



City of Pflugerville

Legislation Details (With Text)

File #: ORD-0489 **Version:** 2 **Name:**
Type: Ordinance **Status:** Approved
File created: 10/22/2019 **In control:** Police
On agenda: 11/12/2019 **Final action:**

Title: Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending Chapter 111, Peddlers and Solicitors, of the Code of Ordinances of the City of Pflugerville, Texas, by adding an exception for lemonade stands and adding a definition for arterial roadway; establishing a penalty of not more than \$500 per violation per day; and providing for severability and an effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance

Date	Ver.	Action By	Action	Result
11/12/2019	2	City Council	Approved on Second Reading	Pass
10/22/2019	1	City Council	Approved on First Reading	Pass

Approving an ordinance on second reading with the caption reading: An ordinance of the City of Pflugerville, Texas, amending Chapter 111, Peddlers and Solicitors, of the Code of Ordinances of the City of Pflugerville, Texas, by adding an exception for lemonade stands and adding a definition for arterial roadway; establishing a penalty of not more than \$500 per violation per day; and providing for severability and an effective date.

Mayor Pro Tem Peña requested that staff review ordinances concerning camping, loitering and panhandling. Staff has performed a review of the applicable ordinances and recommends that Chapter 111 be amended to provide an exception for lemonade stands and such as expressed in HB 234 which was effective on September 1, 2019, as well as the addition of a definition for arterial roadway to provide clarification.

During the 86th Legislature, legislation was approved (H.B. 234) regarding the Sale of Lemonade, providing that a city, county, or other local public health authority may not adopt or enforce an ordinance, order, or rule that prohibits, including by requiring a license, permit, or fee, the occasional sale of lemonade or other nonalcoholic beverages from a stand on private property or in a public park by an individual younger than 18 years of age.

Prior City Council Action

Chapter 111 was last amended on January 23, 2007 by Ordinance 858-07-01-23.

The City Council approved this ordinance on first reading on October 22, 2019.

Deadline for City Council Action

There is no deadline for action.

Funding Expected: Revenue ___ Expenditure ___ N/A

Budgeted Item: Yes ___ No ___ N/A

Amount: _____

1295 Form Required? Yes ___ No

Legal Review Required: N/A ___ Required Date Completed: October 15, 2019.

Supporting documents attached:

Ordinance

Recommended Action

Approve the ordinance on second and final reading amending Chapter 111, Peddlers and Solicitors.