

CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** February 26, 2024

SUBJECT: Consider Ordinance 3843; public hearing to consider text revisions and amendments to Chapter 118 - Zoning, Article V, Division 5, as well as Chapter 10 – Amusements and Entertainment of the North Richland Hills Code of Ordinances regarding proposed amendments to combine provisions addressing community and special events, including garage/estate sales.

PRESENTER: Stefanie Martinez, Director of Neighborhood Services

SUMMARY:

The Neighborhood Services Department recognized the need to place all special event and garage sale ordinance references into one section of the Code of Ordinances to eliminate any misunderstanding of requirements and ensure compliance. Additionally, both private businesses and non-profit organizations have requested variances to the number of events allowed or the duration events may be held.

Property owners and estate sale organizers have also requested flexibility regarding the duration and frequency of their sales. Staff has also been asked to clarify estate sale versus garage sale as there is no reference or definition to estate sale in the current Code of Ordinances.

GENERAL DESCRIPTION:

The Neighborhood Services Department and Legal staff have prepared revisions to Chapter 10, Amusements and Entertainments of the Code of Ordinances. This revision creates a new section specifically related to community events as well as garage/estate sales. As part of this revision, the standards currently included in the zoning ordinance would be moved to the new community events section. The standards in the zoning ordinance would be deleted to avoid conflicts between Chapter 10 and Chapter 118 of the Code.

Garage sale revisions include:

- combining garage and *estate sale* to a single definition;
- allowing for 2 sales per calendar year and removing the requirement to hold each sale 180 days apart;
- increasing the number of days for each sale from 2 to 4;
- clarifying that food products or prepared items that would require a food establishment permit may not be sold;



- clarifying that no new merchandise may be sold;
- allowing for additional signage with permit number and property owner placement approval;
- proving that signs may not be placed within the right-of-way;
- fees for garage/estate sales remain unchanged;

Special event revisions include:

- removing temporary events from Ch 118 (Zoning) and placing them within Ch 10 (Amusements and Entertainment)
- increasing number of events from one per year and allowing for each event to be held for a maximum of 14 consecutive calendar days while the total number of events days in a calendar year may not exceed 30;
- event organizer must notify other tenants of the event if the event is held within a multi-tenant building;
- events shall not operate before 8 a.m. and must cease before 11 p.m. except Saturdays when event must end by 11:59 p.m.;
- one employee of the sponsoring business must be on site during event;
- non-profit organizations are limited to 8 temporary outdoor events per calendar year per organization including a maximum of 1 circus/carnival;
- providing for an appeal to City Council instead of Planning & Zoning Commission;
- no limitation of maximum number of events that maybe held if sponsored by a school (public, private or charter) church or civic organization;
- establishes a special event permit fee of \$150 per event which may be waived for events sponsored by NRH a school (public, private or charter) or civic organization.

RECOMMENDATION:

Approve Ordinance 3843.