

RESOLUTION 2013-18

**A RESOLUTION OF THE CITY OF LA FERIA, TEXAS
AUTHORIZING A MORATORIUM ON THE ISSUANCE OF
BUILDING PERMITS, BUSINESS LICENSES, SPECIAL USE
PERMITS AND CERTIFICATES OF OCCUPANCY TO BE USED
FOR THE CONSTRUCTION OR OPERATION OF BUSINESSES
DESIGNED TO OPERATE GAME HALLS INVOLVING “EIGHT-
LINERS” AND/OR SIMILAR TYPES OF LEVEL 1 GAMING
DEVICES WITHIN THE CITY LIMITS OF LA FERIA.**

WHEREAS, the City of La FERIA, Texas, has in recent years experienced substantial growth and the influx of many diverse types of businesses and for-profit ventures; and

WHEREAS, part of such growth has included proposals for Game Halls and other comparable types of gaming operations which provide payment of any goods or money as part of such operations through the use of Level 1 Gaming Devices as such term is defined in 4.13.002 of the La FERIA Code of Ordinances; and

WHEREAS, the combined effect of this type of rapidly increasing activity and operation has brought to the attention of the City’s planning and zoning departments, as well as law enforcement and safety officers, that there are certain unique safety and planning concerns that arise in connection with these types of businesses; and

WHEREAS, some of these issues include such safety related items as electrical wiring, fire escape access, parking configuration and spacing requirements, traffic flow patterns and the increased requirement for security details, patrols and other law enforcement resources; and

WHEREAS, the City of La FERIA, Texas, has the obligation to insure orderly, organized community planning and development; and

WHEREAS, as prescribed by the Texas Constitution and the La FERIA City Charter, the City of La FERIA has the authority, and corresponding duty, to ensure safe and consistent community growth and economic development; and

WHEREAS, it is now necessary for the future development and governmental planning of the City to place a moratorium on the issuance of building permits, business licenses, special use permits and certificates of occupancy for Game Halls involving the use of Level 1 Gaming Devices; and

WHEREAS, the City of La FERIA, Texas does hereby recognize and pass this resolution in support of a moratorium on the issuance of building permits, business licenses, special use permits and certificates of occupancy for any type of Game Hall that operates Level 1 Gaming Devices; and

WHEREAS, the City Commission of the City of La Feria, acting pursuant to the powers given it by the City Charter and the Constitution of the State of Texas, hereby resolves to cease and desist the current practice that provides for the issuance of building permits, business licenses, special use permits or certificates of occupancy related to any Game Hall including Level 1 Gaming Devices;

NOW, THEREFORE, UPON THE PASSAGE OF THIS RESOLUTION, IT IS HEREBY RESOLVED that the City of La Feria, Texas hereby places a moratorium upon the issuance of all building permits, business licenses, special use permits or certificates of occupancy of any kind that could be used to authorize the creation or construction of any new Game Halls as the term is defined in the La Feria Code of Ordinances which include the operation of any Level 1 Gaming Devices as the term is defined in the La Feria Code of Ordinances.

PASSED AND APPROVED ON THIS THE 14TH DAY OF MAY 2013.

APPROVED:



Steve Brewer, Mayor

ATTEST:



Olga Oberwetter, City Secretary

APPROVED AS TO FORM:



Richard S. Talbert, City Attorney