

ORDINANCE NO. 55-1985

AN ORDINANCE REPEALING CHAPTER 11, FOOD AND FOOD HANDLERS, ARTICLE III, VENDING FOOD FROM VEHICLES, DIVISION 1, SECTION 11-61, "USE OF NOISEMAKING DEVICES," AND CHAPTER 20, OFFENSES, ARTICLE I, SECTION 20-2, "AMPLIFIERS, ETC.--USE ON STREETS" AND AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

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

PART 1: That Chapter 11, Food and Food Handlers, Article III, Vending Food from Vehicles, Division 1, Section 11-61, "Use of Noisemaking Devices," and Chapter 20, Offenses, Article I, Section 20-2, "Amplifiers, etc.--Use on streets," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper as provided by Section 19 of the Charter of the City of Abilene, Texas.

PASSED ON FIRST READING this 23 day of May,

A.D. 19 85.

PASSED ON SECOND AND FINAL READING this 13 day of

June, A.D. 19 85.

ATTEST:

Antonia Patton
CITY SECRETARY

David Stubbins
MAYOR

APPROVED:

Karen Anderson
CITY ATTORNEY

EXHIBIT A

REPEAL:

Chapter 11, Food and Food Handlers.
Article III, Vending Food from Vehicles.
Division 1. Generally.
Section 11-61. Use of noisemaking devices.

REPEAL:

Chapter 20, Offenses.
Article I. In General.
Section 20-2. Amplifiers, etc.--Use on streets.

AMEND BY ADDING the following revised Section 20-2, Amplifiers,
etc.--Use on streets, which reads as follows:

Section 20-2. Amplifiers, etc.--Use on streets.

No person shall ring a bell in excess of four (4) inches
in diameter on any vehicle from 8:00 a.m. to 1:00 p.m.
and from 3:00 p.m. to 8:00 p.m. for the purpose of
attracting the attention of the general public.