGEMENT

By: _____ **Date:** _____

Print

By: _____

Signature

Title: Emergency Management Coordinator **Phone #:** (979)567-2001

E-mail: emc@burlesoncounty.org _____

Acknowledged By;

XXII

Burleson County Commissioners' Court

Action

On this the _____ day of _____ the Burleson County
Commissioner Court hereby voted to:

_____ **Approve this permit request**

_____ **Deny this permit request**

This is a request for a Right-of-Way Permit. This action is recorded in the minutes of the meeting of the same date as this action.

X _____

County Judge

Exhibit A

Definitions

- 1. 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 power 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 Request Form is defined as an Event Request Form.**
- 8. Person is defined as an individual, group of individuals, firm, corporation, partnership, or association.**
- 9. Participants is defined as 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, manage, control, supervise, direct, or organize 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 is 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 is off duty peace officers certified by the State of Texas.**
- 17. Trail Ride is defined as a function where two or (2) or more are gather 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 can be animal, human, or natural (such as, but not limited to solar, wind), or any other form of mechanical power.**
- 19. BSCO is defined as the BurlesonCounty Sheriff Office**