

ORDINANCE 2008-01

AN ORDINANCE OF THE CITY OF MABANK, TEXAS REGULATING THE SOLICITATION TO OCCUPANTS OF VEHICLES ON PUBLIC ROADWAYS; TO PROVIDE DEFINITIONS; TO PROVIDE FOR OFFENSES; TO PROVIDE DEFENSES TO PROSECUTION; TO PROVIDE SPECIAL PROVISIONS; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR PENALTIES; TO PROVIDE AN EFFECTIVE DATE.

WHEREAS, the Mabank City Council is concerned about the safety of persons who are requesting solicitations, contributions or the sale or distribution of goods, services or publications to occupants of vehicles on public roadways; and

WHEREAS, the Mabank City Council believes that these practices should be curtailed and limited only to certain local civic and non-profit groups who comply with this Ordinance.

SECTION 1. DEFINITIONS

- (1) City means the City of Mabank, Texas
- (2) Goods means property of every kind.
- (3) Public property means:
 - a. Any property open or devoted to public use or owned by the city; and
 - b. Any area dedicated to the public use for sidewalk, street, highway, or other transportation purposes, including but not limited to, any curb, median, parkway, shoulder, sidewalk, alley, drive or public right-of-way.
- (4) Roadway has the meaning given that term in Chapter 552.0071, Texas Transportation Code.
- (5) Services means any work done for the benefit of another person.
- (6) Solicitation means any conduct or act whereby a person:
 - a. Either orally or in writing asks for a ride, employment, goods, services, financial aid, monetary gifts, or any article representing monetary value for any purpose.
 - b. Either orally or in writing, sells or offers for sale goods, services or publications;
 - c. Distributes without remuneration goods, services or publications; or
 - d. Solicits signatures on a petition or opinions for a survey.
- (7) Vehicle has the meaning given that term in Chapter 541, Texas Transportation Code.

SECTION 2. OFFENSE

A person commits an offense if, while occupying any public property adjacent to any public roadway in the city, he or she knowingly conducts a solicitation directed to or intended to attract the attention of, the occupant of any vehicle stopped or traveling on the

roadway. An offense occurs when the solicitation is made, whether or not an actual employment relationship is created, a transaction is completed or an exchange of money, goods or services takes place.

In addition to any enforcement action by a peace officer for a violation of this Ordinance, any person who is a victim of a solicitation prohibited under this Section, or who witnesses a violation of this Section, may file a complaint with the Mabank Police Department. Evidence to support a conviction for a violation of this article may include, but is not limited to, testimony of witnesses, videotape evidence of the violation, and other admissible evidence.

SECTION 3. DEFENSE TO PROSECUTION

If is a defense to prosecution under Section 2 of this Ordinance if the person was:

- (1) Summoning aid or requesting assistance in an emergency situation
- (2) A law enforcement officer in the performance of official duties.

SECTION 4. SPECIAL PROVISIONS

The Mabank Fire and Police Departments are exempt from the provisions of this Ordinance. Local non-profit groups may apply for a permit to the City of Mabank. A permit shall only be granted for two (2) consecutive days one time per year. A person seeking authorization under this Section shall file a written application with the City not later than the 11th working day the solicitation is to begin. The application shall include:

- (1) The date or dates and times when the solicitation is to occur;
- (2) Each location at which solicitation is to occur;
- (3) The driver's license number and name of each solicitor to be involved in the solicitation at each location;
- (4) Evidence of liability insurance in the amount of at least \$1 million to cover damages that may arise from the solicitation. The insurance must provide coverage against claims against the applicant and claims against the City.
- (5) A fee of \$250.00 shall be paid at the time of application.

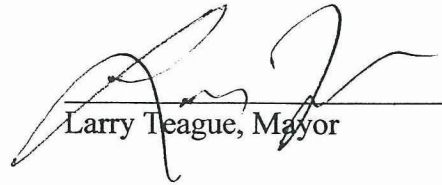
The City does not waive or limit any immunity from liability applicable under law to the City. The issuance of an authorization under this section and the conducting of the solicitation authorized is a governmental function of the City. Notwithstanding any provision of this section, the existing rights of individuals or organizations are not impaired.

SECTION 5. SEVERABILITY.

If any section or phrase of this Ordinance is found to be invalid, other Articles in the City of Mabank Code of Ordinance shall not be affected.


SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective on the 8th day of January 2008.



Larry Teague, Mayor

ATTEST:



Secretary/Administrator

ORDINANCE 2006-04

AN ORDINANCE OF THE CITY OF MABANK, TEXAS AMENDING ARTICLE 215.032 OF THE MABANK CITY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

SECTION 1. Article 215.032 of the City of Mabank Code is amended as follows:

Section VI. Revocation of License

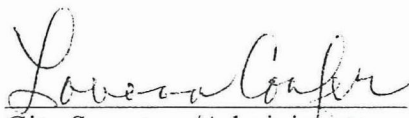
The City Council is hereby authorized and empowered to revoke or cancel the license of any person, firm, association or persons, corporation and every other organization authorized under the laws of the State of Texas, licensed to own and operate a pool or billiard table or tables of skill or chance, games of skill or chance herein under, after giving such license ten days notice of a hearing and after conducting such hearing for the purpose of determining whether such license should be revoked, provided, however, that such power of cancellation or revocation shall be exercised only under the following conditions:

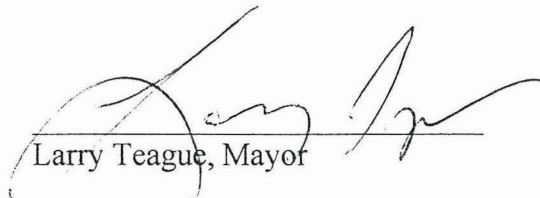
- A. For violation of any of the provisions of this ordinance;
- B. For knowingly permitting the ~~sale~~, use or consumption of any alcoholic beverage or beverages in or upon the premises licensed herein under;
- C. For knowingly permitting the presence on the premises of a person or persons under the influence of intoxicating liquor;
- D. For knowingly permitting disorderly conduct or immoral practices on the premises;
- E. For knowingly permitting gambling or wagering on the premises;
- F. For knowingly permitting the violation of the law or laws of the State of Texas or of the Code of this City.

SECTION 2. SEVERABILITY.

That the terms and provisions of this ordinance are severable and are governed by the Code of the City of Mabank, as amended.

PASSED AND APPROVED ON THIS 4TH DAY OF APRIL, 2006.


Lovena Cooper
City Secretary/Administrator


Larry Teague, Mayor

ORDINANCE NO. 2003-01

AN ORDINANCE OF THE CITY OF MABANK, TEXAS AMENDING THE MABANK CITY CODE TO ADD ARTICLE 215.031c PERTAINING TO HOME OCCUPATIONS; PROVIDING PROCEDURES FOR APPROVAL; PROVIDING A PENALTY PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS THAT THE CODE OF ORDINANCES OF THE CITY IS HEREBY AMENDED TO ADD ARTICLE 215.031c TO READ AS FOLLOWS:

SECTION 1.

ARTICLE 215.031c HOME OCCUPATION

HOME OCCUPATION. Any occupation, profession, domestic craft or economic enterprise engaged in by the occupants of a residential dwelling not involving the conduct of a retail business, and not including any occupation conducted in any building on the premises excepting the building which is used by the occupant as his or her private dwelling. *HOME OCCUPATION* shall include, in general, personal or professional services performed by the person occupying the building as his or her private dwelling, subject to compliance with each of the following conditions:

- a) "Residential dwelling" shall mean a detached building designed, used and occupied exclusively by members of one (1) family as a residence.
- b) Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence and the area utilized for such occupation, profession, domestic craft, or economic enterprise shall never exceed twenty-five percent (25%) of the total of the floor area of the residential dwelling.
- c) Not more than one (1) non-illuminated sign advertising the home occupation shall be allowed; said sign shall be not more than four (4) square foot in area and shall be mounted on the building in which the home occupation is being conducted.
- d) The residential dwelling shall maintain its residential character and shall not be altered or remodeled in order to create any type of exterior commercial appeal.
- e) No exterior storage or sale of material, equipment, and/or supplies used in conjunction with such occupation, profession, domestic craft, or enterprise shall be placed, permitted, or allowed on the premises occupied by the residential dwelling.
- f) No offensive noise, vibration, smoke, dust, odor, heat, or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.
- g) The occupation, profession, domestic craft, or enterprise shall be conducted wholly within the residential dwelling or totally within an accessory building under the same ownership on the same property as the residential dwelling.

- h) The only equipment to be used in such occupation, profession, domestic craft, or enterprise shall be that which is ordinarily used in a private home in a like amount and kind.
- i) A home occupation shall not generate such additional traffic as to create a traffic hazard or disturbance to nearby residents.
- j) No stock, goods, wares, or merchandise shall be sold or kept for sale on the premises.
- k) No outside sales or display of material, equipment and/or supplies used in conjunction with the home occupation shall be allowed.

SECTION 2. PROCEDURES FOR APPROVAL

- a) No resident of the City of Mabank shall operate a home occupation, as defined in Section 1 of this Ordinance, without first obtaining approval from the Mabank City Council at a regularly scheduled City Council meeting.
- b) Any resident requesting approval of a home occupation must present sufficient information to the Mabank City Council showing that the proposed home occupation will comply with the requirements of Section 1 of this Ordinance.
- c) If approved by the Mabank City Council, the City Secretary/Administrator will provide the applicant with a letter indicating that the proposed home occupation has been approved with any stipulations placed on the proposed use by the City Council. A copy of the letter will be provided to the City's Code Enforcement Officer for his records and to ensure that the home occupation continues to comply with the requirements of Section 1 of this Ordinance and any stipulations attached to the approval.

SECTION 3. PENALTIES

Any person violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed five hundred dollars (\$500.00) per day and each and every day that the provisions of this ordinance are violated shall constitute a separate and distinct offense. In addition to the said penalty provided for, the right is hereby conferred and extended upon any property owner owning property where such property owner may be affected or invaded by a violation of the terms of this ordinance to bring suit in such court or courts having jurisdiction thereof and obtain such remedies as may be available at law and equity in the protection of the rights of such property owners.

SECTION 4. VALIDITY, SEVEREANCE AND CONFLICT

If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall be adjudged invalid or held unconstitutional, the same shall be severed from and shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so dedicated to be invalid or unconstitutional. To the extent any provision of this ordinance conflicts with other ordinance of the City of Mabank, the terms of this ordinance shall control.

SECTION 5. EFFECTIVE DATE.

This ordinance shall be effective upon the posting and/or publication of its caption as required by law and the City Secretary/Administrator is hereby directed to implement such posting and/or publication.

PASSED AND APPROVED by vote of the City Council of the City of Mabank, Texas on this the 17th day of June, 2003.



Larry Teague, Mayor

ATTEST:



City Secretary/Administrator

ARTICLE 215.031 INTINERANT VENDORS, PEDDLERS AND SOLICITORS

SECTION I. LICENSED TO VEND, PEDDLE OR SOLICIT

It shall be unlawful for any person, firm, or association of persons to carry on any kind of trade, sales, or vending business activity from a motor vehicle, temporary structure, or mobile structure, or to engage in any kind of commercial solicitation including, but not limited to, door to door or streetside peddling and hawking anywhere in the City without first obtaining a license for such purpose.

SECTION II. LICENSE PROCEDURE, TERMS AND FEES

All licenses hereunder shall be issued by the City Secretary only by authority of the Mayor of the City and shall be good for an initial term of seventy-two (72) hours.

When the initial license term expires, the licensee may make application for a renewal for a term not to exceed thirty days. Such renewal must be authorized by the Mayor and issued by the City Secretary.

Licenses may be issued for a one-year term.

License applications shall pay the fees required by Article 500.000.

The Mayor may withhold authorization for any license or renewal thereof when, in the discretion of the Mayor, the carrying on of an activity to be licensed or renewed might create a traffic hazard or a health hazard or otherwise threaten the health, safety, and welfare of the citizenry.

SECTION III. LICENSE APPLICATION

All initial applications for license hereunder shall contain the following:

- A. Name of applicant
- B. Name under which business is to be operated,
- C. Permanent address and drivers license number and social security number of applicant,
- D. Description of business to be carried on,
- E. Location, or locations, of operation of business.

Any false or incorrect statement in the application or deviations from the therein-stated business, shall be immediate cause for revocation of a license hereunder and the Mayor shall have the authority to make any such revocation.

SECTION IV. VENDING, PEDDLING, OR SOLICITING ON PRIVATE PROPERTY AND/OR PUBLIC RIGHT-OF-WAY

It shall be unlawful to vend, peddle or solicit on any highway or city street right-of-way, and further it shall be unlawful to do business on private property without first obtaining written permission from the property owner.

SECTION V. EXCEPTIONS

This Article shall not apply to individuals or firms or associations of individuals who are professionals licensed by the State of Texas carrying on their professional business, including, but not limited to, real estate agents and brokers and insurance agents. This exceptions expressly includes only those who are licensed to carry on some profession and is not extended to those having mere sales licenses or any other kind of State license other than professional.

SECTION VI. APPEALS

Any party aggrieved by action of the Mayor hereunder, either in the granting or withholding of a license or renewal of a license hereunder, shall have the right to appeal the decision of the Mayor to the City Council and the Council shall be empowered, upon a hearing of all concerned parties, to either approve or reverse the Mayor's decision. In cases of reversal by the Council, if the Mayor has granted a license or a renewal, it shall be issued under special authority of the City Council by the City Secretary.

SECTION VII. PENALTY

The penalty for violation of this ordinance shall be a Class C Misdemeanor.

ARTICLE 215.031a REGULATION OF PUBLIC SALES AND AUCTIONS

SECTION I. PERMIT FOR FLEA MARKET

It shall be unlawful within the city limits of Mabank, Texas for any person, firm or association of persons to maintain or operate a flea market within the city limits of Mabank, Texas unless a permit to maintain and operate the same has first been obtained from the City Council.

SECTION II. DEFINITIONS

The term "Flea Market" for the purpose of this ordinance shall be defined as any kind of structure or area where sales of merchandise are conducted from temporary stalls, stands or vehicles or where space is rented out from time to time to various individuals for the purpose of offering for sale of various kinds of new or used items of merchandise.

SECTION III. PENALTY

Any person, firm or association of persons in violation of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor and each and every day during which this ordinance shall be deemed a separate offense.

ARTICLE 215.031b GARAGE SALES

SECTION 1. FREQUENCY AND DURATION OF SALES

From and after the effective date hereof, it shall be unlawful for any person, corporation or entity to engage in, hold or operate a garage sale, or other formal or informal offering of sale of items of merchandise, from upon residential and/or non-commercially zoned property within the city limits of Mabank, Texas, for a continuous period in excess of three (3) days. It shall further be unlawful to hold such sale more often than one (1) time per month nor shall the interval period between such sales be less than twenty-five (25) days.

SECTION II. PENALTY

Whomever shall be found guilty of violating this ordinance shall be guilty of a Class C Misdemeanor. Each day of such violation shall be deemed a separate offense.

This entire ordinance is and shall be deemed an exercise of the police power of the State of Texas and the City of Mabank, Texas, for the public safety, health, comfort, convenience and protection of the city and citizens of said city, and all of the provisions hereof shall be construed for the accomplishment of that purpose.

Ordinance 911105 adopted December 3, 1991

ORDINANCE NO. 911105

AN ORDINANCE REGULATING THE FREQUENCY AND DURATION OF GARAGE SALES AND SIMILAR ACTIVITIES TO BE CARRIED ON WITHIN THE CITY OF MABANK, TEXAS, AND PROVIDING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF MABANK, TEXAS:

THAT the Code of Ordinances, City of Mabank, Texas, is hereby amended by adding Article 215.031b to read as follows:

ARTICLE 215.031b GARAGE SALES

SECTION I. FREQUENCY AND DURATION OF SALES

From and after the effective date hereof, it shall be unlawful for any person, corporation or entity to engage in, hold or operate a garage sale, or other formal or informal offering of sale of items of merchandise, from upon residential and/or non-commercially zoned property within the city limits of Mabank, Texas, for a continuous period in excess of three (3) days. It shall further be unlawful to hold such sale more often than one (1) time per month nor shall the interval period between such sales be less than twenty-five (25) days.

SECTION II. PENALTY

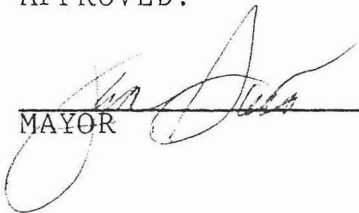
Whoever shall be found guilty of violating this ordinance shall be guilty of a Class C Misdemeanor. Each day of such violation shall be deemed a separate offense.

This entire ordinance is and shall be deemed an exercise of the police power of the State of Texas and the City of Mabank, Texas, for the public safety, health, comfort, convenience and protection of the city and citizens of said city, and all of the provisions hereof shall be construed for the accomplishment of that purpose.

This ordinance shall take effect and be in force from and after its passage and publication as provided by law.

PASSED AND APPROVED this 3rd day of December, 1991.

APPROVED:


MAYOR

ATTEST:


CITY SECRETARY

Article 215.031c HOME OCCUPATION

SECTION I. HOME OCCUPATION.

Any occupation, profession, domestic craft or economic enterprise engaged in by the occupants of a residential dwelling not involving the conduct of a retail business, and not including any occupation conducted in any building on the premises excepting the building which is used by the occupant as his or her private dwelling. HOME OCCUPATION shall include, in general, personal or professional services performed by the person occupying the building as his or her private dwelling, subject to compliance with each of the following conditions:

- A. "Residential dwelling" shall mean a detached building designed, used and occupied exclusively by members of one (1) family as a residence.
- B. Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence and the area utilized for such occupation, profession, domestic craft, or economic enterprise shall never exceed twenty-five percent (25%) of the total of the floor area of the residential dwelling
- C. Not more than one (1) non-illuminated sign advertising the home occupation shall be allowed; said sign shall be not more than four (4) square foot in area and shall be mounted on the building in which the home occupation is being conducted.
- D. The residential dwelling shall maintain its residential character and shall not be altered or remodeled in order to create any type of exterior commercial appeal.
- E. No exterior storage or sale of material, equipment, and/or supplies used in conjunction with such occupation, profession, domestic craft, or enterprise shall be placed, permitted, or allowed on the premises occupied by the residential dwelling.
- F. No offensive noise, vibration, smoke, dust, odor, heat, or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.
- G. The occupation, profession, domestic craft, or enterprise shall be conducted wholly within the residential dwelling or totally within an accessory building under the same ownership on the same property as the residential dwelling.
- H. The only equipment in such occupation, profession, domestic craft, or enterprise shall be that which is ordinarily used in a private home in a like amount and kind.
- I. A home occupation shall not generate such additional traffic as to create a traffic hazard or disturbance to nearby residents.

- J. No stock, goods, wares, or merchandise shall be sold or kept for sale on the premises.
- K. No outside sales or display of material, equipment and/or supplies used in conjunction with the home occupation shall be allowed.

SECTION II. PROCEDURES FOR APPROVAL

- A. No resident of the City of Mabank shall operate a home occupation, as defined in Section 1 of this Ordinance, without first obtaining approval from the Mabank City Council at a regularly scheduled City Council meeting.
- B. Any resident requesting approval of a home occupation must present sufficient information to the Mabank City Council showing that the proposed home occupation will comply with the requirements of Section 1 of this Ordinance.
- C. If approved by the Mabank City Council, the City Secretary/Administrator will provide the applicant with a letter indicating that the proposed home occupation has been approved with any stipulations placed on the proposed use by the City Council. A copy of the letter will be provided to the City's Code Enforcement Officer for his records and to ensure that the home occupation continues to comply with the requirements of Section 1 of this Ordinance and any stipulations attached to the approval.

SECTION III. PENALTIES

Any person violating any of the provisions of this ordinance shall upon conviction be fined a sum not to exceed five hundred dollars (\$500.00) per day and each and every day that the provisions of this ordinance are violated shall constitute a separate and distinct offense. In addition to the said penalty provided for, the right is hereby conferred and extended upon any property owner owning property where such property owner may be affected or invaded by a violation of the terms of this ordinance to bring suit in such court or courts having jurisdiction thereof and obtain such remedies as may be available at law and equity in the protection of the rights of such property owners.

SECTION IV. VALIDITY, SEVEREANCE AND CONFLICT

If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall be adjudged invalid or held unconstitutional, the same shall be severed from and shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so dedicated to be invalid or unconstitutional. To the extent any provision of this ordinance conflicts with other ordinance of the City of Mabank, the terms of this ordinance shall control.

SECTION V. EFFECTIVE DATE.

This ordinance shall be effective upon the posting and/or publication of its caption as required by law and the City Secretary/Administrator is hereby directed to implement such posting and/or publication

Ordinance adopted ^{JUNE} January, 2003

ARTICLE 215.032 BILLIARD AND POOL ESTABLISHMENTS

SECTION I. DEFINITIONS

The following definitions shall apply for purposes of this Chapter.

- A. Pool or Billiard Table shall mean any table surrounded by a ledge or cushion, with or without pockets, upon which balls are propelled by a stick or cue, whether or not the player is required to make a coin deposit causing an electrical connection of any nature of kind before such game may be actually commenced.
- B. Tables or Games of Skills or Chance as used herein shall mean any table or machine that is played or operated by one or more players or participants for sport; recreation; fun; entertainment, skills, or sport determination of a "winner" or "loser" shall be included.
- C. Coin Operated Game Machine shall mean any skill or pleasure game activated by a coin whether powered electronically or mechanically.

SECTION II. LICENSE

It shall be unlawful for any person, firm, association of persons, corporation and every other organization, save and except religious, charitable or educational organizations, authorized under the laws of the State of Texas, to own and operate, for profit or otherwise, any pool or billiard table, table or game of skill or chance, or coin operated game machine, as such terms are herein defined, or to maintain or keep such on the premises of any business establishment within this City without having first obtained an appropriate license form the City Secretary, as herein provided, which license shall at all times be displayed in some conspicuous place within the licensed place of business.

SECTION III. LICENSE FEE

The City Secretary is authorized to collect an annual license fee for each location on which a pool or billiard table or tables of skills or chance, or games of skill or chance, is owned or operated, in the amount specified in Article 500.00

SECTION IV. TERM OF LICENSE

Any license issued pursuant to this Chapter shall be for one year and shall be non-transferable.

SECTION V. APPLICATION FOR LICENSE

Each applicant for a license shall make sworn application and the application shall contain the following information:

- A. Name and address of the establishment.

- B. Name, residence address and title of the applicant.
- C. Number and short description of all tables, machines or devices to be operated.
- D. Date of the application.

SECTION VI. REVOCATION OF LICENSE

The City Council is hereby authorized and empowered to revoke or cancel the license of any person, firm, association or persons, corporation and every other organization authorized under the laws of the State of Texas, licensed to own and operate a pool or billiard table or tables of skill or chance, games of skill or chance hereinunder, after giving such licensee ten days notice of a hearing and after conducting such hearing for the purpose of determining whether such license should be revoked, provided, however, that such power of cancellation or revocation shall be exercised only under the following conditions:

- A. For the violation of any of the provisions of this ordinance;
- B. For knowingly permitting the sale, use or consumption of any alcoholic beverage or beverages in or upon the premises licensed hereinunder;
- C. For knowingly permitting the presence on the premises of a person or persons under the influence of intoxicating liquor;
- D. For knowingly permitting disorderly conduct or immoral practices on the premises.
- E. For knowingly permitting gambling or wagering on the premises.
- F. For knowingly permitting the violation of the law or laws of the State of Texas or of the Code of this City.

ARTICLE 215.032a TENT SHOWS

SECTION I.

It shall be unlawful for any person, firm, or cooperation to erect or operate any tent show, tent theater, merry-go-round, flying-jennies, ferris wheels, doll racks, and/or skating rinks within 600 feet of any private residence within the City limits of the City of Mabank, Texas.

SECTION II.

Any person, firm, or corporation violating this ordinance shall be guilty of a Class C Misdemeanor, and each day shall constitute a separate offense.

Ordinance 921103 adopted November 3, 1992

~~214.032a~~

ORDINANCE NO. 921103

AN ORDINANCE TO PROHIBIT THE ERECTION AND OPERATION OF TENTS, TENT SHOWS, THEATERS, MERRY-GO-ROUNDS, FLYING-JENNIES, FERRIS WHEELS, DOLL RACKS AND SKATING RINKS WITHIN 600 FEET OF A PRIVATE RESIDENCE IN THE CITY OF MABANK, TEXAS, AND PROVIDING A PENALTY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MABANK, TEXAS:

That the Code of Ordinances, City of Mabank, Texas, is hereby amended by adding Article 215.032a to read as follows:

ARTICLE 215.032a TENT SHOWS

SECTION I.

It shall be unlawful for any person, firm, or corporation to erect or operate, any tent show, tent theater, merry-go-round, flying-jennies, ferris wheels, doll racks, and/or skating rinks within 600 feet of any private residence within the City limits of the City of Mabank, Texas.

SECTION II.

Any person, firm or corporation violating this ordinance shall be guilty of a Class C Misdemeanor, and each day shall constitute a separate offense.

PASSED AND APPROVED by the City Council on this 3rd day of November, 1992.

MAYOR

ATTEST:

CITY SECRETARY

Can't find
original ordinance
w/ signatures.