



ORIGINAL

ORDINANCE NO. 2013-07-08-4

AN ORDINANCE OF THE CITY OF RANGER, TEXAS, PROVIDING FOR THE REGULATION OF PEDDLERS, SOLICITORS, SPECIAL EVENTS, OPEN AIR VENDORS, FOOD ESTABLISHMENTS, SEMI-PERMANENT FOOD ESTABLISHMENTS AND CERTAIN TEMPORARY VENDORS; PROVIDING DEFINITIONS; REQUIRING APPLICATIONS, PERMITS AND FEES; PROVIDING REGULATIONS AND PROHIBITIONS; PROVIDING A PENALTY CLAUSE AND SEVERABILITY; AND PROVIDING FOR RELATED MATTERS.

Whereas, the regulation and licensing of peddlers and solicitors, including temporary food establishments, mobile food establishments and semi-permanent food establishments, is necessary for the public health and safety;

Whereas, protecting private residents of the City from unwanted annoyance of solicitors or peddlers protects the peace in the community;

Whereas, requiring solicitors and peddlers to register may deter inappropriate conduct; and,

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

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

Section 1. Definitions. The following words, terms and phrases, when used in this Ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Food establishment" means coffee shops, cafeterias, short order cafes, restaurants, luncheonettes, day care centers, taverns, sandwich stand, BBQ stands, soda fountains and all other such eating or drinking establishments.

"Garage Sales" means and includes a bona fide sale commonly known as or advertised as garage sale, lawn sale, attic sale, rummage sale, or any similar casual sale of personal used goods or merchandise upon a residential property provided not more than one sale per four month period occurs upon the residential property which lasts not longer than two consecutive days.

"Mobile food establishment" means a food establishment operating from a vehicle or any portable structure on a trailer or wheels, that meets all the requirements of Texas Department of State Health Services; has received a permit to operate; has a properly licensed operator for the vehicle to be operated; the vehicle otherwise complies with the Rules of the Road; and that does not remain in any one location for a period of more than two (2) weeks.

"Noncommercial purpose or cause" means a purpose or cause not created, existing or espoused for the generation of profit or the remuneration of individuals, including, but not limited to, the religious or charitable solicitation of contributions, seeking political support or contributions, the promotion of civic causes, the promotion of conservation of resources or animals, advocating a philosophy or religion, or minors conducting fundraising activities, who represent an organization for the benefit of youths, including but not limited to Boy Scouts, Girl Scouts, little league groups, and school groups.

"Open Air Vendor" shall mean any person who engages in a commercial business within the City of selling, or offering for sale, any goods, merchandise or products, or exhibiting goods or merchandise for sale, or for the purpose of taking orders for the sale thereof, who displays, exhibits, sells, or offers for sale such goods, merchandise or services upon or from any vehicle, cart, stand, stall, tent, or other such structure similar structure, from, in or upon any private commercial or industrial premises or public property. The vending structure shall comply with the applicable zoning, building codes, and site development requirements of the City, when applicable. The term does not include peddlers, solicitors, or itinerant vendors who continuously move about from place to place and who do not occupy any particular parcel of private property as a permanent or stationary place for the conduct of their business. The term shall exclude authorized mobile food, seasonal food and temporary food establishments and garage sales compliant with the requirements of this Ordinance.

"Peddler" means any person, whether a resident of this city or not, who sells or offers for sale for immediate delivery any goods, merchandise, or products by carrying goods, merchandise or products from place to place, house to house, business to business, street to street, or upon public property. Transfer of payment at the time of sale or later is immaterial. The word "peddler" shall include the terms "solicitor", "itinerant vendor" and "commercial solicitor". This term shall not include individuals connected with a noncommercial purpose or cause or open air vendors.

"Solicitor" means any person who solicits or attempts to solicit the sale or conveyance of any order for services, commercial goods, wares, merchandise, subscriptions, publications, food or products to be delivered at a future date or time by soliciting from place to place, house to house, business to business, street to street, or upon public property.

"Permit holder" means any person holding a current permit or license issued pursuant to this Ordinance.

"Person" shall mean and include an individual human, partnership, co-partnership firm, company, limited liability partnership or other partnership or other such company, joint venture,

joint stock company, trust, estate, governmental entity, association or corporation or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

"Semi-permanent food establishment" means a food establishment operating at a fixed nonresidential location after having received a permit to operate for a specific period of time not to exceed one year, that operates from a trailer, stand or building which does not permit access to customers inside of the establishment.

"Services" shall mean the performance of labor for the benefit of another or at another's command.

"Temporary food establishment" means a food establishment operating for a temporary period in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

Section 2. Permit Required. It shall be unlawful for any peddler, solicitor, mobile food establishment, temporary food establishment or semi-permanent food establishment to engage in business within the city without first obtaining a peddler's permit from the City Secretary as provided in this Ordinance.

No permit shall be granted for a use at a fixed location which does not comply with the zoning district regulations for the fixed location upon which the use is proposed.

Section 3. Exceptions. The provisions of Section 2 shall not apply to the following upon private premises within the City or public property when specifically noted:

(a) Ordinary commercial travelers or salesmen, transacting business only at wholesale dealers or with dealers in such goods or in goods or services for use in manufacturing or commercial purposes;

(b) Sheriffs constables, bona fide assignees, receivers or trustees in bankruptcy or other public officers selling goods, wares and merchandise according to law;

(c) Solicitations, sales or distributions made for non-commercial purposes or causes, whether community service, charitable, educational or religious, shall not be required to obtain a permit. A mobile food establishment that is operated by a non-profit, community service or religious group to provide food to the elderly at no charge, such as meals-on-wheels, or other similar charitable operation shall be exempt from a permit under this exception;

(d) Newspaper carriers and newspaper vending machines, provided also vending machines may be located upon a public sidewalk immediately outside a commercial business in a location which does not interfere with pedestrians or public use of the sidewalk;

(e) Sales conducted pursuant to statute or by order of any court;

(f) Person or transactions associated with bona fide trade shows, exhibits, expositions or conventions where all transactions of purchase, sale or exchange are made in connection with such trade show, exhibit, exposition or convention and within the confines of the approved area of the trade show, exhibit, exposition or convention sites;

(g) Individual, one time only sale of personal property items sold by the owner thereof at his private residence or business or an auctioneer;

(h) Organized community and festival events held by authority of agreements or special permits issued by the City Council or held upon public premises or in or upon public parks under the auspices or sponsorship or within the regular administration of the parks and recreation department of the City;

(i) Authorized contractual concessions permitted upon City premises by agreement, lease or contract with the City duly authorized by the City Council;

(j) Delivery services to permanent established businesses in the City which operate on site and by agreement with or invitation of such individuals, industries or businesses;

(k) Garage sales on private property;

(l) An auctioneer conducting an auction of an estate or other similar auction shall be exempt from the permit requirements of this Ordinance provided the auction is conducted wholly on private property not more often than once in a six month period; and,

(m) Lemonade stands and similar activity conducted and operated entirely by children under the age of sixteen (16) years and upon the private residential premises of such children.

Section 4. Use of public places. (a) It shall be unlawful for any peddler, solicitor, mobile food establishment, temporary food establishment or semi-permanent food establishment, open air vendor or person to sell or solicit or take orders for or offer to sell or take orders for or display any goods, wares, merchandise, animals, photographs, newspapers, magazines, food, drink or confection on any public square, park, street, road, highway, alley, sidewalk or other public property within the limits of the city without having first obtained an appropriate permit authorizing the specific activity at such location as provided for in this Ordinance. Non-commercial purposes or causes shall be exempt from permit requirements.

(b) All semi-permanent food establishments must provide for off street parking. For semi-permanent food establishments located on property shared with another business, the parking area designated for the semi-permanent food establishment must not interfere with parking required for the principal use. A written agreement between the operator or owner of the principal use and the semi-permanent food establishment regarding the availability of parking shall be included with the application. Parking may be provided on adjacent properties with a shared parking agreement similar to the agreement for uses on the same property. Access from any off-site parking shall not be across or along rights-of-way without public sidewalks. Access from parking areas on adjacent properties where no public sidewalks exist shall be constructed on private property in compliance with minimum handicap accessibility standards.

Section 5. Refusing to leave. Any peddler, solicitor, mobile food establishment, temporary food establishment operator or semi-permanent food establishment operator who enters upon any premises and refuses to leave such premises, after having been notified or requested to leave by the owner, occupant or person in charge or control of such premises, shall be deemed guilty of a misdemeanor.

Section 6. Entrance to premises restricted. It shall be unlawful for any peddler, solicitor, mobile food establishment, temporary food establishment operator or semi-permanent food establishment operator to enter upon any private premises or to ring the doorbell or rap or knock in any way in a manner calculated to attract the attention of the occupant when such premises are posted with a sign stating "no peddlers allowed" or "no solicitations allowed" or other words to such effect.

(a) A person desiring that no merchant or other person engage in home solicitation at his or her residence or business shall exhibit in a conspicuous place upon or near the main entrance to the building, a weatherproof card, not less than three inches by four inches in size, containing the words "no peddlers allowed" or "no solicitations allowed" or other words to such effect. The letters shall not be less than two-thirds of an inch in height. Everyone permitted under this article, upon going onto any premises upon which a building is located, shall first examine the main entrance to the building to determine if any notice prohibiting soliciting is exhibited upon or about the main entrance of the building. If a notice complying with this section is exhibited, the permittee shall immediately depart from the premises without disturbing the occupant, unless the visit is the result of a request by the occupant.

(b) No person shall go upon any residential premises and ring the doorbell, or rap or knock upon the door or create any sound in a manner calculated to attract the attention of the occupant of the residence or for the purpose of securing an audience with the occupant or engaging in or attempting to engage in a home solicitation transaction if a card, as described in subsection (a) of this section, is exhibited in a conspicuous place upon or near the main entrance to the building, unless the visit is the result of a request made by the occupant.

(c) No person, other than the occupant of the building, shall remove, deface or render illegible, a card placed by the occupant pursuant to subsection (a) of this section.

(d) Any person required to be permitted under this Ordinance who has gained entrance to a residence, business or other such premises, for audience with the occupant, whether invited or not, shall immediately depart from the premises without disturbing the occupant further when requested to leave by an occupant.

(e) Failure to comply with notice signs as provided in (a) or (b) above; refusal to leave when asked as provide in Section 6; and operation after hours as established in Section 7, shall be grounds for revocation of a permit or denial of a permit upon application.

Section 7. Hours of operation. It shall be unlawful for any peddler or solicitor to engage in the business of peddling or soliciting within the city between the hours of 8:00 p.m. and 8:00 a.m. the following morning, or at any time on Sundays; provided that the following exceptions shall apply to this section only: (a) the business is conducted pursuant to a specific appointment with, or invitation from, the prospective customer, or with a customer attending an advertised or invitational meeting held by such solicitor or peddler; or (b) the business is conducted at a location situated on property zoned for a commercial or retail use and the customer travels to such location for the purpose of conducting such business.

Section 8. Misrepresentation. It shall be unlawful for any peddler to make false or fraudulent statements concerning the quality or nature of any goods, wares, merchandise or services for the purpose of inducing another to purchase the same.

Section 9. Information Required for Permit. It shall be unlawful to engage in business as a peddler or solicitor, including a mobile food establishment, temporary food establishment, or as a semi-permanent food establishment within this city without first obtaining a permit. Such permit shall be obtained by registering with the City Secretary and providing information under oath. The permits shall be a Peddler's Permit, a Food Vending Permit or a Special Events Permit. Prior to the issuance of a permit, the City Secretary shall obtain all of the following information and any other information deemed pertinent and necessary:

- (a) Date of registration;
- (b) Name of registrant;
- (c) Driver's license number, including type of license if a mobile food permit is requested;

- (d) Date of birth;
- (e) Home address;
- (f) Local address (if any);
- (g) Nature of items or services to be sold or solicited;
- (h) Has registrant ever been convicted of a felony of any nature or any other crime of moral turpitude and, if so, the place, date, and crime of which convicted;
- (i) Tax identification number; and
- (i) Any facts showing that the registrant is engaged in interstate commerce.

Section 10. Application contents. The application for a permit required by this Ordinance shall, in addition to the information required pursuant to Section 10, state or contain the following:

(a) A statement as to whether or not the applicant has been convicted of any crime or violation of any state or federal law or municipal ordinance or code; the nature of the offense; the punishment or penalty assessed therefore if previously convicted; and the place of conviction.

(b) All food vendors shall provide documentation to establish compliance with all city, state and county food handlers' regulations. Such documentation shall include the food handler permits and other permits required to be obtained from the Texas Department of State Health Services.

(c) Whether the applicant, upon any sale or order, shall demand, accept or receive payment or deposit of money in advance of final delivery.

(d) The period of time the applicant wishes to engage in business within this city.

(e) The local and permanent address and the name of the person, if any, that the applicant represents; the applicant's tax identification number, if any.

(f) The last five cities or towns wherein the applicant worked before coming to this city.

(g) Statement of the areas in which activities will be carried out, i.e. if on public property the specific locations, if only door-to-door residential the subdivisions, etc.

Section 11. False information. It shall be unlawful for any person to give any false or misleading information in connection with his or her application for a permit or a license required pursuant to this Ordinance. Applicant may not sell merchandise or solicit services not disclosed in the permit application.

Section 12. Photographs. At the time of making application for a permit, the applicant for a peddler or solicitor permit shall submit to a background check and photographing by the city.

Section 13. Bond required. (a) The application for a peddler permit to sell tangible goods or merchandise shall include with the application a bond in the penal sum of \$5,000.00, signed by the applicant and by some surety company authorized to do business in this state, conditioned for the final delivery of goods, wares, merchandise or services in accordance with the terms of any order obtained prior to delivery and also conditioned to indemnify any and all purchasers or customers for any and all defects in material or workmanship that may exist in the article sold by the principal of such bond, at the time of delivery, and that may be discovered by such purchaser or customer within 30 days after delivery. Such bond shall be for the use and benefit of all persons that may make any purchase or give any order to the principal on such bond, or to an agent or employee of such principal.

(b) Peddlers or solicitors selling food products or soliciting services solely shall not be required to have a bond.

(c) Mobile food establishments, semi-permanent food establishments and temporary food establishments shall not be required to have a bond.

(d) Mobile food establishments shall present sufficient evidence of vehicle insurance on any vehicle which will travel upon a public roadway.

Section 14. Fee. Before any permit shall be issued under the provisions of this Ordinance:

(a) The applicant for a peddler permit for door to door peddling or solicitation shall pay a fee pursuant to this Ordinance, based upon the time period he or she desires to engage in business in the city, as follows:

(1)	Per day	\$ 5.00
(2)	Per week	10.00
(3)	Per month	25.00
(4)	Per three months	50.00
(5)	Per six months	75.00
(6)	Per 12 months	100.00

(b) The applicant for a for a mobile food establishment, temporary food establishment or semi-permanent food establishment shall pay a fee pursuant to this Ordinance based upon the time period he or she desires to engage in business in the city of \$10.00 base fee for each individual listed on the permit for the cost of the identification card unless one is already in the possession of permittee plus the following:

(1)	Per day	\$ 5.00
(2)	Per week	10.00

(3)	Per month	25.00
(4)	Per three months	50.00
(5)	Per six months	75.00
(6)	Per year	100.00

(c) The applicant shall also obtain all inspections and permits required under any other ordinance or regulation of the City or the Texas Department of State Health Services.

(d) Notwithstanding section (a) above, if an individual shall establish that he or she is engaged in interstate commerce and is exempt from the permit fee requirements pursuant to federal law, or that the imposition of such fee constitutes a burden and a constraint on interstate commerce, then in such event, such individual shall not be required to pay any fee established by this section.

Section 15. Food Vending Permit. Mobile food establishments and semi-permanent food establishments must hold a current food vending permit. The City Secretary must be provided with the proposed locations of operation and/or route. The applicant for a semi-permanent food establishment permit must demonstrate that the location of the structure is permitted in the zoning district, that there are adequate facilities to protect the health and safety of the public, there is adequate parking and access to parking, the structure complies with building codes, any signs are in compliance with the City sign ordinance and other relevant information demonstrating that the use will comply with current City ordinances.

Signs must at all times be securely attached to the structure utilized as a food establishment. Scattered or unattached signs are not permitted.

Section 16. Special Event Permit. (a) *Special event defined.* Special event means an organized activity which makes a significant contribution to the cultural, economic, or social welfare of the city which is to occur upon public property, including parades. Events occurring upon private property not under the control of the City may occur without application for the Special Event Permit provided none of the event flows onto or into public property under the jurisdiction of the City and is consented to by the public entity in charge of the property.

(b) *Sale or distribution of services or goods on public property.* Notwithstanding other provisions of this Ordinance, the Mayor, City Manager or City Administrator may issue a special event permit to enable the holder to sell or distribute services or goods on public property during special events. The Special Event permittee must comply with and ensure compliance all of the specifications, including location of uses and uses authorized as listed in the permit. Open Air Vending is permitted during a special event provided the permit authorizes the open air vending in the specific location(s) indicated in the permit for the duration of the special event.

(c) *Issued for particular time and location.* A special event permit shall be required for each event. The time and location for which the permit is valid shall be shown on the permit.

Activities occurring outside the defined location shall require separate permit.

(d) *Application.* An applicant for a special event permit shall file with the City Secretary a written application upon a form provided for that purpose. If there shall be more than one sponsor of the special event, a joint permit shall be required; however, one fee shall be required if joint participates. Events occurring outside the designated area for a permitted special event will require separate permit and additional fee. Further, activities which would require a permit under other provisions of this Ordinance which are not operated under the sponsor, or joint sponsor, of the special event shall require a separate application, permit and fee.

(e) *Fee.* An applicant for, or the holder of, a special event permit shall pay a fee of \$25.00/for the 1st day and \$10 a day for each additional day for the permit, which fee shall be a rental for the use of public property. Private property events permit holders shall pay a fee of \$5.00 per event. As well as the actual cost for police supervision of the special event if additional officers are required to close streets, monitor crowds or otherwise assist in the special event above the normal duties of the police officers. A bond shall be posted prior to the event of the estimated costs for police officer involvement. Any funds not utilized shall be returned and any deficiencies shall be paid within 10 days of being billed.

(f) *Investigation.* After inspection or investigation, the Mayor, City Manager or City Administrator shall approve or deny an application for a special event permit. If such application is approved, the City Secretary shall issue a special event permit which shall state on its face the name of the person to whom it is granted and the expiration date. The City Secretary shall designate on such permit the location at which the special event is permitted.

(g) *Revocation.* The holder of a special event permit who fails to comply with the ordinances of the city or who violates any laws, ordinances, or regulations of the city that directly relate to the duties and responsibilities of the permitted sales or solicitations shall have the special event permit immediately revoked and such holder shall immediately return said special event permit to the City Secretary.

(h) *Compliance with ordinance.* Except for the permitting requirements, the applicant for a special event permit and/or the holder of a special event permit shall comply with all of the sections of this Ordinance and other ordinances of the City.

Section 17. Issuance. No permit shall be issued under the provisions of this Ordinance until the applicant shall have complied with all the provisions and requirements of this Ordinance applicable to such permit. (a) No permit or license shall be issued to a corporation, partnership or other impersonal legal entity, but each individual person engaging in the business of peddling or soliciting within the city shall be required to have a permit or license, whether acting for himself or as an agent or representative of another.

(b) Semi-permanent food establishments that are: (i) located in a building that is not equipped for being propelled or towed on a public street; (ii) situated on property zoned for commercial or retail use; (iv) in compliance with the requirements of the the State of Texas; (v) regularly inspected by the Texas Department of State Health Services; (vi) collect and pay sales

taxes in compliance with state law; (vii) seasonal in nature and intended to be and remain in a fixed location for the duration of a season of the year, may be issued a permit under this Ordinance for operation at the specific location designated by the applicant and may be issued in the name of the entity or manager in charge of the establishment.

(c) Special event permits shall be issued in the name of the local coordinator as deemed proper by the Mayor, City Manager or City Administrator. If temporary booths, temporary food establishment, mobile food establishments, hawkers, peddlers or other similar peddlers or solicitors are to be part of the special event the Mayor, City Manager or City Administrator shall not require an individual permit issued in the name of the individual in charge of the booth, mobile food establishment or other similar sales establishment being part of the event provided such activity is part of the sponsors approved activities. If the Mayor, City Manager or City Administrator finds that individual peddlers are not substantially part of the larger organization and requires individual permits, the fees shall be as required in Section 14.

(d) Temporary Food Establishments, mobile food establishments, semi-permanent food establishments and open air vendors may be issued in the name of the entity or manager in charge of the establishment if more than two persons work at the establishment.

Section 18. Sales Tax Remittal. Every permittee for which sales tax are required to be collected and remitted to the State of Texas, shall as a condition of the permit collect and remit sales tax according to State requirements. The City, as a condition of a permit, may require the permittee to demonstrate compliance with State sales tax regulations. Failure to produce sufficient evidence of payment of sales tax may be a reason for denial of a permit, a permit renewal or revocation of a permit.

Section 19. Contents. Each permit issued under the provisions of this Ordinance shall be signed by the appropriate authority issuing the permit; dated as of the date of its issuance; and shall state the duration or term of such permit on the face thereof. Any permit not dated and signed as provided in this section shall be void.

Section 20. Display. Every permit holder having a permit issued under this Ordinance or required to have a permit and doing business within the city or any individual listed on a permit shall display his or her permit or copy of same upon the request of any person, and failure to do so shall be deemed a misdemeanor. Peddlers and solicitors shall wear the permit from a necklace or pin on the front of the individual's body clearly visible there from. A temporary food establishment or semi-permanent food establishment shall prominently display a copy of the permit at all times. A mobile food establishment, temporary food establishment, semi-permanent food establishment or open air vendor shall display a copy of the permit in the front window of the vehicle or structure while parked and conducting business.

Section 21. Duration. Every permit issued under the provisions of this Ordinance shall be valid for the period of time stated therein, but in no event shall any such permit or license be issued for a period of time in excess of 12 months, or any lesser period of time provided for in this Ordinance. A special events permit and temporary food establishment permit shall not be for a period of time in excess of four (4) days unless otherwise specified in the permit by the Mayor, City Manager or City Administrator.

Section 22. Denial, Revocation, and Appeal.

(a) Denial. The City reserves the right to deny an application for a permit to any person who has:

(1) In the past 12 months:

- A. had a permit issued under this Ordinance revoked;
- B. been convicted of a felony in the past 10 years;
- C. failed to pay sales tax;
- D. received a complaint that solicitation or peddling occurred during the prohibited times identified herein;
- E. has displayed for sale non-food items attached to or located outside of the mobile food establishment or semi-permanent food establishment or,
- F. otherwise violated the provisions of this Ordinance.

(2) in the past 36 months:

- A. had a valid complaint that goods were ordered but not delivered;
- B. had more than one valid complaint that goods were delivered that were not the goods promised; or,
- C. been convicted of a misdemeanor charge involving crimes of moral turpitude.

(3) The permit application does not comply with this Ordinance or other applicable ordinances, rules, regulations or statutes.

(b) Revocation. Any permit issued under the provisions of this Ordinance may be revoked for the violation by the permittee or licensee of any provision of this Ordinance, state law or other ordinance that directly relates to the duties and responsibilities of the permittee or licensed occupation authorized in the permit. Upon such revocation, such permit shall immediately be surrendered to the authority that issued the permit, and failure to do so shall be deemed a misdemeanor.

(c) Appeal. Any person aggrieved by the denial or revocation of a permit may appeal within five days of the denial or surrender of the permit by written appeal tendered to the City Administrator/City Manager. A timely filed appeal shall suspend the revocation pending administrative reconsideration by the City Administrator/City Manager. The City Administrator/City Manager may uphold, revise or overturn the denial or revocation. If the City Administrator/City Manager upholds the denial or revocation, the decision shall be effective immediately as to the revocation. Any person aggrieved by the decision of the City Administrator/City Manager must appeal to the City Council within ten (10) days from the decision of the City Administrator/City Manager being mailed to the aggrieved person in writing by tendering a written appeal to the City Secretary. The City Council shall hear the appeal at the next available regular or special City Council meeting. The decision of the City Council is final.

Section 23. Penalties. Any person convicted of violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be subject to a fine in an amount not to exceed Five Hundred dollars (\$500.00) per offense.

Section 24. Enforcement. For the purposes of discharging the duties imposed by this Ordinance and to enforce its provisions, any peace officer or code enforcement officer is empowered to enter upon any premises for which a permit is issued and take such action to enforce this Ordinance as permitted in the Code of Criminal Procedure. Unless otherwise specifically set forth in the Ordinances of the City, or in the state law as adopted, allegations and evidence of culpable mental state are not required for proof of an offense.

Section 25. Amendment Of Ordinances. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other ordinance of the City, the terms and provisions of this Ordinance shall govern. Violations occurring prior to these ordinance amendments are hereby saved and the terms of the then controlling ordinance shall be applicable to all violations occurring prior to the effective date of this Ordinance.

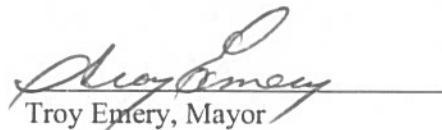
Section 26. Effective Date. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code.

Section 27. Open Meetings. 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.

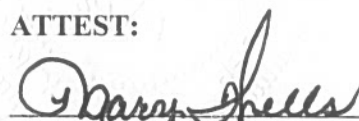
PASSED AND APPROVED on the 24th day of June, 2013.

FINALLY PASSED AND APPROVED on the 8th day of July, 2013.

CITY OF RANGER, TEXAS


Troy Emery, Mayor

ATTEST:


Mary Wells, City Secretary