



SEASONAL & SPECIAL EVENT PARKING APPLICATION DEVELOPMENT SERVICES DEPARTMENT

Planning and Development Division
3015 Market Street, Galveston, TX 77550

409/797-3660

planningcounter@galvestontx.gov
www.galvestontx.gov

I. PROPERTY INFORMATION – *Please provide the following information for each parking lot location proposed under this application. Attach additional pages if necessary.*

Special Event	Lot Address	No. of Spaces	Date(s) of Operation

II. APPLICANT INFORMATION

Applicant/Representative Name

Telephone

Mailing Address

E-mail Address

Applicant Signature

Date

Property Owner Name

Telephone

Mailing Address

E-mail Address

Printed Name and Signature of Property Owner
or Designated Agent

Date

III. APPLICANT CHECKLIST – *All of the following items must be included:*

Fees – *Payable to the City of Galveston*

- Application Fee: \$1,000.00 for seasonal parking lots (March 1st through September 30) **or** \$100.00 per address per weekend (all other special events) (Ord. 21-030, 07/26/2021)
- Site Plan: to scale, showing parking lanes and spaces, property lines, signage location, and trash receptacles;
- Copy of State Sales and Use Tax License
- Copy of Commercial general liability insurance declarations page

IV. ACKNOWLEDGEMENTS

_____ I certify that I have full authority to make this application, and that all information provided is correct and complete to the best of my knowledge and ability.

Please read and initial below:

_____ I certify that I have reviewed and understand the applicable regulations relating to temporary and seasonal parking permits, City of Galveston Ordinance 21-030. I further certify that I accept that this/these permit(s) may be revoked at any time for violation of said regulations;

_____ I certify that on-site attendants shall be present for all hours of operation;

_____ I certify that one (1) trash container shall be provided on-site for every twenty (20) parking spaces, and that these will be property emptied and trash disposed of daily and as needed;

_____ I certify that the hours of operation shall conform to this application, and that overnight parking shall not be permitted under any circumstances;

_____ I certify that signage shall comply to the attached signage plan, and shall conform to Article 5 of the City of Galveston Land Development Regulations in regards to number of signs, size, materials, and placement. I certify that hours of operation shall be displayed on the signs;

_____ By signing this application, I affirm and agree that the permit holder, property owner, and all users shall indemnify and hold harmless the City of Galveston for any and all civil liability associated with said permit, waive any and all rights to sue, or allow subrogation by an insurance company.

By signing this application, I acknowledge and agree to all the above.

Printed Name and Signature of Applicant

Date

DEPARTMENTAL USE ONLY

_____	_____	_____
Planning/Permit Agent	Date	Address and Permit Number
_____	_____	_____
	Date	Address and Permit Number
_____	_____	_____
	Date	Address and Permit Number

Fees Collected:
 Application Fee: \$1,000.00 per address (seasonal) **or** \$100.00 per address per weekend

ORDINANCE NO. 21-030

AN ORDINANCE OF THE CITY OF GALVESTON, TEXAS, AMENDING "THE CODE OF THE CITY OF GALVESTON 1982, AS AMENDED", CHAPTER 19, "LICENSES, PERMITS AND BUSINESS REGULATIONS"; TO AMEND REGULATIONS, PROCEDURES, AND/OR DEFINITIONS PERTAINING TO REQUIREMENTS FOR THE OPERATION OF TEMPORARY AND SEASONAL PARKING LOTS; TO MAKE CLARIFICATIONS, RENAME, RENUMBER AND REARRANGE THE CHAPTER AS APPLICABLE; PROVIDING FOR PENALTIES AND FEES; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, staff has reviewed various Chapters of the City Code, including Chapter 19, "Licenses, Permits and Business Regulations, pertaining to temporary parking lot regulations. Staff recommends amending the regulation for the operation of temporary and seasonal parking lots to address temporary and seasonal parking lot requirements, permits, fees, and health and safety requirements; and,

WHEREAS, the recommendations will further address the City's ability to provide a requested service to address the limitations of available parking during periods of increased tourism and vehicular traffic and the subsequent need of additional parking; and,

WHEREAS, the ability of owners to use their vacant/unencumbered lots to park vehicles during an influx of vehicles to the city will decrease congestion, and will have a positive impact on the parking dilemma in the city; and,

WHEREAS, the Department of Development Services is designated as the department to process the temporary or seasonal parking lot permits; and,

WHEREAS, the office of the City Marshal is designated as the department to regulate the temporary or seasonal parking lot areas; and,

WHEREAS, the City Council deems it in the public's interest to amend the Code of the City of Galveston 1982, as amended", Chapter 19, "Licenses, Permits and Business Regulations" pertaining to requirements for the operation of temporary and seasonal parking lots, as provided in **Section 2** below.

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

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. Chapter 19, "Permits" of "The Code of The City of Galveston 1982, as amended," is amended as follows:

Sec. 19-58. Temporary and Seasonal Parking Lot Permits.

(a) Definitions.

As used in this Article, the following terms shall have the meanings respectively ascribed to them in this section.

A *temporary* parking lot shall mean a non-residential parking lot that does not ordinarily charge a fee for parking and operates within a 72 hour time frame.

A *seasonal* parking lot shall mean a non-residential parking lot which does not otherwise ordinarily charge a fee for parking that operates during the seasonal time frame.

A *seasonal time frame* shall be described as the time from March 1 to September 30 of calendar each year.

A *special event* shall mean to *include*: an event as designated by city ordinance, a city holiday, a sanctioned promoted event occurring in the city that requires a special events permit, and as may be required by the City Manager or designee.

(b) Permit Required.

It shall be unlawful for any person to intentionally or knowingly operate a temporary or seasonal parking lot without a valid and current permit.

A temporary or seasonal parking lot permit may be obtained from the Department of Development Services or as determined by the City of Galveston.

(c) Application Requirements.

An Applicant shall complete the city permit application form and provide proof of the following:

- i. Name and address of the applicant property owner,
- ii. If the applicant is not the property owner, proof of consent from the property owner to operate the property as a parking lot. Contact information for the property owner is required,
- iii. Site address or location of the Lot and where vehicles will be parked,
- iv. Dates requested of each event. A temporary parking lot permit cannot exceed 72 hours or another application and/or fee will be required. An event that occurs on differing weekends (for example Mardi Gras) will require an application and/or fee for each weekend that the event is held,
- v. A Site Plan to include, but may not be limited to the following:

1. The lot showing the layout and number of parking spaces to be approved.
2. Display of the ingress and egress to the lot taken from roadways.
 - a. Access from Seawall Blvd should be avoided.
3. Provision for one trash receptacle per 20 parking spaces, or a fraction thereof;
 - a. Trash receptacle must be covered so as to prevent the blowing or spillage of trash outside the receptacle;
 - b. Trash receptacle must be firmly affixed to the ground to prevent the tipping over or blowing away;
 - c. Trash receptacle must be able to be removed at the close of each event or end of each 72 hour time frame (if temporary permit) or at the end of each season (seasonal permit) time frame;
 - d. A trash receptacle must be able to be removed within 24 hours during a declared emergency if requested by the City.
4. Insurance required. Each person, corporation, individual or entity which operates a temporary or seasonal parking lot, shall maintain a policy of general liability insurance written by an insurance company licensed to do business in the State of Texas. Proof of such insurance shall be provided to the Department of Development Services.
5. Signage plan in accordance with operation procedures herein.
6. Proof of a state sales tax certificate.
7. The Applicant and/or owner shall read, affirm and sign that the permit holder and any user shall indemnify and hold harmless the City of Galveston for any and all civil liability associated with said permit, waives any and all rights to sue, or allow subrogation by an insurance company.
8. Payment of applicable fees.
9. Other information which the city may require.

(d) Fees.

- i. A temporary parking lot permit is one hundred dollars (\$100.00), per each event applied for.
- ii. More than one event may be applied for per application form; however, each event applied for is a fee of one hundred dollars.

- iii. Events that occur on different event dates/weekends such as Mardi Gras will be considered separate events and will require payment of a separate permit fee.
- iv. A seasonal parking lot permit is one thousand dollars (\$1,000.00), per season.
- v. A seasonal parking lot permit shall be effective for one (1) seasonal year, regardless of date of application.

(e) Operational Requirements.

- i. The applicant shall display on site the permit for the temporary or seasonal parking lot.
- ii. The applicant shall provide on-site staff to collect fees and operate/manage the parking lot area.
- iii. The applicant shall service the trash receptacles as needed but not less than daily.
- iv. Signage shall be portable, sandwich-board type in accordance with LDR Article 5 and shall be removed daily.
 - 1. Hours of operation must be visible on the signage.
- v. The applicant shall not exceed the hours of operation.
- vi. Overnight vehicular parking or camping is not allowed.

(f) Revocation.

The permit may be revoked if:

- i. The owner or applicant fails to abide by the rules and regulations of this chapter.
- ii. There is a Declaration of Emergency/Disaster.

(g) Transfer.

The permit is not transferable. Upon any new ownership, the new owner must obtain a permit to operate the parking lot area and pay the applicable permit fees.

(h) Penalty.

The violation of any provision of this section shall be unlawful and a misdemeanor offense punishable by a fine not exceeding five hundred dollars (\$500.00). Each day a violation continues shall constitute a separate offense.

Sec. 19-59 - Appeal process.

An applicant or permit holder may appeal the denial of an application or the revocation of a permit by the director's designee to the Director of the Department of Development Services.

The appeal must be submitted to the Director in writing not later than the tenth day after receipt of notice of the adverse action.

The Director shall hold an informal hearing on the appeal not later than the tenth day after the appeal is received. At the hearing the formal rules of evidence do not apply. The director shall decide the appeal on the basis of the preponderance of the evidence presented.

The Director shall make a determination of the appeal not later than the tenth day after the hearing. The director may affirm, reverse, or modify the previous determination.

The decision of the Director on appeal may be appealed to the City Manager, or designee under the same procedure described above. The decision of the City Manager or designee is final.

Sec. 19-58.—Temporary parking lot permits.

(a) — It shall be unlawful for any person to intentionally or knowingly operate a temporary parking lot during the regularly scheduled weekends of special events without a valid permit.

(b) — A temporary parking lot shall mean a parking lot that does not ordinarily charge a fee for parking.

(c) — An applicant for a temporary permit must complete a temporary parking permit application, provide proof of consent to operate from the property owner (if the applicant is not the property owner), and pay a fee as established by city council.

(d) — An applicant for a temporary seasonal permit beginning the first Friday of March through Labor Day weekend must complete a temporary seasonal parking permit application, provide proof of consent from the property owner to operate on the property (if the applicant is not the property owner), and pay a fee as established by the city council.

(e) — The violation of any provision of this section shall be unlawful and a misdemeanor offense punishable for a fine not exceeding five hundred dollars (\$500.00). Each day a continuing violation exists shall constitute a new and separate offense.

Sec. 19-59 — Appeal process.

Should the applicant be aggrieved by the decision of the city to deny a permit request, a letter requesting an appeal hearing must be submitted to the director of development services department within ten (10) days of the city's decision.

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

SECTION 5. All Ordinances of general and permanent nature, and amendments to such Ordinances, hereinafter adopted by the City Council, shall be drafted, so far as possible, as specific amendments of, or additions to, this Code. Amendments to this Code are intended for publication to the Galveston City Code. The Codifier is authorized pursuant to the Galveston City Code to make non-substantive changes to the Ordinance prior to publishing.

SECTION 6. In accordance with the provisions of Sections 12 and 13 of Article II of the City Charter this Ordinance has been publicly available in the office of the City Secretary for not less than 72 hours prior to its adoption; that this Ordinance may be read and published by descriptive caption only.

SECTION 7. This Ordinance shall be and become effective on, from and after its adoption and publication in accordance with the provisions of the Charter of the City of Galveston.

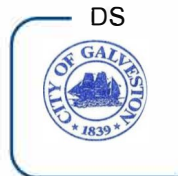
APPROVED AS TO FORM:

Donna Fairweather

DONNA M. FAIRWEATHER
ASSISTANT CITY ATTORNEY

I, Janelle Williams, Secretary of the City Council of the City of Galveston, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of Galveston at its Regular meeting held on July 22, 2021, as the same appears in records of this office.

IN TESTIMONY WHEREOF, I subscribe my name hereto officially under the corporate seal of the City of Galveston this 26th day of July, 2021.



DocuSigned by:
Secretary for the City Council
Of the City of Galveston