ORDINANCE NO. 2019-88

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 126, TRAFFIC AND VEHICLES, SECTION 126-41, TEMPORARY CLOSING OF STREETS FOR EVENTS; ADDING AND AMENDING SECTIONS 126-396 TO 126-416, THE DOWNTOWN SPECIAL EVENT/STREET CLOSURE ORDINANCE; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of New Braunfels is proud to host events in Downtown New Braunfels that provide a benefit to Downtown and the community at-large; and

WHEREAS, this ordinance sets forth the process for requesting the closure of public rights-of-way for special events in the Downtown Area (see attached Figure 1); and

WHEREAS, public streets, parking areas, and sidewalks are a component of transportation and business access; and

WHEREAS, the closure of these areas can be perceived as a barrier to transportation or commerce and must be carefully planned and considered; and

WHEREAS, a variety of downtown stakeholders were involved in developing this ordinance, in addition to the City Council appointed Downtown Board; and

WHEREAS, the New Braunfels Downtown Board has met multiple times in meetings open to the public in order to develop this ordinance and provide a recommendation to the City Council to adopt these guidelines and procedures for downtown events that necessitate street closures.

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

SECTION 1.

The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2.

THAT, Chapter 126, Traffic and Vehicles, is hereby amended as follows:

ARTICLE II. - ADMINISTRATION
Sec. 126-41. - Temporary closing of streets for events; towing of vehicles.
(a) With the exception of Downtown Special Events covered in Article VII of this chapter, the chief of police or his/her designee is hereby authorized to close any public street or portion thereof to vehicular traffic and/or parking for any special event which includes the use of the area being closed. A person or entity requesting that a street or portion thereof shall
make a written application for such closure to the city secretary no less than 35 days prior to the date of the closure. As part of the application process, the applicant must furnish liability insurance insuring the city for any property damage or personal injury resulting from the event activities and/or the closing of the public street. In no event shall such closure of a public street or portion thereof exceed 72 consecutive hours. The chief of police’s authority under this section is discretionary.

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SECTION 3.

THAT, Chapter 126, Traffic and Vehicles, Sections 126-396 to 126-413, Downtown Special Event, is hereby added as follows:

ARTICLE VIII. - ASSEMBLAGES AND PARADES

126-396. - Downtown Special Event Permit Required.

(a) This ordinance outlines the permit application process for requesting the closure of public rights-of-way for special events in the New Braunfels Downtown Area (see Figure 1).

(b) It shall be unlawful for any person to hold a special event, sponsor a special event, or cause a special event to be held in the Downtown Area without first obtaining a Downtown Special Event Permit.

(c) The city manager or designee will prepare and provide the application and the policy manual that provides further information and associated costs for city services. These documents will be available on the City’s website.

(d) The event must not severely disrupt normal business and traffic patterns. The applicant must develop plans to mitigate negative effects occurring as a result of the closure/event.

(e) The proposed location must be suitable for the event, with consideration given to crowd size, traffic flow, parking, electricity, health and safety, and impact to the site.

(f) The applicant must pay for all requested/required City services.

(g) Events occurring on consecutive days will not be approved. In the case that two applications are received for events on the same day or on consecutive days, the first complete application received will take precedence.

126-397. - Definitions

The following words, terms and phrases when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Applicant means a person who has filed an application for a special event.

City special event means a special event that the city council has committed the City to initiating, financing, supporting, and conducting the event.

City sponsored special event means a special event that the City has agreed to assist in providing some level of financial or in-kind support, but the applicant is wholly responsible for
otherwise meeting the requirements of this ordinance excluding notification requirements.

Downtown Area is the area regulated by this ordinance and is depicted in Figure 1 below:

Downtown New Braunfels Special Event/Street Closure Manual is the manual prepared by the City Manager or designee that incorporates the requirements of this ordinance and provides additional guidance, including costs for applicants.

Person means any individual, assumed named entity, partnership, association, corporation, organization, or other legal entity.

Special event means any event requiring the closure of a street or public right-of-way in the Downtown Area (as depicted in Figure 1).

126-398. – Exemptions

(a) For city sponsored events, the City may provide services free of charge or at a reduced rate, or it may facilitate compliance with requirements of this ordinance as its in-kind contribution for the city sponsored special event. An application and fee will be required and the applicants shall furnish all other necessary documents such as insurance certificates, safety plans and traffic safety plans. The City will provide public notice for these planned closures through media releases and social media advisories.
(b) Events held wholly within city parks located within the Downtown Area depicted in Figure 1 are not subject to this ordinance and are permitted separately through the New Braunfels Parks and Recreation Department.

(c) City special events are not subject to this ordinance or the requirements of Section 126-41 - Temporary closing of streets for events; towing of vehicles.

(d) Special Events which are authorized under a separate agreement or permit issued by the City.

(e) Funeral processions shall be regulated by Section 126-419 to 126-421 and Section 126-423.

(f) National Night Out events shall be regulated by Section 126-41.

(g) The City Manager or their designee may authorize certain special events for which advance application or adherence to other requirements of this section are precluded by event timing or other necessity.

126-399. - Permit Application

(a) The application fee is $200.00.

(b) The applicant is responsible for submitting a complete application to the City Manager or designee as early as possible, but no later than 120 days prior to the event and no more than 365 days prior to the proposed event. If an application is submitted less than 120 days prior to the proposed event, the City will not be able to deliver requested/required services and/or authorize the event.

(c) For an application to be considered complete it must include all requested attachments. Incomplete applications will not be accepted. The 120-day time limit only begins once complete application is submitted and accepted by the City Manager or designee.

(d) To avoid rejection and delay of the processing of an application, the application must be completely filled out and include the following:

(1) Event Diagram and/or Route Map-indicating the layout of all event functions and direction of travel for parades, runs, or other ambulatory events.

(2) Event Description-two separate descriptions are required. 1) A brief event description of 50 words or less for possible use in City websites, social media publications, or other promotional materials. 2) A detailed event description listing all aspects of the event including: logistics, schedule of events and any other relevant information.

(3) Statement of Community Benefit- All Downtown special events requiring street closures must contribute to the economic enhancement, cultural enrichment, and/or promotion of Downtown New Braunfels. The applicant must provide a narrative description of how the event will accomplish this goal and list any negative impacts such as, but not limited to, disruptions to traffic and commerce, incidental damage to public property, parking overflow, accumulation of waste, or hardships that may occur as a result of the event.

(4) The name, address, and phone number of the applicant.

(5) The dates and times the special event will start and terminate, including preparation and breakdown.

(6) The maximum number of people that the special event sponsor estimates to attend the special event and a plan for controlling the number attendees.

(7) A preliminary public safety plan to include a communications list and plan, medical protocol, weather monitoring plans, and security/crowd control plan.
(8) A plan to provide adequate restroom facilities and trash containers and an event clean-up plan.

(9) Any additional information contained in the Downtown New Braunfels Special Event/Street Closure Manual, and any other information that the City deems necessary to consider the permit request.

126.400. - Application Review Meeting and Pre-Event and Post-Event Meetings.

Once the City is in possession of a complete application a pre-event meeting will be scheduled with the applicant and City department representatives. This meeting must occur a minimum of 90 days prior to the proposed event and the Applicant or their representative must attend this meeting.

At this meeting, the Applicant will present the proposed event plan and, with City Staff, will finalize an event plan that meets all public health and safety standards, provides for the delivery of City services and addresses the concerns of the community. Following this meeting, the necessary number of portable toilets, barricades, waste containers, temporary signage, notification requirements, and security personnel will be determined and the Applicant will be notified of these requirements, the City's ability to provide certain services and associated costs.

At the application review meeting, City staff will determine which City services are required based on the event plan. City departments will provide the estimate to the Applicants within seven business days of the pre-event meeting. Additional pre-event meetings may be held as necessary. Post-event meetings will be held the first business day after the event to evaluate clean-up and other post-event issues.

126-401. - Notification Requirements

(a) The City shall undertake sending written notification for all Downtown street closures and special events at a cost of $2.15 per mailed notice, which is the responsibility of the applicant. Property owners and residents/businesses directly abutting the proposed event will be notified of the proposed event in writing and provided an opportunity to comment in favor or opposition to the closure. Although these notices will be used in determining approval or denial of the proposed event, they are not the sole defining factor. Notice will be mailed within seven days of the City’s finalization of the event plan and no less than 60 days prior to the event.

(b) The Applicant is responsible for notifying Union Pacific Railroad of any proposed events occurring on or near the railroad tracks. Union Pacific Railroad will provide a reference number to the Applicant, which in turn, must be provided to the City. The reference number shall be provided to the City no later than 30 days prior to the event.

126.402. - City Services

(a) To best serve the safety and welfare of the public, the city will provide agreed upon services when required in conjunction with a Downtown Special Event. All costs associated with the provision of these city services are the sole responsibility of the applicant and may vary depending on the type and size of an event. City staff will arrange a pre-event meeting with the applicant to deliver an estimate of any City fees associated with the needs of the event. The City may provide the following event services at full cost recovery:
(1) Street sweeping  
(2) Litter pick-up  
(3) Incidental repair for damage to public property  
(4) Event Security  
(5) Crowd management  
(6) Parking and Traffic control  
(7) Fire/EMS

(b) The Police Department provides event safety and security services for Downtown Special Events; however, there could be instances when the Police Department cannot accommodate the demand for officers needed for a particular event due to overall needs of the City. In those limited instances, the applicant will be responsible to provide event security as directed by the Police Department. Upon receipt and review of the application, the Police Department will inform the applicant of the security and safety needs and provide a cost estimate for provision of services.

(c) After the event, City departments will finalize the amount owed the City covering labor, vehicle and equipment use, and any other costs incurred providing event support. The invoice will be mailed within 14 days of the event. All questions about the invoice should be directed to the City Manager or designee. Payment of balance is due within 30 days from the date of the invoice.

(d) In addition to this application fee, other Departmental billings will reflect the actual cost of delivering City services for the event, and final billing may be higher or lower than the cost estimates.

126.403. - Parking and Traffic Control Plan Street Closure & No Parking/Tow Zones

(a) A parking and traffic control plan may be required by the City prior to event authorization. If required, the plan must be approved by the City Engineer or his designee. The plan must address issues identified by the City Engineer that include, but are not limited to, circulation of pedestrian and vehicular traffic, whether there will be shuttle vehicles used, and details on shuttle operation, request for street closures and no parking/tow zones, location of street barriers, and identify ingress and egress of emergency equipment and personnel.

(b) Any closure of public streets will require physical barriers (cones, barricades, delineators). The Applicant is responsible for the costs of securing and stacking/placing the barriers. The number, type, and placement of street barriers will be determined by the Public Works Department (Streets and Drainage Division) and the Police Department. Signs may be required to be posted several days before to the closure to notify drivers of the future event. Any closure of public streets will require the presence of uniformed police officers to ensure public safety before and during the event, at applicant’s sole cost. The number and placement of Police Officers will be determined by the Chief of Police or designee.

(c) If the public is not permitted to park vehicles within a closed street area, a no parking/tow zone must be established. The Applicant must specify the location of the no parking/tow zone and number of parking spaces within the zone. The City Engineer or designee will.
determine the number of no parking/tow zone signs needed to adequately post the zone. Only City-approved No Parking signs can be posted. The Applicant is responsible for posting the signs in accordance with City guidelines. If the Police Department determines that the signs are not properly hung and vehicles have been towed for public safety, the Applicant will be responsible for paying the towing fee associated with any vehicles towed from improperly signed areas.

(d) A motor vehicle unlawfully parked within the temporarily closed area may be towed by order of a police officer provided that notice, either verbal or written, has been given to the owner or driver of the motor vehicle at least four hours prior to the removal of the motor vehicle. A written notice to remove the vehicle that is placed on a parked motor vehicle either prior to the closing of a public street or after the public street is temporarily closed is prima facie evidence that proper notice has been given to the owner or driver of the motor vehicle.

(e) A vehicle may not be towed unless written notice of the street's closure has been placed on the street to be closed at least 48 hours before the street closure.

(f) Seguin Avenue is a Texas state highway and is controlled by the Texas Department of Transportation. Permission to close Seguin Avenue must be obtained from the Texas Department of Transportation.

126.404. - Logistics and Cleanup

(a) The Applicant is responsible for providing portable toilets with handwashing units and indicating their location on a site diagram. The number of toilets required will be based on the anticipated number of participants/guests expected with a minimum of four portable toilets (2 unisex and two accessible). At least 10% of the toilets are to be accessible. The table below outlines the standard portable toilet requirements. The City may require additional portable toilets depending on the location of the units and/or the geographic footprint of the event.

Accessible toilets are to be placed on a level site (no more than a 2% slope) with an appropriate clear path of travel (a minimum of 36 inches wide) leading to the toilet entrance.

<table>
<thead>
<tr>
<th>Number of participants/guests</th>
<th>Minimum toilet requirement</th>
<th>Accessible toilet requirement</th>
<th>Handwashing Stations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 500</td>
<td>4</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>501-800</td>
<td>6</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>801-1200</td>
<td>10</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Over 1200</td>
<td>Consult with City Staff</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(b) The Applicant must submit an event cleanup plan. The plan must indicate:
1. Sufficient staff to handle cleanup throughout the duration of the event and after the event
2. Sufficient equipment placed in effective locations (dumpsters, carts, trash receptacles, hot coal barrels, grease barrels, etc.)

(c) If necessary, City Staff will provide post event clean-up at the expense of the Applicant. The Applicant must extinguish any coals before disposing of them in specified receptacles
2. Booths, stages and other equipment must be removed immediately following the event to facilitate cleanup.

3. In the case of a street event, streets will remain closed to allow adequate clean up. Cleanup should be completed by 6:00 a.m. the following morning, with priority given to private property.

4. Litter and trash control should include the event area and a one block radius around the event boundaries.

5. No liquid waste other than water may be dumped in City gutters.

126.405. - Railroad Coordination

Applicants are strongly discouraged from holding events that cross active railroad tracks in the Downtown area. As a matter of public safety, the City will not approve any requests for parades, walks, runs, or other moveable events that require the crossing of railroad tracks outside of daylight hours. The Applicant is responsible for notifying the Union Pacific Railroad of any event that is scheduled to occur near or across their tracks and requesting that trains be stopped/slowed for the event. However, it should be noted that Union Pacific Railroad has the sole authority in deciding whether or not to grant such requests. Applicants must provide the City with the Union Pacific assigned report number to verify that they have contacted the railroad 14 days prior to the final event authorization. The Union Pacific Railroad Community Event Notification Instructions are included in the Appendix to the Downtown New Braunfels Special Event/Street Closure Manual.

126.406. - Vendor Conditions and Regulations

Vending activity is generally not permitted in the Downtown area. If vending is approved by the City it must not block pedestrian traffic, access to business, cause congestion, or create a hazard. Additionally, all vending equipment must be easily moved and self-supporting and no equipment or signage may be affixed to infrastructure or private property. The applicant must present a sales tax certificate for all vendors.

Any non-food vendors must be approved by the City. The Applicant must provide a detailed map of the locations for non-food retail vendors along with a description of the type of goods sold by each vendor. The City may require alternative vendor placement.

126.407. - Food Permit Requirements

Any event that includes food services must be coordinated through the City’s Environmental Health Division. No food may be served without approval and inspection by the Environmental Health Division. Any required permits must be obtained no less than 14 days prior to the event.

126.408. - Tent & Canopy Requirements

The New Braunfels Fire Department may require a tent permit, depending on the size and placement of any tents required for a special event. These permits must be approved and submitted at least 14 days prior to the event. A tent permit is required for any tent 700 ft² without sides or 400 ft² with sides. Smaller tents placed directly adjacent to each other will be counted as a single unit when determining tent size for permitting purposes. All tents and
decorations shall be flame retardant. A copy of the Certificate of Flame Resistance is required. The following are required for all tents or similar supported structures:

1. Site Plan
2. No Smoking Signs
3. Exit Signs
4. At least one Fire Extinguisher (2A10BC, 5lb. min.) placed so that the travel distance is not more than 75 ft., and not more than 30 ft. from any cooking devices. Additional extinguishers may be required to meet this requirement.
5. All electrical cords shall be in good operating condition and capable of handling the load for the particular use, to include the use of extension cords.
6. All heat-producing equipment shall be kept at least 20 ft. from any combustible material and may be subject to Fire Marshal approval.
7. Tents shall be kept at least 12 ft. from any structure; the use of multiple tents connected together shall not exceed 700 ft².
8. At least two (2) exits must be maintained at all times. As the size of the tents increases the number of exits required may also increase.
9. A tent permit fee of $75.00 is required for any tent over 200 ft².

126-409. - Other Permits Required

The Applicant is responsible for obtaining all needed permits required for the Downtown Special Event. The Applicant is also responsible for ensuring that event vendors/contractors obtain any necessary permits to lawfully conduct business. All required permits must be submitted to the City a minimum of thirty (30) days prior to the event.

These permits may include, but are not limited to:

1. Street Banner Permit
2. Temporary food vending permit(s)
3. Tent Permits
4. Certificate of Insurance
5. Permission to close State right-of-way
6. Permission from Union Pacific Railroad
7. Texas Alcohol and Beverage Commission permits to sell/serve alcohol at the special event. The Applicant is responsible for complying with all rules and regulations regarding the sale/service of alcohol imposed by TABC.
8. Rides and/or attractions associated with Downtown Special Events shall conform to the statutory rules and regulations set forth in Chapter 21, Article 21.53 of the Texas Insurance Code, designated the Amusement Ride Safety Inspection and Insurance Act, as amended. Copies of inspection reports will be required.

126.410. - Insurance Required

(a) Before event setup or any other event site activity begins, the applicant shall furnish the City's Risk Manager a Certificate of Insurance and Endorsements that list the City of New Braunfels as an additional insured party. The policy must be effective for the duration of the event (including setup and clean up times). The policy must insure the applicant and
the City against any claims for injuries to persons or damages to private property which may arise from or be in connection with:
1. the event and any related work undertaken by the applicant, its agents, representatives, employees, volunteers, or subcontractors;
2. products and complete operations of the applicant; premises owned, leased or used by the applicant; or
3. automobiles owned, leased, hired, or borrowed by the applicant.

(b) The coverages must meet the following minimums:
1. Commercial General Liability: minimum $1,000,000 combined single limit per occurrence for bodily injury and property damage including products and completed operations.
2. Automobile Liability: (required for parades and car shows) minimum $1,000,000 combined single limit per accident for bodily injury and property damage for all owned, hired, or non-owned vehicles.
3. Liquor Liability: (if alcohol is being served or sold on public property) minimum $1,000,000 limit per occurrence employees are required by the State of Texas to provide Worker’s Compensation Liability.

(c) Required Endorsements-Commercial General Liability Certificates must be accompanied by the following endorsements:
1. The City of New Braunfels, its officers, employees, agents, and contractors must be named as additional insured.
2. Ten day written notice of cancellation or changes in coverage shall be provided to the City.
3. The insurance is primary insurance in respect to the City, its officials, agents, employees, and contractors. Any other insurance the City may have shall be considered excess insurance only.
4. Coverage shall state that the Applicant’s insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer’s liability.
5. The Applicant shall include all subcontractors as insured under its policies or shall obtain separate Certificates of Insurance and Endorsements for each subcontractor.

(d) Indemnification- The applicant for a special event permit 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.

126.411. - Final Event Authorization

Following the pre-event meeting and after the event plan has been finalized, and the two-week notification and comment period expired, the City will issue a formal denial or approval of the event to the Applicant. If approved, the letter will include specific conditions that must be met by the Applicant and provides a City services cost estimate based upon the agreed event plan.
Before any event activity may begin, the Applicant must sign the letter and agree to:

1. Pay the City 50% of the projected cost for City services 14 days prior to the event.
2. Adhere to the conditions approved by the City as outlined in the pre-event meeting minutes.
3. Reimburse the City for the final balance of the actual cost of City services within 30 days from the date of the invoice.
4. Pay for any damage to public property as a result of the event.

126-412. - Denial of Permit Application and Revocation of a Permit; Appeal Process

(a) All denials for event applications shall be in writing and signed by the City Manager or designee. Should the applicant wish to appeal the decision, the applicant must submit the appeal in writing within 5 days of the denial. The appeal will be reviewed and decided by New Braunfels Downtown Board within 30 days after receipt of denial. The New Braunfels Downtown Board shall give notice, follow publication procedure, hold hearings and render a final decision. Applicants aggrieved by the decision of the New Braunfels Downtown Board may appeal the decision of the New Braunfels Downtown Board to City Council within 30 days of receipt of the denial. The City Council shall give notice, follow publication procedure, hold hearings, and render a final decision which shall not be appealable.

(b) A special event permit shall be revoked in writing that includes the reason, with a right of appeal to the City Manager, upon the following conditions:

1. In the event that the police chief, fire chief, other city officials or their designated representatives find that any of the provisions of this section, another city ordinance, or state law is being violated, they shall immediately notify the city manager, and the special event permit issued hereunder shall be revoked;

2. When, in the judgment of the above named officials, a violation exists which requires immediate abatement, they shall have authority to revoke a special event permit in the absence or unavailability of the city manager; or

3. The applicant made or permitted to be made a false or misleading statement or omission of material fact on an application for a special event permit.

126-413. - Downtown Parade/Walk/Run/Race Guidelines

(a) All parades, walks, runs, or races taking place in the Downtown Area will be reviewed to determine impacts to public safety, traffic patterns, and commerce. Routes found to cause unreasonable negative impacts on public safety, traffic patterns, or commerce will not be approved.

(b) In order to ensure the efficient movement of parade units, a parade staging area must be designed to allow parade units to enter the route in an orderly and efficient fashion.

(c) If a parade, walk, run or race is to be held in conjunction with a festival, the staging area must be separate from the festival site during periods of concurrent use.
(d) The Applicant will be required to provide sufficient monitors to control the staging area, direct orderly parade unit entry into the parade route ensure continuous forward motion of the parade, and direct parade unit dispersal. These monitors are in addition to any public safety professionals required to ensure the safety and security of the event.

(e) An adequate number of trash receptacles as determined by the City must line the parade walk, run, or race route.

(f) Pursuant to Article VIII, Section 126-426 of the City’s Code of Ordinances, upon initiation of a parade, the Chief of Police or their designee shall take over control of the movement of the parade in accordance with Article VIII, Section 126-426.

(g) Pursuant to Section 126-426, no person shall throw any object from parade units.

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Sec. 126-416. - Permit—Required; application.

It shall be unlawful for any person to conduct or participate in any street assemblage, parade, or procession upon any highway throughout the City, except upon a permit issued by the chief of police based on an application made not less than 72 hours before the time for such assemblage, parade, or procession. This requirement does not apply to Downtown Special Events that are regulated by Sections 126-396 – 126-407.

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SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 4.

All provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 5.

All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 6.

This ordinance shall become adopted upon its second reading, signature required by City Charter, filing with the City Secretary’s Office. Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels.
PASSED AND APPROVED: First reading this 25th day of November, 2019.
PASSED AND APPROVED: Second reading this 9th day of December, 2019.

CITY OF NEW BRAUNFELS, TEXAS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney
CERTIFICATE OF PUBLICATION

I hereby certify that in the performance of the functions of my office, that the caption of Ordinance No. 2019-88 the ordinance of which is attached hereto, was published in The New Braunfels Herald-Zeitung on December 14, 2019, in compliance with Section 3.10 of the City Charter.

Patrick Aten
City Secretary,
City of New Braunfels,
Comal County, State of Texas
Affidavit of Publication

STATE OF TEXAS } SS
COUNTY OF COMAL }

Ami Lang, being duly sworn, says:

That she is Designee of the New Braunfels Herald-Zeitung, a daily newspaper of general circulation, printed and published in New Braunfels, Comal County, Texas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:
December 14, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

[Signature]

Designee

Subscribed to and sworn to me this 14th day of December 2019.

[Signature]

Jennifer S. Leal, Business Manager, Comal County, Texas

My commission expires: September 27, 2021

04123926 00218414

Yesenia McNett
City of New Braunfels - PBS
550 Landa St.
New Braunfels, TX 78130

PUBLIC NOTICE

At its regular meeting of December 9, 2019, the City Council of the City of New Braunfels, Texas, approved the following amendment to the Code of Ordinances:

ORDINANCE # 2019-88: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 126, TRAFFIC AND VEHICLES, SECTION 126-41, TEMPORARY CLOSING OF STREETS FOR EVENTS; ADDING AND AMENDING SECTIONS 126-396 TO 126-416, THE DOWNTOWN SPECIAL EVENT/STREET CLOSURE ORDINANCE; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

ORDINANCE # 2019-89: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 118, PLATTING, TO IMPLEMENT CHANGES REQUIRED PURSUANT TO HB 3167 APPROVED IN THE 86TH TEXAS LEGISLATIVE SESSION, STREAMLINES PLATTING AND MASTER PLAN PROCESSES, AND MAKE OTHER RELATED MINOR EDITS AND CORRECTIONS, REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

ORDINANCE # 2019-90: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF NEW BRAUNFELS AS A REINVESTMENT ZONE FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE TO BE KNOWN AS TAX INCREMENT REINVESTMENT ZONE NUMBER TWO (2), CITY OF NEW BRAUNFELS; DESCRIBING THE PROPERTY PARCELS INCLUDED IN THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

Done by order of the City Council of the City of New Braunfels, Texas, this the 9th day of December 2019. PATRICK ATEN, CITY SECRETARY.
At its regular meeting of December 9, 2019, the City Council of the City of New Braunfels, Texas, approved the following amendment to the Code of Ordinances:

ORDINANCE # 2019-88: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW Braunfels, Texas, AMENDING THE NEW BRAINTFELS CODE OF ORDINANCES, CHAPTER 126, TRAFFIC AND VEHICLES, SECTION 126-41, TEMPORARY CLOSING OF STREETS FOR EVENTS; ADDING AND AMENDING SECTIONS 126-396 TO 126-416, THE DOWNTOWN SPECIAL EVENT/STREET CLOSURE ORDINANCE; PROVIDING A SAVINGS CLAUSE AND AN EFFECTIVE DATE.

ORDINANCE # 2019-89: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BraNFELS, Texas, AMENDING THE NEW BRAINTFELS CODE OF ORDINANCES, CHAPTER 118, PLATTING, TO IMPLEMENT CHANGES REQUIRED PURSUANT TO HB 3167 APPROVED IN THE 86TH TEXAS LEGISLATIVE SESSION, STREAMLINE PLATTING AND MASTER PLAN PROCESSES, AND MAKE OTHER RELATED MINOR EDITS AND CORRECTIONS, REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

ORDINANCE # 2019-90: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BraNFELS, Texas, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY OF NEW BRAINTFELS AS A REINVESTMENT ZONE FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE TO BE KNOWN AS TAX INCREMENT REINVESTMENT ZONE NUMBER TWO (2), CITY OF NEW BRAINTFELS; DESCRIBING THE PROPERTY PARCELS INCLUDED IN THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; ESTABLISHING A TAX INCREMENT FUND FOR THE ZONE; CONTAINING FINDINGS AND PROVISIONS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

Done by order of the City Council of the City of New Braunfels, Texas, this the 9th day of December 2019. PATRICK ATEN, CITY SECRETARY.