

## Item G-1

Consider an ordinance approving an amendment to the City of Keller Code of Ordinances Chapter 10 – Miscellaneous Provisions by amending Article VIII – Noise Ordinance; providing a repealing clause; providing a maximum penalty of \$200.00; providing a severability clause; and establishing an effective date.

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## Staff Recommendation

### Sec. 10-1300. - Definitions.

(e) *Commercial district.* A district as described in the City of Keller Unified Development Code for uses **that may or may not include ~~other than~~ residential uses**. Examples of this district would include, but are not limited to, O, NS, R, TC, C, IP, LI, PD, SUP, OTK, N377 and KATY ROAD.

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## Staff Recommendation

### Sec. 10-1310. - Noise nuisances.

(11) *Commercial establishments adjacent to residential property districts*: Businesses and public spaces in a Commercial District shall only be allowed to have an outdoor band, music or any type of amplified sound according to the following schedule:

Monday: Between 10:00 a.m. to ~~11:00 p.m.~~ 10 p.m.

Tuesday: Between 10:00 a.m. to ~~11:00 p.m.~~ 10 p.m.

Wednesday: Between 10:00 a.m. to ~~11:00 p.m.~~ 10 p.m.

Thursday: Between 10:00 a.m. to ~~2:00 a.m.~~ 12:00 a.m. the following Friday morning

Friday: Between 10:00 a.m. to ~~2:00 a.m.~~ 12:00 a.m. the following Saturday morning

Saturday: Between 10:00 a.m. to ~~2:00 a.m.~~ 12:00 a.m. the following Sunday morning

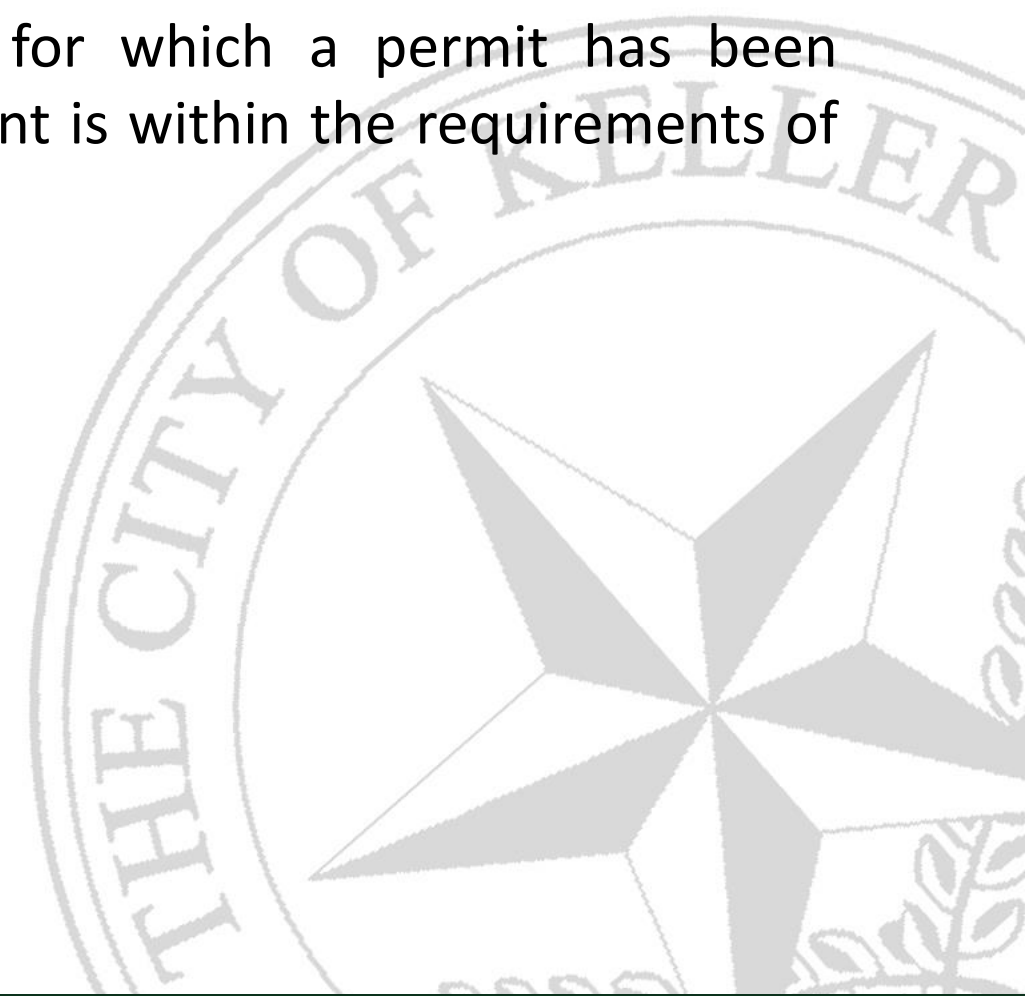
Sunday: Between 10:00 a.m. to 11:00 p.m.

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## Special Event Permit

### Sec. 10-1330. - Affirmative defenses.

(7) A public performance, gathering, or parade for which a permit has been obtained from the City of Keller, so long as the event is within the requirements of the permit



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### Public Input:

Amendments to the Code of Ordinances do not require a Public Hearing. The public had an opportunity to speak on this agenda item during “Persons to Be Heard.”

Staff reached out to all restaurants/bars in the Old Town Keller zoning district that are known to host live music prior to the Aug. 2 City Council meeting and received opposition from one property owner; two business owners spoke against the proposed changes at the Aug. 2 meeting. City Council tabled the item to allow more time for input from the public and local business owners.

The proposed amendments have been updated to reflect feedback received since the Aug. 2 meeting.

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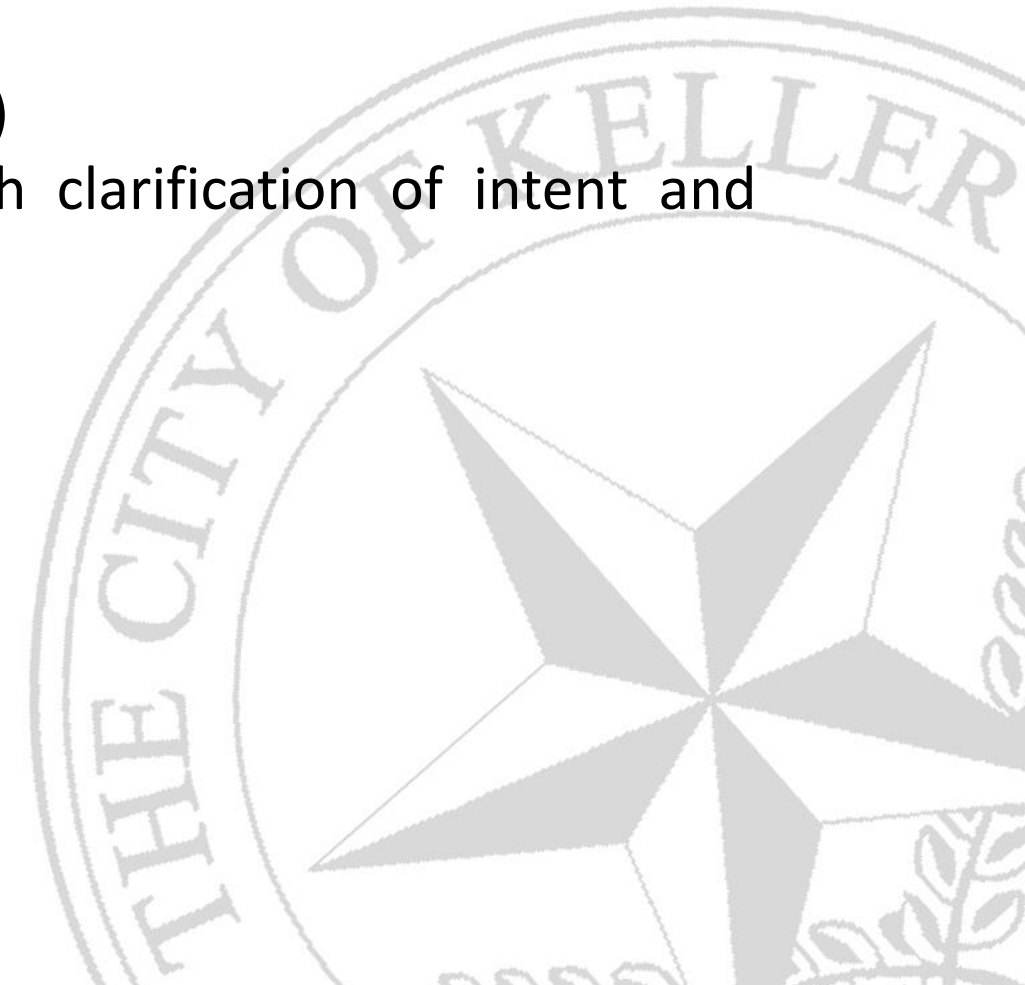
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### City Council Options:

- Approve as submitted
- Approve with modified or additional condition(s)
- Table the agenda item to a specific date with clarification of intent and purpose
- Deny





**Questions?**

**Julie Smith**

**Director of Community Development**

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