

## Mass Gatherings Rules and Regulations

The Chambers County Mass Gathering Rules and Regulations are hereby established pursuant to the authority of Chapter 751 of the Texas Health and Safety Code (the Texas Mass Gathering Act).

### Section One: Definitions

For purposes of these Rules and Regulations, the following words shall have the meaning ascribed:

1. “Hearing Examiner” means the County Judge or the County official whom the County Judge has appointed to hear reports regarding a mass gathering and to make a determination as to whether a permit should be granted or denied.
2. “Mass gathering” means a gathering:
  - a. All or any part of which is held in the unincorporated areas of Chambers County and outside the limits of a municipality;
  - b. That attracts or is expected to attract:
    - i. More than 2,500 persons; or
    - ii. More than 500 persons, if 51 percent or more of those persons may reasonably be expected to be younger than 21 years of age and it is planned or may reasonably be expected that alcoholic beverages will be sold, served, or consumed at or around the gathering; and
  - c. At which the persons will remain:
    - i. For more than five continuous hours; or
    - ii. For any amount of time during the period beginning at 10 p.m. and ending at 4 a.m.
3. “Person” means an individual, group of individuals, firm, corporation, partnership, or association.
4. “Promote” includes organize, manage, finance, or hold.
5. “Promoter” means a person who promotes a mass gathering.

### Section Two: Exemptions:

Any mass gathering described in this Section may apply for an exemption by completing and submitting a “Mass Gathering Permit Application” online via [www.mygovernmentonline.org](http://www.mygovernmentonline.org) and entering the request for exemption.

1. Any mass gathering held at a permanently constructed venue being used for its intended purpose. For example, a football game at a football stadium, spectator or sporting events, and arenas. Venues requiring setting up of tents, restrooms, or stages in order to hold the event would not qualify under this exemption.
2. Any mass gathering which, because of the venue, time, or other condition for use of the intended location, the Promoter has already been required to obtain authorizations from the Fire Marshal, Sheriff, and the Environmental Health Department.
3. Any mass gathering approved by a public entity to take place on a publicly-controlled site and for which the promoter has already been required to obtain authorizations from the Fire Marshal, Sheriff, and the Environmental Health Department.
4. Any mass gathering held on private residential property and not commercial in nature.
5. If a promoter of an event is uncertain as to whether the event that they are promoting is covered under an exemption or not, the promoter may file an application and indicate "Request for Initial Determination or Exemption" on the web form. The County shall review the application and make an initial determination whether the event is exempted from these Mass Gathering Rules and Regulations. The County may revoke its initial determination at any time if it becomes aware of material changes in the plans for the mass gathering. The promoter shall inform the County of any material changes to the plans for the mass gathering.

Section Three:  
Permit Required

1. A person may not promote a mass gathering without a current, valid permit issued under these Rules and Regulations and the Texas Mass Gathering Act. A person who does so without a current, valid permit, commits an offense.
2. An offense under this Section is a misdemeanor punishable by a fine of not more than \$1,000, confinement in the Chambers County jail for not more than 90 days, or both. Each day of the violation is a separate offense. Any law enforcement agency with jurisdiction over the location of the event shall have citation power under this Section.
3. A permit issued under these Rules and Regulations is valid for one mass gathering event. Permits will not be issued for multiple events.
4. These Rules and Regulations apply in addition to any and all other permit requirements of Chambers County.

Section Four:  
Application Procedure

1. At least 45 days before the date on which a mass gathering will be held, the promoter shall file a permit online via [www.mygovernmentonline.org](http://www.mygovernmentonline.org). A permit application will not be accepted later than 45 days prior to the event.
  
2. The application shall include at least the following information:
  - a. the promoter's full name and addresses (physical and mailing);
  - b. a financial statement that reflects the funds being supplied to finance the mass gathering and each person supplying the funds;
  - c. the full name and addresses (physical and mailing) of the owner of the property on which the mass gathering will be held;
  - d. a certified copy of the agreement between the promoter and the property owner(s);
  - e. the location and a description of the property on which the mass gathering will be held;
  - f. the dates and times that the mass gathering will be held;
  - g. the maximum number of persons the promoter will allow to attend the mass gathering and the plan the promoter intends to use to limit attendance to that number;
  - h. the name and contact information for each performer who has agreed to appear at the mass gathering and the name and address of each performer's agent;
  - i. a description of each agreement between the promoter and a performer;
  - j. a description of each step the promoter has taken to ensure that minimum standards of sanitation and health will be maintained during the mass gathering;
  - k. a description of all preparations being made to provide traffic control, to ensure that the mass gathering will be conducted in an orderly manner, and to protect the physical safety of the persons who attend the mass gathering;
  - l. a description of the preparations made to provide adequate medical and nursing care; and
  - m. a description of the preparations made to supervise minors who may attend the mass gathering and insure that they are not able to obtain alcohol.

Section Five:  
Investigation

1. After a permit application is filed via [www.mygovernmentonline.org](http://www.mygovernmentonline.org), the Permit Office shall send a copy of the application to the Chambers County Environmental Health Department, the Chambers County Fire Marshal, the Chambers

County Sheriff, the Chambers County Emergency Services Coordinator, the Hearing Examiner, and the County Judge (if different from the Hearing Examiner).

2. The Chambers County Environmental Health Department shall investigate preparations for the mass gathering and whether the preparations in place would comply with the Minimum Standards for Health and Sanitation for Mass Gatherings, which are attached to this document and incorporated herein for all purposes. At least five days before the date on which the hearing prescribed in Section Six is held, the Chambers County Environmental Health Department shall submit to the Hearing Examiner a report stating whether the Chambers County Environmental Health Department believes that the minimum standards of health and sanitation prescribed by state and local laws, rules and orders will be maintained.
3. The Chambers County Fire Marshal shall investigate preparations for the mass gathering. At least five days before the date on which the hearing prescribed in Section Five is held, the Chambers County Fire Marshal shall submit to the Hearing Examiner a report stating whether the Chambers County Fire Marshal believes that the minimum standards for ensuring public fire safety and order as prescribed by state and local laws, rules, and orders will be maintained.
4. The Chambers County Sheriff shall investigate preparations for the mass gathering and whether the preparations in place would comply with the Minimum Standards for Public Safety for Mass Gatherings. At least five days before the date on which the hearing prescribed in Section Six is held, the sheriff shall submit to the Hearing Examiner a report stating whether the sheriff believes that the minimum standards for ensuring public safety and order that are prescribed by state and local laws, rules, and orders will be maintained.
5. The Chambers County Emergency Services Coordinator shall investigate preparations for the mass gathering. At least five days before the date on which the hearing prescribed in Section Five is held, the Chambers County Emergency Services Coordinator shall submit to the Hearing Examiner a report stating whether the Chambers County Emergency Services Coordinator believes that the minimum standards for ensuring public fire safety and order as prescribed by state and local laws, rules, and orders will be maintained.
6. The Hearing Examiner may conduct or request any additional investigation that the Hearing Examiner considers necessary.
7. The Chambers County Environmental Health Department, the Chambers County Fire Marshal, the Chambers County Sheriff, and the Chambers County Emergency Services Coordinator shall be available at the hearing prescribed by Section Six to give testimony on their reports.

Section Six:  
Hearing

1. In no event later than the 10<sup>th</sup> day before the date on which a mass gathering will begin, the Hearing Examiner shall hold a hearing on the application. The Hearing Examiner shall set the date, location and time of the hearing.
2. Notice of the time and place of the hearing shall be given to the promoter and to each person who has an interest in whether the permit is granted or denied.
3. At the hearing, any person may appear and testify for or against the permit.
4. At the hearing, the Hearing Examiner may request information from any other department or organization with knowledge or experience related to the mass gathering.

Section Seven:  
Timeline

1. The Environmental Health Department, the Fire Marshal, the Sheriff's Office, and the Emergency Services Coordinator shall investigate the mass gathering and submit a report to the hearing examiner within 30 days after the Permits Office receives the application.
2. The Environmental Health Department, the Fire Marshal, the Sheriff's Office, or the Emergency Services Coordinator may request additional time to complete their investigation from the Hearing Examiner in 15 day increments. Additional time will only be granted if there is at least 25 days until the day of the event. Additional time may be requested more than once.
3. The Hearing Examiner shall conduct the hearing within 10 days after receiving all of the reports.

Section Eight:  
Findings and Decision

1. After the completion of the hearing prescribed by Section Six, the Hearing Examiner shall enter his/her findings in the record and shall either grant or deny the permit.
2. The Hearing Examiner may deny or revoke the permit upon a finding of any of the following grounds:
  - a. The application contains false or misleading information or omits required information;
  - b. The promoter's financial backing is insufficient to ensure that the mass gathering will be conducted in the manner stated in the application;
  - c. The location selected for the mass gathering is inadequate for the purpose for which it will be used;

- d. The promoter has not made adequate preparations to limit the number of persons attending the mass gathering
- e. The promoter has not provided for adequate supervision for minors attending the mass gathering;
- f. The promoter does not have assurance that scheduled performers will appear;
- g. The preparations for the mass gathering do not ensure that minimum standards of sanitation and health will be maintained;
- h. The preparations for the mass gathering do not ensure that the mass gathering will be conducted in an orderly manner and that the physical safety of persons attending will be protected;
- i. Adequate arrangements for traffic control have not been provided; or
- j. Adequate medical and nursing care will not be available.

Section Nine:  
Permit Revocation

1. The Hearing Examiner may revoke a permit issued under Section Eight if the Hearing Examiner finds that preparations for the mass gathering will not be completed by the time the mass gathering will begin, on any grounds listed in Section Eight, Subsection 2, or that the permit was obtained by fraud or misrepresentation.
2. The Hearing Examiner must give notice to the promoter that the permit will be revoked at least 24 hours before the revocation takes effect. If requested by the promoter, the Hearing Examiner shall hold a hearing on the revocation.
3. If the Hearing Examiner revokes a permit upon a finding of one of the above grounds, the promoter shall have five business days to cure the deficiency. If the deficiency has been cured, as determined by the Hearing Examiner, then the permit shall be reissued.

Section Ten:  
Appeal

A promoter or a person affected by the granting, denying, or revoking of a permit may appeal final action to a district court having jurisdiction in Chambers County.

Section Eleven:  
Inspections

1. The Chambers County Environmental Health Department may inspect a mass gathering during the mass gathering to ensure that the minimum standards of health and sanitation prescribed by state and local laws, rules, and orders are being maintained. If the Chambers County Environmental Health Department determines a violation of the minimum standards is occurring or is likely to occur, the Chambers County Environmental Health Services Department may order the promoter of the mass gathering to correct the violation.

2. The Chambers County Fire Marshal may inspect a mass gathering during the mass gathering to ensure that the minimum standards for ensuring public fire safety and order as prescribed by state and local laws, rules, and orders are being maintained. If the Chambers County Fire Marshal determines a violation of the minimum standards for fire protection and safety is occurring or likely to occur, the Fire Marshal may order the promoter of the mass gathering to correct the violation.
3. The Chambers County Sheriff's Office may inspect a mass gathering during the mass gathering to ensure that the minimum standards for ensuring public safety are being maintained. If the Chambers County Sheriff determines a violation of the minimum standards is occurring or is likely to occur, the Chambers County Sheriff may order the promoter of the mass gathering to correct the violation.
5. A promoter who fails to comply with any order issued under this Section commits an offense. An offense under this section is a Class C misdemeanor punishable by a fine of up to \$500.00. Each day of violation is a separate offense. Any law enforcement agency with jurisdiction over the location where the event is held shall have citation power under this Section.

#### Section Twelve:

##### Fees

1. An application for a permit to promote a mass gathering must be accompanied by payment of the minimum inspection fee in the amount set out in the attached Fee Schedule.
2. Special events that require more extensive review from the Fire Marshal, the Sheriff, or the Environmental Health Department may be assessed a reasonable surcharge to compensate for the additional time spent inspecting the event. Applicants will be informed of any surcharges via an invoice sent through the electronic permitting system. The surcharge must be paid before the permit will be issued.
3. All fees relating to the issuance of a Mass Gathering Permit shall be determined by Commissioners' Court and incorporated into these Mass Gathering Rules and Regulations. These fees shall remain in effect from the effective date hereof until changed by Commissioners' Court. Fees may be changed at any time and from time-to-time by Commissioners' Court, as it deems appropriate. The fees shall be approved or amended by Commissioners' Court in the manner authorized by law for the taking of official action by a political subdivision. Any changes shall be effective for events in which the application is filed after the date of the change.
4. All payments of fees shall be non-refundable; payments must be made by cashier's check or money order payable to "Chambers County, Texas", or paid with credit online via [www.mygovernmentonline.org](http://www.mygovernmentonline.org).

Section Thirteen:  
Effect of Other Laws

It is not intended, and no provision herein should be construed, to contravene any applicable law or to pre-empt any federal statute. To the extent any part or any provision in these Rules and Regulations might otherwise be construed as invalid, illegal, or unenforceable in any respect, it should be construed as being limited in its scope and applicable to only those circumstances to which it can legally apply. To the extent that any provision or part hereof is found to be invalid, illegal or unenforceable in any respect, it shall not affect any other provision. A Mass Gathering Permit is obtained in addition to any other permits that may be required under any local, state or federal law.

Section Fourteen:  
Effective Date

These Rules and Regulations, with approval of Chambers County Commissioners' Court, shall become effective on March 17, 2020. Consequently, on and after March 17, 2020 a promoter of a mass gathering shall be subject to the provisions herein.

Section Fifteen:  
Communications and County Contact

Questions concerning these Rules may be submitted to the Chambers County Environmental Health Department.

Environmental Health & Permitting Department:

Email: [permits@chamberstx.gov](mailto:permits@chamberstx.gov)  
201 Airport Road  
Anahuac, TX 77514  
409-267-2700

Section Sixteen:  
Material Changes in Plans

1. If after a Permit has been granted, a material change in the plans for the mass gathering has occurred, the promoter shall notify the Hearing Examiner so that the Hearing Examiner may determine whether the Permit shall be revoked or not.
2. If Chambers County becomes aware of road construction in the vicinity of the mass gathering that may affect the mass gathering, Chambers County will make every effort to notify the Promoter so that accommodations may be made. Chambers County reserves the right to revoke a Permit for a mass gathering because of unexpected road construction if the unexpected road construction causes there to be inadequate parking or traffic control. Every effort will be made to avoid revoking a permit based on unexpected road construction.



## Fee Schedule for Mass Gathering Permit

The minimum fee for the health inspection, fire marshal inspection and sheriff's inspection must be paid at the time of the filing of the application. Special events that require more extensive review from the Fire Marshal, the Sheriff, or the Environmental Health Department may be assessed additional inspection fees to compensate for the additional time spent inspecting the event. All payments of fees shall be non-refundable; payments must be made by cashier's check or money order payable to "Chambers County, Texas", or online via [www.mygovernmentonline.org](http://www.mygovernmentonline.org).

Inspection Fees due at the time the Promoter makes application:

\$250.00 for Mass Gathering less than 5,000 people.

\$500.00 for Mass Gathering greater than 5,000 people.

\*Additional inspection fees per existing fee schedules adopted by Commissioners Court.

Approved by Chambers County Commissioner Court 5-21-20

Revised to reflect applications via MGO 6-1-20