

ORDINANCE NO.7447

AN ORDINANCE AMENDING ARTICLE IX, "MISCELLANEOUS," OF CHAPTER 30, "BUILDING INSPECTION" OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY UNDER THE PROVISIONS OF SECTION 10.05 OF THE CODE OF ORDINANCES OF THE CITY OF GARLAND, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

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

Section 1

That Section 196, "Use of Streets and sidewalks for advertising or soliciting business", of Article IX, "Miscellaneous", of Chapter 30, "Building Inspection", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new Subsection (C) which shall read as follows:

"Section 30.196 Use of streets and sidewalks for advertising or soliciting business

. . . .

(C) Defense to prosecution. The possession of an active City license to operate a Sidewalk Space on a City sidewalk at time and the location complained of shall be a defense to prosecution under this Section so long as the activity complained of is within the scope of said license."

Section 2

That Section 197, "Sidewalk obstructions", of Article IX, "Miscellaneous", of Chapter 30, "Building Inspection", of the Code of Ordinances of the City of Garland, Texas, is hereby amended by adding a new Subsection (D) which shall read as follows:

"Section 30.197 Sidewalk obstructions.

. . . .

(D) Defense to prosecution. The possession of an active City license to operate a Sidewalk Space on a City sidewalk at time and the location complained of shall be a defense to prosecution

under this Section so long as the obstruction complained of is within the scope of said license.”

Section 3

That Chapter 30, “Building Inspection”, of the Code of Ordinances of the City of Garland, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 4

That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Sec. 10.05 of the Code of Ordinances of the City of Garland, Texas.

Section 5

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That this Ordinance shall be and become effective immediately upon and after its passage and approval.

PASSED AND APPROVED this the 11th day of July, 2023.

CITY OF GARLAND, TEXAS

Mayor

ATTEST:

City Secretary