



**CASS COUNTY**  
**MASS GATHERING GUIDELINES**  
Quick Reference Guide

**Q. Who needs to apply for a Mass Gathering Application?**

Under the Texas Mass Gatherings Act, the County Judge or designee must approve any gathering that occurs outside the city limits for more than five continuous hours or for any time between 10 p.m. and 4 a.m. in the unincorporated area of Cass County when the event; attracts more than 2,500 people, or attracts more than 500 people if more than 51 percent of the attendees are expected to be under the age of 21 and alcohol is expected to be served or consumed; or when horse or greyhound racing occurs, and more than 100 are expected to attend.

**Q. Where can I apply for a Mass Gathering Application, and who approves the permit?**

Applications may be picked up from the Sheriff's Office, the County Judge's Office, or the County Clerk's Office and then submitted to the Cass County Sheriff's Office at 602 TX Hwy 8N, Linden, Texas. A review board investigates the application and provides findings independently to the County Judge, who schedules a hearing no less than ten days before the event, at which time your application will be heard.

**Q. Who participates in the Mass Gathering Permit review process?**

The Sheriff, a Fire Marshal or designee, and Health Authority review safety, fire protection, sanitation, and emergency access. The Sheriff ensures the event is adequately staffed with security, ensures the property can withstand the number of the persons in attendance, and the safety of emergency services in and out of the venue. A Fire Marshal or designee is responsible for ensuring the event has adequate and minimal fire measures in place. The Health Authority will ensure health and sanitation laws are obeyed and medical resources are adequately staffed. Their findings are submitted to the County Judge before the hearing.

**Q. Can a permit be denied if the application process is not followed or a public safety concern is found?**

Yes. Failure to follow the application process, an incomplete application, or identified public safety concerns may result in denial or revocation of the permit.

**Q. Can a denial be appealed?**

Yes. Appeals may be filed with the appropriate District Court.

**Q. Is there a permit fee associated with the Mass Gathering Application?**

Currently, no filing fee is required unless established by the Commissioners Court.

**Q. Can I host a mass gathering without a permit?**

No. Doing so may result in fines up to \$1,000 and possible jail time under Texas law.

**\*\*Under the statute, mass gathering events may not be promoted until they are approved\*\***

**Application for Mass Gathering Permit  
Cass County, Texas**

In accordance with Texas Health and Safety Code, Chapter 751 (Texas Mass Gathering Act), at least 45 days prior to the planned mass gathering, the Application must be received and filed with the Cass County Sheriff's Office, either by email to [cindy.turner@casscountytexas.gov](mailto:cindy.turner@casscountytexas.gov) or by mail to P.O. Box 180, Linden, TX 75563 (post marked at least 45 days prior to the event), or in person at 602 TX Hwy 8N, Linden, Texas. Additional sheets may be attached. Applications may be picked up at the Sheriff's Office, the County Judge's Office, or the County Clerk's Office.

**Event Description**

Name of Event / Date & Time:

\_\_\_\_\_

Promoter's Full Name: *(Pursuant to Texas Health & Safety Code 751.004(b)(1))*

\_\_\_\_\_

Promoter's Address (physical and mailing): *(Pursuant to Texas Health & Safety Code 751.004(b)(1))*

\_\_\_\_\_

\_\_\_\_\_

Telephone / Fax:

\_\_\_\_\_

Email:

\_\_\_\_\_

Full name of Owner(s) of the property on which the mass gathering will be held:  
*(Pursuant to Texas Health & Safety Code 751.004(b)(3))*

\_\_\_\_\_

\_\_\_\_\_

Property Owner's Address (physical and mailing):

\_\_\_\_\_

CCSO Case# \_\_\_\_\_

Permit# \_\_\_\_\_

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Location of the property where the mass gathering will be held: *(Pursuant to Texas Health & Safety Code 751.004(b)(5))*

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Description of property where the mass gathering will be held: (barn, open field, etc.)

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Date and Hours of Event:

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Type of Gathering and Maximum Attendance:

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Food Service Provider if any:

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Alcohol Service Provider if any:

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Will attendees be allowed to bring in food or alcohol?

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Are individuals under the age of 21 years old allowed into the event and if so, what is the anticipated number of persons attending under the age of 21?

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Describe your Parking Plan:

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Event Financial and Contractual Obligations:

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Attach the following documents:

- (a) A certified copy of the agreement between the promoter and the land owner(s).
- (b) A list of the names and contact information of each performer and of their agent who has agreed to appear at the mass gathering including a description of the terms of the agreement.
- (c) Financial statement reflecting the funds being supplied to finance the mass gathering and each person supplying the funds.

Briefly describe the Security that will be utilized during the event, and if not Off Duty Texas Peace Officers, provide Texas Security Name/License information (include point of contact for event in the event of emergency):

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**Health & Sanitation Compliance**

Describe the steps taken to ensure that minimum standards of health and sanitation will be maintained during the gathering:

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a. Name(s) of Temporary Food Establishment(s) proposed:

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Describe toilet facilities and number to be provided at the event; designate on an attached diagram: (Using the formula of 2 toilets per 100 persons; plus 1 toilet if alcohol is being consumed; plus 1 toilet if event is over 4 hours)

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- a. Describe hand washing facilities for patrons, designate on an attached diagram:  
\_\_\_\_\_  
\_\_\_\_\_
  - b. Indicate who will be responsible for their maintenance during the event:  
\_\_\_\_\_
  - c. Describe Potable Water Supply: (Coordinator must provide potable water supply)  
\_\_\_\_\_
  - d. Describe Wastewater Disposal System: (Proper disposal site must be provided by coordinator)  
\_\_\_\_\_
  - e. Describe Electrical Power Supply:  
\_\_\_\_\_
  - f. Describe Garbage Disposal System:  
\_\_\_\_\_
  - g. Describe Grease Disposal System for Temporary Food Vendors:  
\_\_\_\_\_
  - h. Describe Parking Accommodations:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe the steps taken to ensure the physical health/safety of the persons attending:

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Describe the preparations taken to provide adequate medical and nursing care:

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Describe the preparations you will take to provide traffic control:

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CCSO Case# \_\_\_\_\_

Permit# \_\_\_\_\_

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Describe the steps you will take to ensure that the mass gathering will be conducted in an orderly manner:

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Describe the preparations you will take to identify and supervise minors who may attend the mass gathering:

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Identify the location on the grounds where the promoter or a representative will be available at all times during the event:

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CCSO Case# \_\_\_\_\_

Permit# \_\_\_\_\_

**Acknowledgment**

State of Texas

County of Cass

I affirm that the information provided in this application and attachments is true and correct and I hereby set my hand on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of Promoter: \_\_\_\_\_

Printed Name of Promoter: \_\_\_\_\_

**FOR OFFICIAL USE ONLY**

Received by \_\_\_\_\_ of the Cass County Sheriff's Office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, together with the following:

\_\_\_\_\_

Processed by: \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

HEALTH AND SAFETY CODE

TITLE 9. SAFETY

SUBTITLE A. PUBLIC SAFETY

CHAPTER 751. MASS GATHERINGS

**Sec. 751.001. SHORT TITLE.** This chapter may be cited as the Texas Mass Gatherings Act.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

**Sec. 751.002. DEFINITIONS.** In this chapter:

- (1) "Mass gathering" means a gathering:
  - (A) that is held 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.
- (2) "Person" means an individual, group of individuals, firm, corporation, partnership, or association.
- (3) "Promote" includes organize, manage, finance, or hold.
- (4) "Promoter" means a person who promotes a mass gathering.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1999, 76th Leg., ch. 553, Sec. 1, eff. June 18, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 692 (S.B. 270), Sec. 1, eff. June 17, 2005.

**Sec. 751.0021. APPLICABILITY TO CERTAIN HORSE AND GREYHOUND RACES.**

(a) This chapter applies to a horse or greyhound race that attracts or is expected to attract at least 100 persons, except that this chapter does not apply if the race is held at a location at which pari-mutuel wagering is authorized under Subtitle A-1, Title 13, Occupations Code (Texas Racing Act).

(b) This section does not legalize any activity prohibited under the Penal Code or other state law.

Added by Acts 2015, 84th Leg., R.S., Ch. 1274 (S.B. 917), Sec. 1, eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 963 (S.B. 1969), Sec. 2.05, eff. April 1, 2019.

**Sec. 751.003. PERMIT REQUIREMENT.** A person may not promote a mass gathering without a permit issued under this chapter.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

**Sec. 751.004. APPLICATION PROCEDURE.** (a) At least 45 days before the date on which a mass gathering will be held, the promoter shall file a permit application with the county judge of the county in which the mass gathering will be held.

(b) The application must include:

(1) the promoter's name and address;

(2) a financial statement that reflects the funds being supplied to finance the mass gathering and each person supplying the funds;

(3) the name and address of the owner of the property on which the mass gathering will be held;

- (4) a certified copy of the agreement between the promoter and the property owner;
- (5) the location and a description of the property on which the mass gathering will be held;
- (6) the dates and times that the mass gathering will be held;
- (7) 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;
- (8) the name and address of each performer who has agreed to appear at the mass gathering and the name and address of each performer's agent;
- (9) a description of each agreement between the promoter and a performer;
- (10) 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;
- (11) 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;
- (12) a description of the preparations made to provide adequate medical and nursing care; and
- (13) a description of the preparations made to supervise minors who may attend the mass gathering.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

**Sec. 751.005. INVESTIGATION.** (a) After a permit application is filed with the county judge, the county judge shall send a copy of the application to the county health authority, the county fire marshal or the person designated under Subsection (c), and the sheriff.

(b) The county health authority shall inquire into preparations for the mass gathering. At least five days before the date on which the hearing prescribed by Section 751.006 is held, the county health authority shall submit to the county judge a report stating whether the health authority believes that the minimum standards of health and sanitation prescribed by state and local laws, rules, and orders will be maintained.

(c) The county fire marshal shall investigate preparations for the mass gathering. If there is no county fire marshal in that county,

the commissioners court shall designate a person to act under this section. At least five days before the date on which the hearing prescribed by Section 751.006 is held, the county fire marshal or the commissioners court designee shall submit to the county judge a report stating whether the fire marshal or designee 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.

(d) The sheriff shall investigate preparations for the mass gathering. At least five days before the date on which the hearing prescribed by Section 751.006 is held, the sheriff shall submit to the county judge 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.

(e) The county judge may conduct any additional investigation that the judge considers necessary.

(f) The county health authority, county fire marshal or commissioners court designee, and sheriff shall be available at the hearing prescribed by Section 751.006 to give testimony relating to their reports.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 1999, 76th Leg., ch. 553, Sec. 2, eff. June 18, 1999.

**Sec. 751.0055. DELEGATION OF DUTIES OF COUNTY JUDGE.** (a) The county judge of a county may file an order with the commissioners court of the county delegating to another county officer the duty to hear applications for a permit under this chapter. The order may provide for allowing the county officer to revoke a permit under Section 751.008.

(b) An order of a county officer acting under the delegated authority of the county judge in regard to a permit has the same effect as an order of the county judge.

(c) During the period in which the order is in effect, the county judge may withdraw the authority delegated in relation to an application and the county judge may hear the application.

(d) The county judge may at any time revoke an order delegating duties under this section.

Added by Acts 2001, 77th Leg., ch. 1, Sec. 1, effective March 26, 2001.

**Sec. 751.006. HEARING.** (a) Not later than the 10th day before the date on which a mass gathering will begin, the county judge shall hold a hearing on the application. The county judge shall set the date and time of the hearing.

(b) 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.

(c) At the hearing, any person may appear and testify for or against granting the permit.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

**Sec. 751.007. FINDINGS AND DECISION OF COUNTY JUDGE.** (a) After the completion of the hearing prescribed by Section 751.006, the county judge shall enter his findings in the record and shall either grant or deny the permit.

(b) The county judge may deny the permit if he finds that:

(1) the application contains false or misleading information or omits required information;

(2) the promoter's financial backing is insufficient to ensure that the mass gathering will be conducted in the manner stated in the application;

(3) the location selected for the mass gathering is inadequate for the purpose for which it will be used;

(4) the promoter has not made adequate preparations to limit the number of persons attending the mass gathering or to provide adequate supervision for minors attending the mass gathering;

(5) the promoter does not have assurance that scheduled performers will appear;

(6) the preparations for the mass gathering do not ensure that minimum standards of sanitation and health will be maintained;

(7) 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;

(8) adequate arrangements for traffic control have not been provided; or

(9) adequate medical and nursing care will not be available.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

**Sec. 751.008. PERMIT REVOCATION.** (a) The county judge may revoke a permit issued under this chapter if the county judge finds that preparations for the mass gathering will not be completed by the time the mass gathering will begin or that the permit was obtained by fraud or misrepresentation.

(b) The county judge must give notice to the promoter that the permit will be revoked at least 24 hours before the revocation. If requested by the promoter, the county judge shall hold a hearing on the revocation.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

**Sec. 751.009. APPEAL.** A promoter or a person affected by the granting, denying, or revoking of a permit may appeal that action to a district court having jurisdiction in the county in which the mass gathering will be held.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989. Amended by Acts 2001, 77th Leg., ch. 1, Sec. 2, eff. March 26, 2001.

**Sec. 751.010. RULES.** (a) After notice and a public hearing, the executive commissioner of the Health and Human Services Commission shall adopt rules relating to minimum standards of health and sanitation to be maintained at mass gatherings.

(b) After notice and a public hearing, the Department of Public Safety shall adopt rules relating to minimum standards that must be maintained at a mass gathering to protect public safety and maintain order.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1 (S.B. 219), Sec. 3.1507, eff. April 2, 2015.

**Sec. 751.011. CRIMINAL PENALTY.** (a) A person commits an offense if the person violates Section 751.003.

(b) An offense under this section is a misdemeanor punishable by a fine of not more than \$1,000, confinement in the county jail for not more than 90 days, or both.

Acts 1989, 71st Leg., ch. 678, Sec. 1, eff. Sept. 1, 1989.

**Sec. 751.012. INSPECTIONS.** (a) The county health authority 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 county health authority determines a violation of the minimum standards is occurring, the health authority may order the promoter of the mass gathering to correct the violation.

(b) The county fire marshal or the person designated under Section 751.005(c) 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 marshal or commissioners court designee determines a violation of the minimum standards is occurring, the marshal or designee may order the promoter of the mass gathering to correct the violation.

(c) The sheriff may inspect a mass gathering during the mass gathering to ensure that the minimum standards for ensuring public safety and order prescribed by state and local laws, rules, and orders are being maintained. If the sheriff determines a violation of the minimum standards is occurring, the sheriff may order the promoter of the mass gathering to correct the violation.

(d) A promoter who fails to comply with an order issued under this section commits an offense. An offense under this section is a Class C misdemeanor.

Added by Acts 1999, 76th Leg., ch. 553, Sec. 3, eff. June 18, 1999.

**Sec. 751.013. INSPECTION FEES.** (a) A commissioners court may establish and collect a fee for an inspection performed under Section 751.012. The fee may not exceed the amount necessary to defray the costs of performing the inspections. The fee shall be deposited into the general fund of the county.

(b) A commissioners court may use money collected under this section to reimburse the county department or, if a state agency performs the inspection on behalf of the county, the state agency, the cost of performing the inspection.

Added by Acts 1999, 76th Leg., ch. 553, Sec. 3, eff. June 18, 1999.