

ORDINANCE NO. #002-06

**AN ORDINANCE OF THE CITY OF DE LEON, TEXAS,
PROVIDING RESTRICTIONS FOR VENDORS TO PARK
TRAILERS AND VEHICLES ON THE WEST SIDE OF NORTH
HOUSTON; BETWEEN GONZALES AND REYNOSA.**

WHEREAS, the parking of vendor trailers and vehicles on the west side of North Houston, between Gonzales and Reynosa, which creates safety hazards

WHEREAS, the City of De Leon is restricting all Vendor parking on the West side of North Houston Street; located between Gonzales and Reynosa.

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

SECTION 1: FINDINGS: The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

SECTION 2: VENDORS: The word “vendor,” as used in this Ordinance, shall mean any person, whether a resident of this City or not, parked for the purpose of selling or soliciting for sale goods, wares, merchandise, or agricultural products produced or processed in this State.

SECTION 3: REFUSAL TO LEAVE PREMISES: Any vendor of goods or merchandise who parks on the west side of North Houston Street willfully refuses to leave said premises after having been notified to leave the same shall be deemed guilty of a Class C misdemeanor.

SECTION 4: RESTRICTIONS: It shall be unlawful for any vendor to park in front of any property when the same is posted with a sign stating “NO VENDOR PARKING ALLOWED” or other words to such effect.

SECTION 5: LIMITATIONS ON LOCATION: No vendor or itinerant vendor shall have any exclusive right to any location on a public street, nor shall any vendor be permitted a stationary location, nor shall be permitted to operate in any congested area where the operation might impede or inconvenience the public. For the purpose of this Section, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested or the public impeded or inconvenienced.

SECTION 6: PENALTY: Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not more than five hundred dollars (\$500.00). Each transaction in violation of any of the provisions hereof shall be deemed a separate offense.

SECTION 7: SEVERABILITY: If any provision of this ordinance is held invalid, the invalidity shall not affect other provisions which can be given effect without the invalid provision, and to this end the provisions of this ordinance are declared to be severable.

SECTION 8: OPEN MEETINGS: That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, Loc. Gov't. Code.

SECTION 9: EFFECTIVE DATE: This Ordinance shall take effect immediately upon its adoption by the City Council and publication as required by the Local Government Code.

PASSED AND APPROVED on this 26th day of January, 2006.

PASSED, APPROVED AND ADOPTED on this 9th day of February, 2006.

Jim Adams, Mayor

ATTEST:

Karen Wilkerson, City Secretary