

SUGAR LAND
**TOWN
SQUARE**



**RULES & REGULATIONS
UNDER SEC 21-59 OF ORDINANCE NO. 1421**

1. Permits.

All Permits and Lease Agreements for the use of the Plaza are granted based upon approved guidelines. Permits and Lease Agreements for use of the Plaza may not be transferred, assigned or renewed.

Applicants are responsible for obtaining all necessary permits, licenses and approvals required under any federal, state or county laws, ordinances, rules or regulations, and to produce evidence of such approvals and permits within 2 weeks prior to the event. If the applicant will be requesting the closure any of the streets within Sugar Land Town Square, the Administrator will assist with direction for obtaining a Temporary Special Use Permit from the City of Sugar Land. Securing such a Permit will be the sole responsibility and expense of the Permittee or Lessee.

An insurance certificate is required by the Applicant and must include the noted entities as additional insured for the day(s) of the Event. The insurance certificate will be due two (2) weeks prior to the event. (*Reference Special Event Insurance Requirement Information, Exhibit B*)

2. Reserving and Scheduling.

The Plaza is available to be reserved from 7 a.m. to 10 p.m. daily with the exception of City of Sugar Land holidays or with prior approval by the Administrator.

Contact the Administrator to confirm dates of availability for the Plaza. The Plaza reservations are handled on a first-come, first-served basis.

Applicants must be 21 years of age or older.

The User/Caterer/Contractor/Agent ("Applicant") must complete and submit to the Administrator the Application for Special Use Permit (*Reference Application for Special Use Permit, Exhibit A*).

Applications shall be prioritized in the following order:

- City of Sugar Land sponsored events. The City of Sugar Land shall have the opportunity to book the Plaza with 24 hours notice providing that there is not a prior commitment for the space.
- Special Events that are open to the public without charge
- Special Events for which there is a charge

- Events for which Plaza space is leased for private events not open to the public

City Sponsored Events may be reserved more than one year in advance. All other Special Events and Private Events can be reserved no more than one year in advance.

No Applicant (other than the City of Sugar Land and the Administrator) may request a permit for more than two (2) times per calendar year and for no more than 14 days per calendar year.

Administrator shall notify Applicant in writing if the permit application is approved or denied.

- If approved, the Administrator will advise Applicant of the Plaza Rental/Lease Fees (the "Plaza Rental/Lease Fees") and the estimated Additional Production Service Costs (the "Additional Production Service Costs") through the issue of the Plaza Special Use Permit (the "Permit") or Lease Agreement.
 - Within seven (7) days, the Applicant must complete and execute the Permit or Lease Agreement and deposit 50% of the Plaza Rental Fees, 50% of the estimated Additional Production Service Costs along with 100% of the Refundable Cleanup Deposit with the Administrator or the Administrator may issue a Denial Notification form sent via U.S. Mail Certified / Return Receipt Requested.
- If the Application is denied, the Administrator will advise Applicant through the Denial Notification form sent via U.S. Mail Certified / Return Receipt Requested.

Unless the executed Special Use Permit or Lease Agreement is returned (without modification) to the Administrator within the seven (7) day period along with deposits as set forth herein, there is no binding obligation on the Administrator and no confirmation of the Event Date(s).

Applicant shall be referred and considered a "Permittee" or "Lessee" after issuance of the Permit or Lease Agreement.

3. Lease for Private Events

The Plaza is also available to rent by individuals or groups for private functions (which are not open to the Public). These functions include, but are not limited, to weddings, corporate meetings, holiday parties, gatherings for private organizations, etc.

The rules and regulations pertaining to use of the plaza for a special event also apply to the lease of the plaza for a private event, except that those wanting to make exclusive use of the Plaza for a private event must enter into a Plaza Lease Agreement in the form provided by the Administrator. The Plaza Lease Agreement replaces the special use permit for private renters. The Applicant shall be considered a "Lessee" after issuance of the Plaza Lease Agreement.

4. Structures and Displays

- a) It is unlawful for any person to place or maintain an unattended display in the Plaza. (any item, including a picture, statue, symbol, or similar item, that is intended to serve or be seen as a visual depiction or expression of an idea where the person responsible for the placement or maintenance of the display is not in attendance or in close proximity to the item displayed). The Administrator may remove any display that violates this provision. The prohibition for unattended displays does not apply to displays placed by the City or other governmental

entity for a governmental purpose.

- b) All signage must comply with all City of Sugar Land requirements in addition to First Colony Property Owners' Association Development Guidelines and Sugar Land Town Square Development Guidelines. Guidelines will be made available by the Administrator upon request.
- c) For the protection of public safety, a person may not affix any poster, sign, or anything to the Plaza pavers, trees, shrubs, fountain, light posts, fixtures, furniture, steps, fence, street signs, or monuments in the Plaza except as authorized by the Administrator.
- d) In the interest of public safety, security and protection of the property, identified equipment rentals must be secured through the Administrator. (See Rental Cost Information, Exhibit C)
- e) Prior to the event, the Administrator must review and approve site set up. No changes may be made to the site without review and prior approval of the Administrator.

5. Commercial Vendors

- a) A person may not use the Plaza for purely Commercial Purposes except where approved in conjunction with activities authorized under a Special Events permit, lease, or to support an authorized activity that is not for Commercial Purposes, or when conducted under City sponsorship, authority or permit.
- b) The Administrator will require a list of all vendors prior to the designated event.
- c) Food and drink vendors are prohibited in the Plaza except as allowed under a Special Event permit.
- d) Food and drinks may not be distributed in glass (plates, cups, bowls, etc).

6. Solicitation

Solicitation of funds is prohibited in all areas except those special areas designated for this purpose by the Administrator. The Administrator will regulate solicitation in order to provide for free flow of pedestrian traffic, provide access by emergency personnel or vehicles, or provide for the public health, safety and welfare of the users of the Plaza. All requests for use of such areas must be made on the Application for Special Use Permit.

7. Street Performers

Street performers shall not be allowed unless approved in advance by the Administrator and is being conducted in relation to an approved Plaza event.

Events which shall utilize Street Performers shall be required to obtain a Special Use Permit where necessary and shall comply with all Plaza Rules and Regulations in addition to City of Sugar Land Ordinances. The safety of the Street Performers along with that of the general public shall remain a priority in determining special area(s) of use by the Street Performers.

8. Closing the Plaza

The Administrator may temporarily close or limit access to all or part of the Plaza based on weather, repairs, construction, safety concerns, malfunctions, maintenance or similar natural or manmade conditions that could endanger Plaza users by posting written notice of the closing at the location of the closing.

If in the opinion of the Administrator, weather conditions will jeopardize the safety of participants, vehicles or the general condition of Sugar Land Town Square, the Administrator may cancel an event and the user will notify appropriate parties immediately. The Administrator or City is not liable for any costs, loss, or damages because of the cancellation of an event due to weather.

9. Sound Amplification Equipment

A person may not cause or create any noise in the Plaza by any means if the noise exceeds 110 decibels at any point in the Plaza.

10. Additional Rules and Administrative Actions

a) Electrical Services. Authorization to use the Plaza's electrical service or other such utilities shall be in the sole discretion of the Administrator, and shall be subject to the terms, conditions and use fees as established. The Administrator retains the exclusive right to coordinate installation and hook-up for such utilities. Please note that electrical service is limited and requirements must be discussed at least thirty (30) days prior to the event date.

b) Removal of property. All equipment, glasses, dishes, food, liquor, garbage and other items must be removed from the premises as provided in the Permit. The Permittee or Lessee is responsible for leaving the premises in the same clean condition as when they entered the Plaza. Failure of the Permittee or Lessee to do so will result in the loss of deposit and potentially, additional charges, should expenses exceed the Refundable Cleanup Deposit.

c) City Hall steps. May be utilized on weekends from 6 p.m. on Fridays through 10 p.m. on Sunday, unless otherwise reserved by the city for city business.

d) Use of Non-Motorized Equipment. The use of skateboards, scooters, roller blades, roller skates or other such non-motorized equipment, devices or vehicles designed or used for recreation or locomotion are prohibited within the Plaza. This restriction shall not apply to strollers and carriages for use by infants and young children and wheelchairs for use by elderly or injured individuals or handicapped persons.

e) Use of Bicycles: Individuals visiting Sugar Land Town Square by bicycle must park in areas designated for that purpose.

f) Right of Entry. The Administrator and City of Sugar Land designated personnel have the right to enter any portion of the grounds and/or building or structures whether permanent or temporary at any time during the duration of the approved Permit.

g) Obstructions. No portions of the sidewalks, entries, passage, or ways of access to public utilities of the premises will be obstructed, or caused to be obstructed by Permittee or Lessee, or caused or permitted to be used for any purpose other than ingress or egress to and from the premises. The Fountain will not be utilized and no litter, rubbish, rags, papers or other substances will be thrown therein. Permittee or Lessee will pay for any damage resulting on account of any misuse of any portion, facility or equipment owned or rented by the Administrator.

h) Open Fires. Open fires of any type are prohibited unless Permittee or Lessee has received prior written approval from the Administrator and has obtained a Special Permit from the City of Sugar Land in addition any other type of open fires may require a health permit. The Administrator will provide direction on needs for the Special Permit or Health Permit from the City. The Permittee or Lessee will be solely responsible for securing needed City Permits at the Permittee's or Lessee's expense. Permittee or Lessee is responsible for damage caused by open flames including but not limited to turf.

i) Display of Motor Vehicles: Motor vehicles are allowed in the Plaza for display purposes only. Vehicles need to be parked with blocks and absent of keys. Security of the vehicle(s) is the Permittee's or Lessee's responsibility. Appropriate vehicle mats must be placed under engine area to protect venue from leak(s) of vehicle fluids.

j) Extra Service(s). Permittee or Lessee will pay to Administrator, on demand, such other Additional Production Service Costs as may become due on account of special facilities or extra services furnished or proposed to be furnished by Administrator. All changes will be documented in writing through a revised Special Use Permit or Lease Agreement by the Administrator for Permittee or Lessee approval.

k) Americans Disabilities Act. Special events conducted on public property must comply with the Americans with Disabilities Act (42 USCA Sec. 12101 Et. Seq.). All events must be physically and programmatically accessible to persons with disabilities.

l) Copyright. Permittee or Lessee agrees to assume full responsibility for complying with the Federal Copyright Law of 1978 (17 U.S.C. et. Seq.) and any regulations issued there under. This will include, but not be limited to, the assumption of any and all responsibilities for paying royalties to the copyright owner or representative of said copyright owner for the performance or exhibit during the event. Permittee or Lessee agrees to fully indemnify and hold harmless the Administrator, Sugar Land Town Square, City of Sugar Land and all of their agents and employees for any claims or damages whatsoever growing out of Permittee's or Lessee's infringement or violation of said copyright law and/or regulations.

m) Fees. Rental Fees shall be \$ 100 per hour for special events that are open to the public. Lease Fees shall be \$ 200 per hour for events that are private.

n) Refundable Cleanup Deposit. Up to \$1,000 per event. Deposit will be returned within 30 days after the clean-up completion date following the event.

o) Additional Production Service Cost. The Additional Production Service Costs to be assessed for professional janitorial/cleaning, event coordination, added staffing needs, engineering, security, rentals, etc. will be determined based upon information provided within the Application for Special Use Permit. A detail of the estimated Additional Production Service Costs to be assessed will be provided on the Special Use Permit. Additional Production Service Costs may change prior to the event should requirements for the event increase or decrease. All changes will be documented in writing through a revised Special Use Permit by the Administrator for Permittee approval.

p) Cancellation Policy. All cancellations must be submitted in writing with certified mail / return receipt requested. The Refundable Cleanup Deposit will be refunded in full. Other deposits will be refunded based upon the following schedule for the Rental or Lease Fee and Additional Production Service Costs:

At least 180 days prior	100% Rental/Lease fees and Additional Production Service Costs
30 - 179 days prior	50% of Rental/Lease fees and Additional Production Service Costs
Less than 30 days	No refunds

Rain dates must be reserved and paid for as an additional day. In case of rain on the scheduled event date, refunds will not be issued.