

## **Chapter 14, “Amusements and Entertainment”; Article V – SPECIAL EVENTS**

### **Sec. 14-201- Purpose.**

The purpose of this chapter is to facilitate the promotion of events and activities within the City of Farmers Branch to enhance the positive image of the city, to stimulate significant economic growth, and promote tourism.

### **Sec. 14-202- Definitions.**

The following words, terms and phrases when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Applicant* means a promoter, planner or host.

*City* means the City of Farmers Branch, Texas.

*City Council* means the City Council of the City of Farmers Branch.

*City Manager* means the City Manager of the City of Farmers Branch.

*Demonstration* means a public display of the attitude of assembled persons toward a person, cause, issue, or other matter.

*Environmental services official* means the city official designated by the city manager as primarily responsible for environmental services within the city or such official's designated representative.

*Person* means an individual, firm, partnership, corporation, association, or other legal entity.

*Promoter* means the person seeking to hold a district event, including the promoter's employees, agents, subcontractors, affiliates, successors, permitted assigns, and other persons controlled by the promoter.

*Special event* means a gathering or activity that differs from regular operations and often requires extensive planning and special permits. These events can include a wide variety of entertainment and activities, such as those held on public streets, exhibitions, automobile shows, tournaments, running races, festivals, carnivals, group garage sales, outdoor shows and concerts, craft fairs, block parties, parades, and religious ceremonies. It can include activities or facilities that are not allowed by the zoning applicable to the property on which the event is located.

*Special event permit or permit* means the city's written authorization to hold a special event. The permit may impose terms and conditions, and is subject to the guidelines of the district when held within the district.

**Sec. 14-203- Permit required.**

(a) No special event may be held within the city without first obtaining a special event permit. Special event permits are issued through Community Services. A special event application form may be obtained from the Customer Success Desk or the city website. All applications shall be reviewed on a case-by-case basis.

(b) Except as otherwise provided in this chapter, a special event application form must be completed and timely submitted to the Community Services Department.

(c) The issuance of a special event permit grants permission to use public property proposed to be used in connection with the special event (the "licensed premises"). The use of such property shall be solely for the purpose of constructing, installing, operating, and maintaining the special event, and for such other purposes consistent with promoting and conducting the special event as the special event manager first authorizes in writing.

(d) The issuance of a special event permit authorizes appropriate city departments to issue permits for activities in connection with the authorized event in locations where such activities would otherwise be prohibited by ordinance.

(1) The special event permit does not replace other permits required for specific activities. This includes, but is not limited to, street closures, fireworks, alcohol sales, tents, food and beverage setups, merchandise vendors, pyrotechnics, and food trucks. City Staff will help determine which permits are necessary.

(e) Personal property, equipment, tents, and other facilities erected for the event that are not removed from the licensed premises after the close of the event within the period required by the authorizing official may be removed and stored by the city at the expense of the promoter, planner, or host. The city and its officials, officers, employees and agents shall not be liable for any damage to or loss of any such property or facilities sustained during removal or storage of such property, equipment, tents or other facilities and the promoter, planner or host shall indemnify the city, its officials, officers, employees and agents against all claims for any such damage or loss.

(f) Issuance of a special event permit does not authorize removal or alteration of public property and any such removal or alteration is strictly prohibited except as expressly allowed in writing by the special event manager or other authorizing official.

(g) In addition to complying with all conditions of the permit and all applicable city ordinances, regulations, rules, policies and guidelines, the promoter, planner or host must comply with all applicable federal, state and county laws, rules and regulations. It is the responsibility of the promoter, planner or host to obtain all permits necessary to conduct the event and all permits required by other governmental authorities shall be obtained and adhered to.

(h) A holder of a permit may not and shall have no authority, to assign, sell, transfer, pledge, encumber or otherwise convey a permit or any rights, duties, responsibilities or obligations thereunder, and any such conveyance shall be null and void and may, in the discretion of the city, result in the revocation of the permit.

(i) No rights granted by a permit shall create rights in anyone other than the permittee.

(j) A non-refundable special event permit fee of \$50 is due at the time of application. Other fees may apply depending on the scope of the event.

#### **Sec. 14-204- Exemptions.**

The following are exempt from the operation, rules, and regulations of this chapter:

(a) An event hosted by the city (i.e., where the town itself is the promoter, planner, or host). This does not include events for which the city is a sponsor only.

(b) A private party held on private property and to which the public is not invited, provided such party does not impact public rights-of-way or involve activities or facilities not permitted by applicable zoning regulations.

(c) An event wholly contained on property specifically designed or suited for the event and that holds a certificate of occupancy for such use including adequate parking (e.g., a hotel ballroom).

#### **Sec. 14-205 - Types of Permits**

(a) Type 1 Special Event

(1) Any event with daily attendance exceeding 1,000 participants that affects city streets or nearby facilities, involves off-premises alcohol sales, food sales, and/or is anticipated to have:

- (A) Circus, carnival or fair
- (B) Convention or exhibit
- (C) Outdoor concert, jazz, or music festival
- (D) Outdoor cooking contest or public exhibition
- (E) Parades or processions

- (F) Community events
- (G) Block parties

(2) Application must be made no later than 90 days prior to the special event. Additional permits and fees may be required.

(b) Type 2 Special Event

(1) Same as Type A but with a daily attendance of less than 1,000 participants.

(2) Application must be made no later than 30 days prior to the special event. Additional permits and fees may be required.

(c) Type 3 Special Event

(1) An event with daily attendance under 1,000 that has a temporary fixture outside, does not require onsite special event staff, and occurs on private or public property, such as a parking lot. Temporary fixtures may involve, but are not limited to, one or more of the following:

- (A) Mobile Food Units
- (B) Pop-up tents
- (C) Portable displays

(2) Application must be made no later than 10 days prior to the special event. Additional permits and fees may be required.

**Sec. 14-206 – Temporary closing of streets for special events.**

- (a) The city manager or designee is hereby authorized to temporarily close a street for a special event as defined in this article, provided that, in his or her opinion, the closing will not cause a fire, police, traffic, or safety hazard or any undue inconvenience to the public.
- (b) The purpose of this section is to authorize the city manager or designee to temporarily close a street when a request is made by the applicant to have or hold a special event.
- (c) The special event and the temporary closing of the street shall be subject to and under such rules and regulations as the city manager or designee may deem necessary in the preservation of the public safety, health, and welfare.

**Secs. 14-207—14-250 - Reserved.**