

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 007-035

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 67 (SPECIAL EVENTS), ARTICLE IV (RESTAURANT/RETAIL PROMOTIONAL EVENTS) OF THE CODE BY AMENDING SECTION 67-20(a) (PERMIT APPLICATION PROCESS) BY PROVIDING FOR MODIFICATIONS TO THE REQUIREMENTS FOR CERTAIN EVENTS HELD WITHIN THE TOWN; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. Amendment. Chapter 67 (Special Events), Article IV (Restaurant/Retail Promotional Events) of the Code of Ordinances (the "Code") of the Town of Addison, Texas is hereby amended in the following particulars, and all other chapters, articles, section, subsections, paragraphs and words are not amended but are ratified and confirmed.

A. Section 67-20 (Application Process), subsection (a) (Permit) of the Code is amended so that it shall read as follows:

(a) *Permit.* Prior to holding a restaurant/retail promotional event, or a special event conducted on private property that is open to the general public or to which the general public is invited, the owner or authorized occupant (e.g., tenant) of the property on which the restaurant/retail promotional event or special event is to be held must obtain a permit must be obtained from the Town of Addison eEnvironmental sServices oOfficial. Where private parties, events or other private activities are hosted by an owner or authorized occupant (e.g., tenant) of property and are held or conducted on that property, a permit for the same is generally not required, provided that the zoning restrictions and terms of the certificate of occupancy including occupant load are not violated. If the property owner or business operator wishes to request a variance to the conditions of a certificate of occupancy (including, without limitation, occupancy load) or any zoning regulation or restriction, a permit must be obtained. Any such restaurant/retail promotional or private special event shall be prohibited if the environmental services official determines it to be in violation of any law, ordinance, rule, or regulation, or finds that it would or might compromise, jeopardize, or present a hazard to the health, safety or welfare of the participants or the general public. A permit must be obtained from the special event manager if the environmental services official determines that review by the special event manager is appropriate due to the nature or size of a proposed restaurant/retail promotional event. If a permit is required to be obtained from the special event manager, no permit is required to be obtained from the environmental services official.

Section 2. Savings. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed such remaining portion of this Ordinance despite such invalidity, which remaining portion shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall become effective from and after its date of passage, and any publication as may be required by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this 9th day of October, 2007.


Joe Chow, Mayor

ATTEST:

By: 
Mario Canizares, City Secretary

APPROVED AS TO FORM:

By: 
John Hill, City Attorney

Published:
10/29/2007