



RESOLUTION NO. 2016-080

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ALLOWING A “TEMPORARY CARNIVAL OR CIRCUS” USE WITH CONDITIONS FROM SEPTEMBER 30, 2016 THROUGH OCTOBER 1, 2016, ON PROPERTY LOCATED AT 2800 VALWOOD PARKWAY, FARMERS BRANCH, TEXAS, TO MARY IMMACULATE CATHOLIC CHURCH FOR THE PURPOSE OF HOLDING ITS 2016 ANNUAL FALL FESTIVAL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Mary Immaculate Catholic Church, located on property at 2800 Valwood Parkway, Farmers Branch, Texas, (hereinafter, the “Property”) desires to hold a 2016 Annual Fall Festival on the Property from September 30, 2016 through October 1, 2016, to include food, carnival rides and outdoor and indoor music entertainment; and

WHEREAS, the proposed 2016 Annual Fall Festival activities are considered a “Temporary Carnival or Circus” use under the City’s Comprehensive Zoning Ordinance, said use being allowed in all zoning districts with prior approval of the City Council; and

WHEREAS, the City Council of the City of Farmers Branch, desires to allow a “Temporary Carnival or Circus” use with as requested.

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

SECTION 1. A “Temporary Carnival or Circus” shall be permitted September 30, 2016 through October 1, 2016 on property located at 2800 Valwood Parkway, Farmers Branch, Texas, (hereinafter, the “Property”) to Mary Immaculate Catholic Church for the purpose of holding its 2016 Annual Fall Festival.

SECTION 2. The “Temporary Carnival or Circus” use on the subject Property shall be permitted only in accordance with, and subject to, the following conditions:

- A. “Temporary Carnival or Circus” use on the subject Property is granted herein from September 30, 2016 through October 1, 2016;
- B. Mary Immaculate Catholic Church shall obtain all necessary permits required by the City of Farmers Branch or any other regulatory governmental authority prior to September 30, 2016, for the activities proposed for the 2016 Annual Fall Festival;
- C. Use of an outdoor amplified PA system shall be permitted on the subject Property on Friday, September 30, 2016, for the purpose of announcements and outdoor amplified music until 9:00 p.m. There shall be no outdoor amplified music on September 30, 2016, after 9:00 p.m.;

- D. Use of an outdoor amplified PA system shall be permitted on the subject Property on Saturday, October 1, 2016 for the purpose of announcements and outdoor amplified music until 9:00 p.m. There shall be no outdoor amplified music on October 1, 2016 after 9:00 p.m.; and
- E. No authority granted herein shall exempt any person from obeying the City of Farmers Branch Code of Ordinances regulating noise within the City of Farmers Branch, nor shall any authority granted herein supersede the Farmers Branch Police Department's authority and discretion to enforce said ordinances.

SECTION 3. This Resolution shall be effective immediately upon approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 6th DAY OF SEPTEMBER, 2016.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Bob Phelps, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(kbl:8/18/16:78383)