

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LOS FRESNOS, TEXAS, ESTABLISHING REGULATIONS FOR SPECIAL EVENTS, POP-UP MARKETS, AND FARMERS MARKETS; PROVIDING DEFINITIONS; REQUIRING PERMITS; ESTABLISHING APPLICATION PROCEDURES, LOCATION AND OPERATIONAL STANDARDS; AUTHORIZING MARKETS IN CONJUNCTION WITH OTHER EVENTS; PROVIDING FOR FEES, ENFORCEMENT, PENALTIES, SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

This ordinance was introduced and submitted to the City Council for passage and adoption after the second reading of the Ordinance. After presentation and discussion of the Ordinance, a motion was made by \_\_\_\_\_ that the Ordinance be finally passed and adopted in accordance with the City's Home Rule Charter. The motion was seconded by \_\_\_\_\_ and carried by the following voted:

Mayor Alejandro Flores	___ For ___ Against ___ Abstained
Mayor Pro-tem Alberto Escobedo	___ For ___ Against ___ Abstained
Councilmember Andrew Gonzales	___ For ___ Against ___ Abstained
Councilmember Juan Munoz	___ For ___ Against ___ Abstained
Councilmember Luis Gonzalez	___ For ___ Against ___ Abstained
Councilmember Leonel Casanova Jr.	___ For ___ Against ___ Abstained

**WHEREAS**, the City Council of the City of Los Fresnos desires to promote community activities, local commerce, and economic development through special events and temporary markets; and

**WHEREAS**, such events may impact traffic, parking, public safety, and City services; and

**WHEREAS**, the City Council finds it necessary to establish uniform standards for special events, pop-up markets, and farmers markets held within the City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS:**

**ARTICLE I**

**GENERAL PROVISIONS**

**Section 1.01 – Purpose**

Purpose and Intent. This ordinance is adopted to protect the public health, safety, and welfare of the community while ensuring the orderly, safe, and efficient operation of temporary events, markets, and similar activities. It is intended to safeguard City property and infrastructure from damage or misuse, support and encourage local vendors, farmers, artisans, and service providers, and promote economic vitality. Additionally, this ordinance establishes a fair, consistent, and efficient permitting process to ensure transparency, accountability, and equal opportunity for all participants.

### **Section 1.02 – Applicability**

This ordinance applies to all special events, pop-up markets, farmers markets, and artisan markets conducted wholly or partially within the City of Los Fresnos, whether on public or private property.

## **ARTICLE II**

### **DEFINITIONS**

#### **Special Event**

A temporary gathering or activity open to the public or expected to attract attendance beyond the ordinary use of the property, including but not limited to festivals, parades, concerts, block parties, races, walks, runs, ceremonies, fundraisers, farmers markets, artisan markets, and pop-up markets, which involves one or more of the following:

- Use of public streets, sidewalks, parks, or rights-of-way;
- Street or lane closures;
- Installation of temporary structures;
- Amplified sound;
- Sale or distribution of food or beverages;
- Sale of homemade goods, handcrafted items, or agricultural products;
- Sale, promotion, or solicitation of services including insurance, internet, telecommunications, utilities, home services, or similar commercial services;
- Request for City services.

**Pop-Up Market** an organized, temporary market conducted outside of a permanent structure where multiple vendors offer goods or services for sale.

**Farmers Market** a temporary or recurring open-air market at which vendors sell agricultural or farm-related products primarily grown, raised, produced, or prepared by the vendor.

**Vendor** any person, business, or entity offering goods, homemade items, agricultural products, or services for sale or promotion.

**Event Organizer** any individual or entity responsible for organizing, managing, or promoting a permitted event or market.

**Public Property** property owned, leased, or controlled by the City, including streets, sidewalks, parks, and rights-of-way.

## **ARTICLE III**

### **PERMIT REQUIRED**

#### **Section 3.01 – Permit Requirement**

No person or organization shall conduct a special event as defined in Article II without first obtaining a permit issued by the City of Los Fresnos.

### **Section 3.02 – Exemptions**

This ordinance does not apply to:

1. City-sponsored or City-approved governmental functions;
2. Los Fresnos CISD-sponsored functions;
3. Private indoor events with no public impact;
4. Private gatherings on private property that do not otherwise meet the definition of a special event.

## **ARTICLE IV**

### **APPLICATION PROCEDURES**

#### **Section 4.01 – Application Submission**

1. Applications shall be submitted to the City Secretary or designee.
2. Applications must be submitted at least ten **(10) days** prior to the event.
3. Late or incomplete applications may be denied.

#### **Section 4.02 – Required Information**

Applications shall include:

- Event organizer contact information; Sales Tax Permit
- Description, dates, and hours of operation;
- Location and site plan, including vendor layout and parking;
- Estimated attendance;
- Written property owner permission (if private property);
- Vendor list, with confirmation of Texas sales tax permits where applicable;
- Proposed sanitation and restroom plan when required;
- Requested City services;
- Proof of insurance if required;

#### **Section 4.03 – Parking and Site Use**

1. During normal business hours, **only** a maximum of **10% of the existing parking** may be used for a **special** event.
2. All **parking** may be used if business is not operating during the time of the event.
3. Emergency access lanes must be maintained at all times.
4. Two (2) spaces per vendor required.
5. All temporary structures shall be removed daily unless otherwise approved.

#### **Section 4.04- Fees**

1. A permit fee shall be charged at the time of issuance of a special event permit.

2. The fee for the special event permit will include the health inspection of all temporary food vendors in the amount established in the City of Los Fresnos Fee Schedule, as adopted and amended by the City Council
3. Rental fees apply when using city parks or community center in the amount established in the City of Los Fresnos Fee Schedule, as adopted and amended by the City Council

## ARTICLE V

### REVIEW AND APPROVAL

#### Section 5.01 – Review Authority

The City Manager or designee shall approve, conditionally approve, or deny permits.

#### Section 5.02 – Conditions

Conditions may include traffic control, security, sanitation, cleanup requirements, noise limits, and hours of operation.

#### Section 5.03 – Denial

A permit may be denied for safety concerns, incomplete information, event conflicts, unpaid fees, or prior violations.

#### Section 5.04- Cancellations

Cancellation must be made in writing and submitted to the City Secretary or designee at City Hall at least 3 days prior to event. If canceled less than 3 days prior to function 50% is non-refundable. An emergency cancellation must be approved by City Manager.

#### Section 5.05-Pemit Count

Only two special event permits will be allowed to be issued per **weekend unless otherwise approved by the City Manager.**

## ARTICLE VI

### MARKET-SPECIFIC STANDARDS

#### Section 6.01 – Markets Held in Conjunction with Other Events

1. Farmers markets, artisan markets, and pop-up markets **may be conducted as standalone special event or in conjunction with another permitted special event**, including parades, walks, runs, races, concerts, or festivals.
2. When conducted in conjunction with another event:
  - o The market shall be disclosed in the main special event application;
  - o No separate special event permit is required unless determined necessary by the City;
  - o The event organizer shall ensure adequate space, access, and safety.

#### Section 6.02- Recurring Markets

1. Markets that occur recurring, more than three consecutive weekends in a month
  - a. Will comply with all special event permit requirements.
  - b. Pay a recurring market fee that will include the health inspection of all temporary food vendors in the amount established in the City of Los Fresnos Fee Schedule, as adopted and amended by the City Council.

### **Section 6.03 – Location**

1. Markets shall be permitted only within a C-2 Highway Commercial District.
2. No more than **one market per month per public park** shall occur without City Manager approval.

## **ARTICLE VII**

### **ADDITIONAL REQUIREMENTS**

#### **Section 7.01 – Food, Homemade Goods, and Services**

1. Vendors selling food or homemade food products must comply with applicable health regulations. [Sec. 10-34. - Certification requirements](#)
2. Vendors selling handmade or homemade goods must comply with state sales tax laws where applicable.
3. Vendors selling or soliciting services must operate in compliance with state licensing requirements when applicable.

#### **Section 7.02 – Temporary Structures**

All tents, canopies, stages, and booths are subject to Fire Code requirements and inspection.

#### **Section 7.03 – Alcohol**

Alcohol sales or consumption require City approval and all required state permits.

#### **Section 7.04- Runs/walks**

All runs/walks will follow designated route assigned by the Police Chief.

## **ARTICLE VIII**

### **INSURANCE AND LIABILITY**

#### **Section 8.01 – Insurance**

The City may require general liability insurance naming the City as an additional insured.

#### **Section 8.02 – Indemnification**

The event organizer shall indemnify and hold harmless the City of Los Fresnos.

## **ARTICLE IX**

### **ENFORCEMENT AND PENALTIES**

**Section 9.01 – Enforcement**

This ordinance may be enforced by the Police Department or other authorized City officials.

**Section 9.02 – Penalties**

Violation of this ordinance is a misdemeanor punishable by a fine not to exceed **\$500 per offense**, with each day constituting a separate offense.

**ARTICLE X**

**SEVERABILITY**

If any provision is held invalid, such invalidity shall not affect the remaining provisions.

**ARTICLE XI**

**EFFECTIVE DATE**

This ordinance shall take effect upon adoption and publication as required by law.

**INTRODUCED AND APPROVED** on the first reading this \_\_\_\_ day of \_\_\_\_\_, 2026.

**APPROVED AND PASSED** on the second reading this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Mayor, Alejandro Flores

ATTEST:

\_\_\_\_\_  
City Secretary, Jacqueline Moya