

CITY OF COUPLAND, TEXAS

ORDINANCE No. 2025-06-17-07

AN ORDINANCE OF THE CITY OF COUPLAND, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF COUPLAND, TEXAS TO REGULATE SPECIAL EVENTS OCCURRING ON CITY PROPERTY AND RIGHT OF WAY; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Coupland, Texas is a type B general law city; and

WHEREAS, the Texas Transportation Code § 311.002 provides to Texas general law cities exclusive control over their highways, streets, and alleys; and

WHEREAS, the City of Coupland desires to enact regulations to permit and govern special events to occur on city right of way and property for the health, safety, and welfare of its citizens.

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Special Events. The City of Coupland hereby adopts the Special Events Ordinance attached hereto as EXHIBIT A and incorporated by reference herein.

Section 3. Repealing all Conflicting Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance as adopted herein are amended to the extent of such conflict or inconsistency. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City of Coupland, the terms and provisions of this ordinance control.

Section 4. Savings Clause. The City Council of the City of Coupland, Texas hereby declares that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declares that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

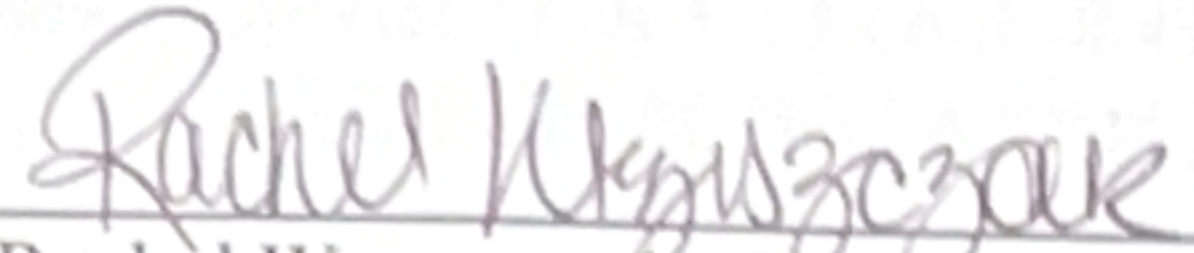
Section 5. Severability. If any provision of this Ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance was considered was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Texas Government Code.

Section 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Texas Local Government Code.

PASSED AND APPROVED THIS 17th DAY OF June, 2025.

ATTEST:


Rachel Wrzuszczak, City Secretary

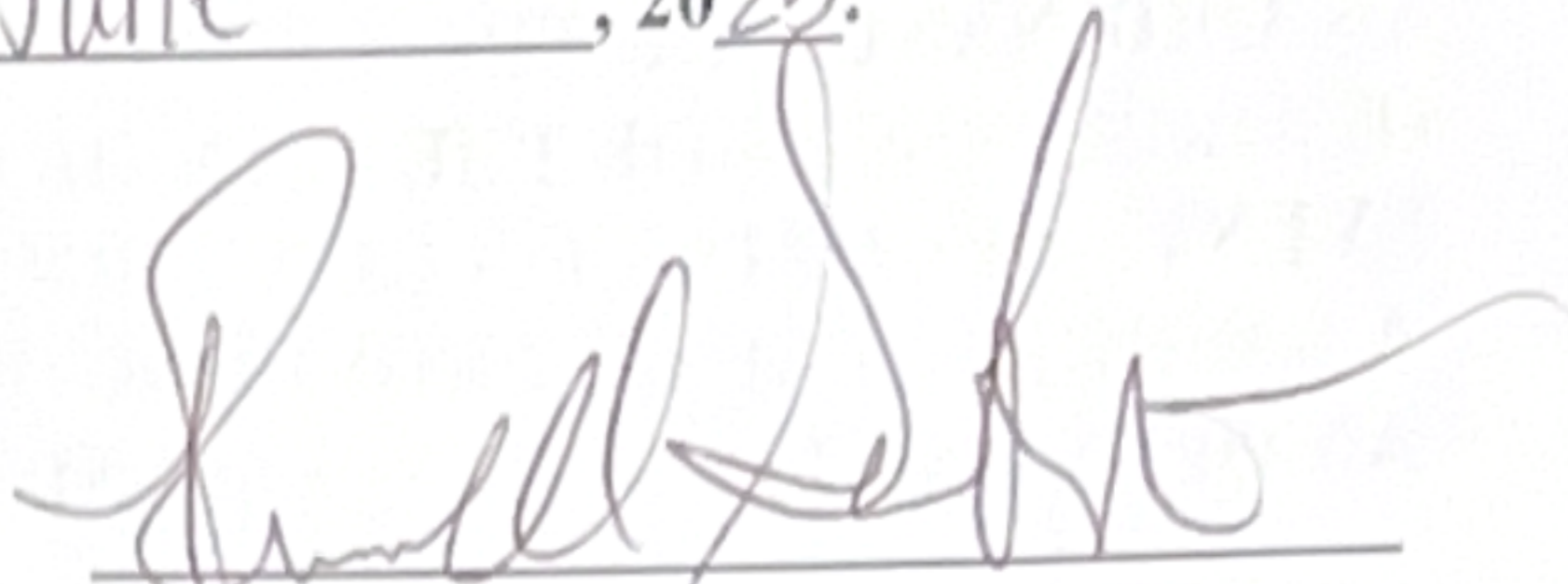

Russell Schmidt, Mayor

EXHIBIT A

Special Events

I. Definition.

Special event. An event including street fairs, car shows, races, runs, arts and crafts shows, carnivals, circuses, rallies, public entertainments, parades, block parties requiring neighborhood road closures, or other events that:

- (1) Interfere with the normal flow or regulation of pedestrian or vehicular traffic; or
- (2) Requires street closure(s), provision of barricades, parking arrangements, or Police services.

II. Permit required.

It shall be unlawful for any person to conduct a special event without a valid special event permit from the City unless exempted herein.

III. Generally.

- (a) This ordinance provides for a safe and orderly means for special events to be held within the corporate limits of the City. All regulations of this Article are deemed necessary for the protection of the health, safety and general welfare of the volunteers, members, and their patrons.
- (b) The duration of the special event shall not exceed the time period specified on the permit, not to exceed a maximum of nine (9) consecutive days.
- (c) The site of the special event shall be adequately served by utilities and sanitary facilities as determined by the city and provided at the expense of the applicant.

IV. Exceptions.

- (a) The following events are exempt from the provisions of this ordinance:
 - (1) Events which are officially hosted by the City;
 - (2) Events which are solely confined to property, excluding right-of-way, owned by governmental entities; and
 - (3) Funeral processions.
- (b) The following events are exempt from special event fees:
 - (1) Nonprofit organizations; and

V. Application.

(a) An application for a permit is required to be submitted fifteen (15) business days prior to the event. For purposes of this ordinance, a business day is Monday through Friday, excepting holidays.

(b) The application for permit must be submitted to the City and include the following information:

- (1) The name, address, telephone number and email address of the applicant.
- (2) The name, address, telephone number, and email address of the person who will be the point of contact for the special event and who will be responsible for its conduct.
- (3) A description of planned activities at the special event.
- (4) The dates and times the event will start and terminate, including the time at which on-site activities for preparation of the event begin and end.
- (5) A layout drawing to scale depicting the location of the event and the access for and circulation of traffic.
- (6) The proposed location of entrances and exits and a plan of evacuation in case of emergency, which shall include a plan for directing the arrival of emergency services through the event to the site of the emergency.
- (7) The approximate number of people who will be attending the special event.
- (8) A copy of a certificate of insurance pursuant as detailed hereinbelow.
- (9) An application fee in the amount of \$ 50.00
- (10) If necessary, proof of acquisition of adequate Police service as detailed hereinbelow.
- (11) Any other information requested by the city.

VI. Approval or denial of application.

(a) The city will inform the applicant of the approval or denial of a complete application for a special event permit within five (5) business days, excluding holidays, of receipt.

(b) In approving or denying a special event application the city will consider all relevant factors, including, but not limited to:

- (1) If the event will interfere with the provision of emergency services to the city and surrounding areas.
- (2) If the event is an inherent risk of injury to persons or property.
- (3) If the event conflicts with another special event, city event, or other routine events that cause traffic congestion.
- (4) If the event is a threat to the health, safety, and welfare of the citizens of the city.

VII. Revocation of permit.

The city may revoke a permit that has been issued if prior to the event the applicant (i) made false or misleading statements in the application, (ii) the applicant has not secured the insurance or signed the indemnification agreement required by this ordinance, and (iii) further

review has found that the special event will unduly disrupt traffic and the ability of emergency vehicles to respond in a timely manner.

VIII. Liability insurance and indemnification.

(a) When a special event is partially or fully contained on city property or city rights-of-way, the applicant for a special event permit shall furnish the City with a certificate of insurance in amounts of not less than \$500,000.00 for one person and \$1,000,000.00 for any one accident, naming the city as an additional insured. The city, at its sole discretion, may revise the insurance required herein based on the nature of the event.

(b) When a special event is partially or fully contained on City property, an applicant shall sign an agreement to indemnify and hold harmless the City, its officers, employees, agents, and representatives against all claims of liability and causes of action resulting from injury or damage to persons or property arising out of the special event.

XI. Police services.

If the city determines, at its sole discretion, that police services are reasonably necessary for traffic control and public safety, the applicant is responsible for obtaining the services of licensed peace officers in the number and duration as determined by the city at the expense of the applicant.

X. Offense and penalty.

(a) A person commits an offense if they commence or hold a special event without a special event permit or with a special event permit that has expired or been revoked.

(b) Any person who violates the provisions of this Article shall be assessed with a penalty of \$2,000.