

ORDINANCE NO. 2005- 8

An ordinance amending Section 14-63 of the Victoria City Code to add the Community Center area and DeLeon Plaza to areas exempted from the requirement of Article III, "Itinerant Vendors, Solicitors, and Outdoor Sales," of Chapter 14 of the Victoria City Code, repealing conflicting ordinances, providing for severability, providing for codification and savings, and declaring an effective date.

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

1.

Section 14-63 of the Victoria City Code is amended to read as follows:

Sec. 14-63. Exemptions from provisions of Article III for Riverside Park Special Events Area, DeLeon Plaza, and Community Center.

The provisions of this article shall not apply to sales occurring in the Riverside Park special events area, the DeLeon Plaza area, or the Community Center area as long as the vendor is occupying that area in compliance with the written authorization of the director of parks and recreation or its designee.

(a) For the purposes of this section, the Riverside Park special events area is the area of Riverside Park between Lowe Field, McCright Drive, Memorial Drive, Texas Zoo, Young Drive, Red River and the Riverside Stadium parking lot that is depicted by a map of that area adopted by ordinance and filed with the city secretary.

(b) For the purposes of this section, the DeLeon Plaza area is the area between Bridge Street, Forrest Street, Main Street, and Constitution Street, including the streets and sidewalks adjacent to the aforementioned area

(c) For the purposes of this section, the Community Center area is the City-owned property between Ben Jordan, Ben Wilson, North Street, and the Ben Jordan Outfall.

The director of parks and recreation shall reserve the aforementioned areas or parts thereof in a manner that provides recreational opportunities to the citizens of the City. The director of parks and recreation is authorized to charge a fee for the use of said areas or parts thereof in amounts established by this code.

2.

All parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

3.

If any provision of this ordinance, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a Court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

4.

It is the intention of the City Council that this ordinance shall become a part of the Code of the City of Victoria, Texas, and it may be renumbered and codified therein accordingly. The Code of the City of Victoria, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

6.

This ordinance shall become effective 10 days after final passage and approval by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 3RD day of MAY, 2005

AYES: 6
NAYS: 0
ABSTENTIONS: 0

PASSED SECOND READING, this the 17TH day of MAY, 2005.

AYES: 6

NAYS: 0
ABSTENTIONS: 0

PASSED THIRD READING, this the 17TH day of MAY, 2005.

AYES: 6

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 17TH day of MAY, 2005.



ATTEST:

Scarlet Swoboda

SCARLET SWOBODA, City Secretary
Distribution: Legal Department
Parks and Recreation
City Secretary

Will Armstrong
WILL ARMSTRONG, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

David Atmar Smith
DAVID ATMAR SMITH, City Attorney
Copies Sent: MAY 18, 2005