

ORDINANCE NO. 1037-08-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HONDO, TEXAS, AMENDING CHAPTER 4 "BUSINESS REGULATIONS" ARTICLE 4.04 "PEDDLERS, SOLICITORS AND HANDBILL DISTRIBUTORS" BY ADDING SECTION 4.04.002.1 "USE OF PRIVATE PROPERTY"

WHEREAS, the City of Hondo (the "City"), a home-rule city, is by State law and Charter permitted to establish ordinances to protect the health, safety and general welfare of its residents;

WHEREAS, the City Council of the City of Hondo finds that it is in the best interests of the citizens to regulate peddlers, solicitors, canvassers and vendors within the City;

WHEREAS, protecting private residents of the City from unwanted annoyance of peddlers, solicitors, canvassers and vendors protects the peace in the community;

WHEREAS, requiring peddlers, solicitors, canvassers and vendors to obtain written permission from the private property owner prior to operate on said property and provide said acknowledgment with their permit application, will deter unapproved and inappropriate conduct; and

WHEREAS, the City has no desire to interfere with free speech, open dialogue and exchange of opinion; and

WHEREAS, the Hondo City Council finds that for the preservation of the public health, safety and welfare of the citizens of the City a revision to Article 4.04 to include a section to obtain the private property owner's written permission to operate on said private property is necessary.

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

Section 1. Article 4.04 "Peddlers, Solicitors and Handbill Distributors" is hereby amended to add the following section:

**4.04.002.1 Use of Private Property**


Peddlers, solicitors, canvassers and vendors may operate on private property where the property is properly zoned, only if the operator receives written permission from the property owner for the use of the property, and the written permission is submitted with the permit application.

Section 2. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. EFFECTIVE DATE

This ordinance shall take effect on August 25, 2014.

  
JAMES W. DANNER, MAYOR

ATTEST:

  
Gloria Colbath, City Secretary

