

**ORDINANCE NO. 2019-4130**

**AN ORDINANCE AMENDING CHAPTER 8, “BUSINESSES,” ARTICLE V, “HOME SOLICITATION AND ITINERANT VENDORS,” OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS RELATING TO TEXAS A&M UNIVERSITY TICKET RESELLING; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

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

- PART 1:** That Chapter 8, “Businesses,” Article V, “Home Solicitation and Itinerant Vendors,” of the Code of Ordinances of the City of College Station, Texas, be amended as set out in **Exhibit “A”** attached hereto and made a part of this Ordinance for all purposes.
- PART 2:** If any provision of this Ordinance or its application to any person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality does not affect other provisions or application of this Ordinance or the Code of Ordinances of the City of College Station, Texas, that can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this Ordinance are severable.
- PART 3:** That any person, corporation, organization, government, governmental subdivision or agency, business trust, estate, trust, partnership, association and any other legal entity violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not less than twenty five dollars (\$25.00) and not more than five hundred dollars (\$500.00) or more than two thousand dollars (\$2,000) for a violation of fire safety, zoning, or public health and sanitation ordinances, other than the dumping of refuse. Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.
- PART 4:** This Ordinance is a penal ordinance and becomes effective ten (10) days after its date of passage by the City Council, as provided by City of College Station Charter Section 35.

**PASSED, ADOPTED and APPROVED this 26<sup>th</sup> day of September, 2019.**

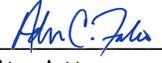
**ATTEST:**

  
\_\_\_\_\_  
**City Secretary**

**APPROVED:**

  
\_\_\_\_\_  
**Mayor**

**APPROVED:**

  
\_\_\_\_\_  
**City Attorney**

**EXHIBIT A**

That Chapter 8, “Businesses,” Article V, “Home Solicitation and Itinerant Vendors,” of the Code of Ordinances of the City of College Station, Texas, is hereby amended by renaming Article V to “Home Solicitation, Itinerant Vendors, and Texas A&M University Ticket Reselling,” and adding Division 4 to read as follows:

**Article V, Division 4 “Texas A&M University Ticket Reselling”****Sec.8-240 – Definitions.**

- (a) **Counterfeit Ticket** means an imitation ticket not issued by the university or a university authorized event promoter.
- (b) **Permit** means the university issued documentation issued to a permitted ticket reseller.
- (c) **Permitted Ticket Reseller** means any person who has obtained a valid university permit to engage in ticket reselling.
- (d) **Ticket** means any document in paper or electronic form issued by the university or a university authorized event promoter to gain access to a university event.
- (e) **Ticket Reseller** means any person engaged in the activity of university ticket reselling. This term does not include any person occasionally reselling a ticket purchased for personal use.
- (f) **Ticket Reselling** means reselling a ticket previously sold by the university or for an event held on the university campus. Ticket reselling may involve reselling tickets for different prices than the ticket face value. This term does not include the occasional resale of a ticket purchased for personal use.
- (g) **University** means Texas A&M University.

**Sec. 241 – University Permit Required.** It is unlawful for any person to engage in ticket reselling, regardless if the ticket is valid or counterfeit, who is not a permitted ticket reseller and not in possession of a valid university permit.

**Sec. 242 – Penalty.** A violation of this article shall be punished as provided in Section 1-7.