

## Legislation Details (With Text)

<b>File #:</b>	18-696	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Individual Item Ready
<b>File created:</b>	11/13/2018	<b>In control:</b>	City Council
<b>On agenda:</b>	11/26/2018	<b>Final action:</b>	
<b>Title:</b>	Discuss and consider approval of the second and final reading of an ordinance amending Chapter 86, Article 1, Section 86-14 of the Code of Ordinances increasing the cooler sizes allowed on the Comal and Guadalupe Rivers within the city limits.		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance Amendments 86-14 Cooler Size		

Date	Ver.	Action By	Action	Result
11/26/2018	1	City Council		

Presenter/Contact

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**SUBJECT:**

Discuss and consider approval of the second and final reading of an ordinance amending Chapter 86, Article 1, Section 86-14 of the Code of Ordinances increasing the cooler sizes allowed on the Comal and Guadalupe Rivers within the city limits.

**BACKGROUND / RATIONALE:**

**City Council unanimously passed the first reading of this ordinance, with revisions, on November 12, 2018.**

In 2007, Ordinance 2007-13 was adopted restricting the size of a cooler to 16 quarts or less on both the Comal and Guadalupe Rivers inside the City limits. That ordinance was challenged and ultimately combined with the disposable container ordinance lawsuit. The Texas Supreme Court recently ruled in the City's favor and therefore, the cooler-size ordinance will continue to be enforced.

One of the issues identified during the 2018 river season was the overly-restrictive size limits for coolers. Since the ordinance was passed in 2007, the non-disposable container industry has expanded and there are multiple varieties and sizes. Expanding the cooler size to 30 quarts will allow these disposable containers to be better packed and stored by river-goers. However, it is important that the cooler size remain manageable enough to be carried by one person up the stairs at the Last Tuber's Exit so as not to impede traffic.

Therefore, based on conversations with outfitters and with the recommendation of the River Manager, staff presented to the River Advisory Committee a proposal to increase the size to 30

quarts. The River Advisory Committee unanimously recommends that the cooler size be increased to 30 quarts.

At City Council's direction, "cooler" has been expanded to include any type of receptacle so that no cooler, container or receptacle can exceed 30 quarts.

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

N/A

**FISCAL IMPACT:**

N/A

**COMMITTEE RECOMMENDATION:**

The River Advisory Committee unanimously recommends that the cooler size be increased to 30 quarts.

**STAFF RECOMMENDATION:**

Staff believes this is a reasonable accommodation and recommends City Council approval.