

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF SWEENY, TEXAS, AMENDING CHAPTER 110 OF THE CODE OF ORDINANCES OF THE CITY OF SWEENY ENTITLED PEDDLERS AND SOLICITORS; AMENDING SECTION 110.02 ENTITLED DEFINITIONS BY REMOVING FOOD FROM THE DEFINITION OF PEDDLER OR SOLICITOR; PROVIDING A SAVINGS CLAUSE: PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES TO THE EXTENT OF CONFLICT ONLY; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FORCE AT THE DATE OF ITS PASSAGE.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF SWEENY, TEXAS:**

Section 1:

Section 110.02 of the Code of Ordinances of the City of Sweeny, Texas, which provides the definition of peddler or solicitor is hereby amended as follows:

“Section 110.02 PEDDLER OR SOLICITOR

For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

PEDDLER OR SOLICITOR. Any person, partnership, firm or corporation going from house to house or from place to place in the city soliciting, exhibiting, selling, canvassing for or taking orders for or offering to sell or take orders for any goods, wares, merchandise, and subscriptions to magazines, publications, newspapers, photographs or services. The same shall also include any person, partnership, firm or corporations soliciting, exhibiting, selling, taking orders for or offering to sell or take orders for the goods, wares, merchandise, publications or services upon or from a truck or other vehicle whether on the streets or from any property whatever in the city,

whether public or private. Also anyone who solicits orders and, as a separate transaction, makes deliveries to purchasers as a part of a scheme or design to evade these provisions shall be deemed a peddler or solicitor. The terms PEDDLER OR SOLICITOR shall also be synonymous with itinerant merchant and transient vendor, as well as each other.”

Section 2:

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict only.

Section 3:

If any part of portion of this ordinance shall be determined to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any remaining portions or provisions of this ordinance.

Section 4: This ordinance shall be effective from and after the date of its passage.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
DUSTY HOPKINS, Mayor

ATTEST:

\_\_\_\_\_  
KAYDI SMITH, City Secretary