



# Code of Ordinance Update

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CHAPTER 70, "STREETS, SIDEWALKS AND PUBLIC PLACES" ARTICLE V "PUBLIC EVENTS"

PRESENTED TO CITY COUNCIL ON NOVEMBER 14, 2022

# Background

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- Article V, “Public Events” was added to Chapter 70, "Streets, Sidewalks and Public Places," of the Code of Ordinances in 2013.
- Article V requires permits for public events, provides procedures for the issuance of permits, outlines water, health, sanitation facilities, police and emergency medical services that are required for events and requires the event holder to carry liability insurance.
- After nine years of operating under the ordinance staff is proposing changes to outline a formal process on street closures, in-kind donations of city staff or resources for non-city public events and to reflect updated definitions.
  - The current process of approving road closures and in-kind city donations is a case-by-case decision approved by staff.

# Policy Issues with Current Ordinance

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- Policy issues that need to be considered formally by city council rather than exercised by staff:
  - Street closures that can impact public safety, businesses and/or residents
  - Donations of city time, equipment and facilities
- Staff feels that Council should be given an opportunity to make policy decisions on which events are appropriate to close streets and/or receive an in-kind donation from the city

# Events that need Council Approval

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- Non-city public events that will close or impacts a public street, sidewalk, or trail, not to include Neighborhood Block Parties
- Events that are requesting an in-kind sponsorship of over \$500 from the city including but not limited to the following:
  - Cost of policing of the event
  - Cost of medical services at the event
  - Cost of public works services at the event
  - Cost of parks and recreation services at the event
  - Waiver of building rental fee

**Examples include:** Waiver of BRiCk room rentals (in-kind), Parades (in-kind donation of public safety time) and Parades (road closure).

Affected events include: BHS High School Parade, 4<sup>th</sup> of July Parade and Christmas Parade.

# Process for Council Approval

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- Application for a public event permit that requires city council approval must be filed not less than 90 days before the event is to begin.
- The city manager may waive the 90-day filing requirement if it is determined that the application can be processed in less than 90 days, taking into consideration the number and types of permits required to be issued in order to hold the event.
- A presentation will be prepared outlining request, with a staff recommendation of approval or denial and placed on a council agenda.
- Applicants will be requested to attend meeting and to address any questions or concerns council has.

# Events not included for City Council Approval

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1. An event or gathering that occurs within or on the same property as an established permanent stadium, arena, auditorium or other similar permanent structure that has sufficient existing and permanent electrical service, plumbing, water supply, sanitary sewer service and legal parking spaces to accommodate the expected number of persons;
2. Events held on private property that does not impact public safety or the closure of public right-of-ways, including but not limited to car washes, bake sales, auctions;
3. Motorcades which comply with all traffic laws;
4. Funeral processions;
5. Events which are authorized under a separate agreement or permit issued by the city or other authorizing jurisdiction;
6. Events managed entirely by the City of Burleson; and/or
7. A governmental agency acting within the scope of its functions.

# Other proposed changes to ordinance

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- **UPDATE** Code Official to Public Event Official
- **UPDATE** Public Event or Event to remove the definition of an event to be based on an attendance number (500 or more) and focus on the nature of the event
- **ADD** definition for Marathons, 5Ks, Fun Runs, Neighborhood Block Parties and Parade
- **UPDATE** application procedure submittal dates
- **ADD** Traffic Control Plan requirement
- **UPDATE** Hours of Operations to match Noise Ordinance

# Next Steps

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- Approve as presented (second reading will be at the Dec. 12, 2022 city council meeting)
- Modify
- Deny



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# Questions Comments

**DeAnna Phillips**  
Director of Community Services  
[dphillips@burlesontx.com](mailto:dphillips@burlesontx.com)