

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 6, ARTICLE I, SECTION 6-8 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, ENTITLED “SALE OR CONSUMPTION ON CITY PROPERTY”; AMENDING CHAPTER 42, ARTICLE VI, SECTION 42-193 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, ENTITLED “APPLICATION PROCEDURE”, ADDING A PROVISION RELATING TO BEER AND WINE AT SPECIAL EVENTS; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND, PROVIDING AN EFFECTIVE DATE.

WHEREAS, in the 2018 National Parks and Recreation’s report: “Americans’ Engagement with Parks”, it was noted that sixty-two percent (62%) of one thousand (1,000) adult respondents go to parks to be with family or friends; and

WHEREAS, focusing on these statistics and the continued engagement of the community, the Jersey Village Parks and Recreation Department (the “Parks Department”) has found that adult activities are a continued desire of the citizens of Jersey Village, and as a result, the Parks Department has planned adult activities for the community; and

WHEREAS, because these activities are adult in nature, the Parks Department recommends amending the Code of Ordinances in order to allow for the sale and consumption of alcohol on City property at events holding a special events permit; and

WHEREAS, the City Council of the City of Jersey Village now deems that such requested amendments are appropriate to grant; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE:

SECTION 1. THAT, the City Council of the City of Jersey Village, Texas (the “City Council”) hereby finds and determines that the statements set forth in the preamble of this Ordinance are true and correct and are incorporated herein for all purposes.

SECTION 2. THAT, the Code of Ordinances, City of Jersey Village, Texas is hereby amended by adding a section, to be numbered 6-8(d), which section reads as follows:

“(d) Beer and wine may be served and consumed in the city parks as part of an event that holds a special event permit as issued according to Chapter 42 of this Code.”

SECTION 3. THAT, the Code of Ordinances, City of Jersey Village, Texas is hereby amended by adding a section, to be numbered 42-193(c), which section reads as follows:

“(c) If Beer and wine will be served by a third party who is not the applicant of the special event permit, a separate sub-application will be required with the following information:

- (1) The name, address, e-mail, and cell phone number of the on-site coordinator who is the individual who will be present at the special event and can be contacted by the city on the day(s) of special event, including by the cell phone number listed on the application;
- (2) A copy of the requisite license from the Texas Alcoholic Beverages Commission, if applicable;
- (3) Proof of appropriate Harris County Health Department inspections and permits;
- (4) A certificate of insurance naming the City of Jersey Village as an additional insured, providing protection of not less than \$1,000,000 for liability of damages to property and protection, and of not less than \$1,000,000 for protection of injury to the death of one or more persons in a single accident or occurrence; and,
- (5) Any other information deemed necessary by the city manager or designee.”

SECTION 4. THAT, any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed two thousand dollars (\$2,000), with each day of violation constituting a separate offense.

SECTION 5. THAT, in the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent or ordinances jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and, the City Council declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

SECTION 6. THAT, the City Council hereby directs the City Secretary to publish the caption of the Ordinance as required under and according to State law.

SECTION 7. THAT, this Ordinance shall be in full force and effect upon the date of its passage by the City Council.

PASSED AND APPROVED THIS 16th DAY OF MARCH 2020.

S/ANDREW MITCHAM, MAYOR

ATTEST:

S/LORRI COODY, CITY SECRETARY

