

## **ORDINANCE NO. 09-0001**

**AN ORDINANCE OF THE CITY OF TRINITY, TEXAS, REGULATING STREET SOLICITATION ACTIVITIES IN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the City of Trinity, Texas (“the City”) is a General Law Municipality located in Trinity County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City Council has investigated and determined that commercial or noncommercial activity in or on any street, road, highway, or right-of-way within the limits of the City creates an imminent hazard or danger to the public health and safety; and

**WHEREAS**, the City Council has determined that this ordinance will increase public safety by reducing congestion at public street intersections and decreasing the danger to citizens who enter the streets or roadways at busy intersections; and

**WHEREAS**, nothing in this Ordinance is intended, or should be construed, to interfere with the exercise of legitimate First Amendment rights.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRINITY, TEXAS, THAT;**

**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:** It shall be unlawful for any pedestrian to stand, sit, or remain in or on any public street, road, highway, or right-of-way within the limits of the City so as to impede the flow of traffic or to create a potential hazard to public safety.

**SECTION 3:** Should any word, phrase, clause, or part of this ordinance be declared unconstitutional by a court of competent jurisdiction, the remaining portions of said ordinance shall remain in full force and effect and to such extent are declared severable.

**SECTION 4:** Should any provision or part of this ordinance be in conflict with any prior ordinance of the City of Trinity, or part thereof; such prior ordinance shall be repealed to the extent of such conflict and the language of this ordinance shall be controlling.

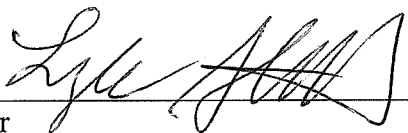
**SECTION 5:** A violation of this Ordinance shall constitute a class C misdemeanor, punishable by a fine not exceeding two hundred dollars (\$200.00).

**SECTION 6:** This ordinance shall take effect immediately upon its approval and passage and publication as required by law.

**ADOPTED AND APPROVED** on this the first reading, the 12<sup>th</sup> day of February, 2009.

**ADOPTED AND APPROVED** on this the second reading, the 12<sup>th</sup> day of March, 2009.

**CITY OF TRINITY, TEXAS**

  
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Mayor

ATTEST:

  
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City Secretary