

ORDINANCE NO. 11-M-24

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING CURBSIDE SOLICITATIONS BY CITY REPRESENTATIVES IN CERTAIN CIRCUMSTANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AMENDING CHAPTER 62 OF THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City staff of the City of Schertz (the "City") has recommended that the City Council authorize the City Manager to authorize City employees from time to time to solicit donations from the public through curbside appeals under rules established by the City Manager.

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

Section 1. The City Council hereby authorizes and directs the City Manager to establish and implement rules for City employees or City employee groups designated from time to time by the City Manager to solicit donations from the public through curbside appeals for identified City projects or public charities. The City Manager or his/her designee shall coordinate any such curbside appeals with the Chief of Police and shall inform the City Council in advance of each such authorized curbside appeal.

Section 2. Chapter 62, Section 62-4, of the City's Code of Ordinances is hereby amended by the addition of new subsection (6) regarding exclusions from the City's Peddlers and Solicitors ordinance:

"(6) City employees authorized to solicit pursuant to Ordinance No. 11-M-24."

Section 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

Section 4. All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance or the Amended and Restated Unified Development Code authorized herein are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

Section 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 7. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 8. This Ordinance shall be effective upon the date of final adoption hereof and any publication required by law.

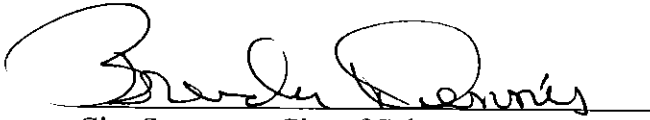
PASSED ON FIRST READING, the 9th day of August, 2011.

PASSED, APPROVED and ADOPTED ON SECOND READING, the 16th day of August, 2011.



Mayor, City of Schertz, Texas

ATTEST:



City Secretary, City of Schertz, Texas

(Seal of City)