

ORDINANCE NO. 4001



AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE CODE OF ORDINANCES, CITY OF FARMERS BRANCH, TEXAS, BY AMENDING CHAPTER 14 (“AMUSEMENTS AND ENTERTAINMENTS”) TO ADD ARTICLE V, TO BE ENTITLED “SPECIAL EVENTS,” PROVIDING DEFINITIONS, PERMITTING REQUIREMENTS AND EXCEPTIONS FOR TEMPORARY SPECIAL EVENTS; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Legislature and the Constitution of the State of Texas have conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City Council finds and determines that the City’s existing regulations relating to temporary special events do not adequately protect public health and safety for many gatherings that often present special hazards associated with traffic, potential dangers from specialized equipment or facilities, and food and health standards; and

WHEREAS, the City Council finds and determines that the adoption of regulations is needed to provide clarification to existing regulations, to improve protection against potential hazards, and to protect the public health and safety, and that the provisions adopted herein are in the interests of public health and safety and the best interests of the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1: The Code of Ordinances, City of Farmers Branch, Texas, is hereby amended to amend Chapter 14 (“Amusements and Entertainments”) to adopt Article V, entitled “Special Events,” to read in its entirety as follows:

“CHAPTER 14 AMUSEMENTS AND ENTERTAINMENTS

...

ARTICLE V. - SPECIAL EVENTS

Sec. 14-201. – Purpose.

The purpose of this article is to facilitate the promotion of events and activities within the city to protect public health, safety, and welfare, and to enhance the positive image of the city, to stimulate significant economic growth, and to promote tourism.

Sec. 14-202- Definition of special event.

(a) For the purposes of this article, the term “special event” means a unique, planned and temporary occurrence on public or private property that can include a variety of entertainment and activities, such as those held on public streets, parades, exhibitions, automobile shows, tournaments, marathons and running races, festivals, carnivals, group garage sales, outdoor shows and concerts, craft fairs, block parties, and religious ceremonies, in which fifty (50) or more attendees are expected to attend. A special event may include activities or facilities that are not allowed by the zoning applicable to the property on which the event is located.

Sec. 14-203- Permit required.

- (a) No person may host, hold, sponsor, or promote a special event without first obtaining a special event permit. A permit application should be submitted at least ninety (90) days prior to the commencement of the special event.
- (b) The issuance of a special event permit grants a limited license to use public property in connection with the special event (the "licensed premises") under terms and conditions stated in the permit. 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 city first authorizes in writing.
- (c) The issuance of a special event permit authorizes appropriate city departments to issue related permits for activities conducted as part of the special event in locations where such activities would otherwise be prohibited by ordinance.
- (d) The issuance of a special event permit does not grant authorization or permitting for activities that require specific permits under other ordinances, regulations, b b or laws. 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 sales and setups, merchandise vendors, pyrotechnics, and food trucks.
- (e) Personal property, equipment, tents, and other facilities erected for the special event that are not removed from the licensed premises after the close of the event within the period required by the permit may be removed and stored by the city at the expense of the owner, 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 owner, 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 city.

- (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 any person other than the permittee.
- (j) A non-refundable special event permit fee in accordance with fee schedule A is due at the time of application. Other fees may apply depending on the scope of the event.

Sec. 14-204 – Terms and conditions.

Reasonable permit conditions shall be imposed by the city that may include, but are not limited to:

- (1) submission of proof of liability and/or comprehensive general liability insurance coverage naming the city as an additional insured;
- (2) the use of public safety personnel, including off-duty police officers, fire inspectors, or private security personnel;
- (3) submission and prior approval of a site plan showing locations of tents, structures, toilets, stages, fencing, signage, merchandise sales or display areas, food and alcohol service areas;
- (4) submission of a traffic control plan showing proposed street closures, vehicular and pedestrian ingress and egress, and emergency service access routes;
- (5) amplification, sound projection, and lighting equipment specifications and layout; and
- (6) any other submission or plan which, depending on the size and nature of the special event, the city may require.

Sec. 14-205 – Revocation, suspension, or denial.

- (a) A special event permit application shall be submitted on forms provided by the city. An application may be denied if the application contains false or misleading information, the application fails to contain the information, plans, or submissions required by this article, or the special event is unsafe, poses an unreasonable hazard, or may constitute a public nuisance.
- (b) A special event permit may be suspended or revoked, and the special event halted, at any time if:

- (1) the city determines that the event is conducted in violation of the terms and conditions of this article or in violation of the conditions set forth in the permit;
 - (2) the city determines that the special event or activities conducted on the site during the event are unreasonably dangerous or present an unreasonable risk to health, safety, or property; or
 - (3) conditions exist or occur that render the special event unsafe, including but not limited to weather events.
- (c) The denial, suspension, or revocation of a permit may be appealed to the city manager in writing, submitted within 10 days of the denial, suspension, or revocation. The city manager's decision shall be final and binding.

SECTION 2. All provisions of the Ordinances of the City of Farmers Branch, Texas, in conflict with the provisions of this ordinance are hereby repealed, and all other provisions of the ordinances of the City of Farmers Branch, Texas, not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. An offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Code of Ordinances, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Code of Ordinances as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to a penalty by fine not to exceed five hundred dollars (\$500.00) for each offense, and each and every day such violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6. This ordinance shall take effect immediately from and after its passage, and the publication of its caption, as the law and Charter in such cases provide.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THIS THE 7th DAY OF JULY, 2026.

APPROVED:

Terry Lynne, Mayor

ATTEST:

Stacy Henderson, Interim City Secretary

APPROVED AS TO FORM:

David Berman, City Attorney
(DB 5.8.26)