

**CITY OF GRANDVIEW
ORDINANCE NO. 2021-0805B**

AN ORDINANCE AMENDING ARTICLE 1 "IN GENERAL," OF CHAPTER 46, "STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES," OF THE CODE OF ORDINANCES TO ADD A NEW SECTION 46-6 TO ALLOW FOR ADMINISTRATIVE APPROVAL OF TEMPORARY STREET CLOSURES FOR PARADES, SPECIAL EVENTS, OR OTHER PURPOSES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Grandview is a type A general law municipality located in Johnson County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City maintains authority and control over all city streets, and the City Council currently must act to approve any temporary street closure for any special event, parade, or other purpose; and

WHEREAS, the City Council desires to delegate its authority to the City Manager to administratively approve such temporary street closures; and

WHEREAS, the City Council desires to adopt this ordinance to add a new Section 46-6 to the Code of Ordinances to provide for such administrative approval of temporary street closures for such special events.

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

SECTION 1.

That Article 1 "In General," of Chapter 46, "Streets, Sidewalks, and other Public Places," of the Code of Ordinances is hereby amended to add a new Section 46-6, "Administrative Approval of Temporary Street Closures," to read as follows:

"Sec. 46-6. - Administrative Approval of Temporary Street Closures

- (a) Any request for temporary closure of all or any portion of any city public right-of-way or portion of city public right-of-way for a parade, special event, or any other purpose (a temporary street closure) shall be considered by the City Manager for administrative approval.
- (b) The City Manager shall consider the request for temporary street closure, and may administratively approve the request for temporary street closure. Alternatively, the City Manager may choose to send any request for temporary street closure to the City Council for consideration and action.
- (c) If the City Manager denies administrative approval of the request for

temporary street closure, the applicant may appeal the decision to the City Council by filing a written appeal to the City Secretary within three (3) days of the denial. The decision of the City Council shall be final.

- (d) The City Manager and the City Council shall consider the duration, location, time-of-day of the proposed closure, whether and the amount of any City equipment, personnel or other resources are needed for the closure, and whether the requestor is willing to reimburse the City for any costs incurred in effectuating the closure.”

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Grandview, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

All rights and remedies of the City are expressly saved as to any and all ordinances concerning city streets and other public rights-of-way which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 5.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED by the City Council of the City of Grandview, Texas, on this
the 5th day of August, 2021.

CITY OF GRANDVIEW



Zachary Stewart, Mayor

ATTEST:



Karen Fuller, City Secretary