

ORDINANCE NO. 321-92

AN ORDINANCE AMENDING CHAPTER 4, BUSINESS REGULATIONS, OF THE CODE OF THE CITY OF WILLOW PARK, TEXAS, RELATING TO THE CREATION OF AN ORDINANCE REGULATING SPECIAL EVENTS; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK, TEXAS:

I.

Chapter. 4, Section 8, of the Code of Ordinances, City of Willow Park, Texas, is hereby amended by adding the following section which is to read as follows:

SECTION 8: SPECIAL EVENTS PERMIT

(a) Permit. It shall be unlawful for any person or business to set up or operate any special event such as a carnival, circus, or tent event, music concert, play, athletic or sporting event, or exhibition or performance in the City unless and until such person or business has first obtained a permit and paid to the City Secretary a permit fee according to the schedule of fees approved by the City Council. The provisions of this Section shall apply to any event which is being held for profit or which is being held in conjunction with or in promotion for any other activity which is held for profit. Any permit issued by the City for the setting up or operating of any such special event shall be good only for the specified term of such event or for a maximum of thirty days. Any event lasting longer than thirty days shall require a subsequent reapplication pursuant to the terms listed in this ordinance. Additionally, a reapplication fee according to the schedule of fees shall be required.

(b) Application. Any person or business desiring to hold such special event shall first file an application with the City Administrator. Such application shall be reviewed by the appropriate City Staff and recommendations shall be made to the City Council for their review. The City Council, upon the recommendation of City Staff, shall act upon the application at the next appropriate City Council meeting.

The application shall state in detail the different component parts of the event, including all concessions, shows, amusements, events, businesses and the proposed location of the activity, the time it is to run and the number of persons regularly traveling therewith and a projection of those expected to attend. This application shall give a full and complete plan of the proposed special event and such additional reasonable information as required by the City Staff or the City Council shall be provided upon request.

Prior to the issuance of a Special Events Permit, the applicant may be required to post a bond or deposit to offset any additional costs to the City associated with the provisions of services to protect the life, health, welfare, and safety of the community. This amount shall be set by the City Administrator and reviewed by the City Council when it reviews the application.

(c) Violations. Each person aiding or abetting the holding of any such special event without a permit or in violation of a permit shall be guilty of a violation under the provisions of this Code. I

(d) Exemptions. Short term events or activities sponsored solely by any church, school, school organization, hospital, charitable or non-profit organization whose profits go only to such organization, shall be required to pay the fees normally required under this Ordinance. However, such organizations may apply for an exemption from the required fees in their application and the fees shall not be paid until such request has been approved or denied by the City Council. Such exemptions shall extend only to the required applications fees and/or bond. All applicants must file a full application as required by the terms of this ordinance.

## II.

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

## III.

Should any section, clause or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part so declared to be invalid.

## IV.

Wherever in this ordinance an act is prohibited or made or declared to be unlawful or an offense or a misdemeanor, or wherever the doing of an act is required or the failure to do an act is declared to be unlawful, the violation of any such provision of this ordinance shall be punished as provided in Chapter 1, Section 1F of the Code of the City of Willow Park, Texas, for each offense or for each day such offense shall continue if it is one classified as a continuing offense. No penalties shall be greater or less than the penalty provided for the same or similar offense under the laws of the State of Texas.

## V.

This ordinance shall be in full force and effect from and after the date of its passage and publication as required by law.

PASSED AND ADOPTED this the 19th day of May, 1992.

APPROVED:

Sharon Riley Suarez  
SHARON SUAREZ, Mayor

ATTEST:

Kathy Mitchell  
City Secretary

APPROVED

Walter W. Leonard  
WALTER W. LEONARD, City Attorney