

ORDINANCE NO. O-2020-10-12

AN ORDINANCE OF THE CITY OF NIXON, TEXAS, REGULATING FOOD TRUCK AND MOBILE FOOD VENDING ACTIVITIES IN THE CITY; REPEALING PRIOR ORDINANCES REGULATING FOOD TRUCK AND MOBILE FOOD VENDING ACTIVITIES WITHIN THE CITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.

WHEREAS, the City of Nixon (the "City"), is by State law, pursuant to *Chapter 51 of the Texas Local Government Code* and *Chapter 437 of the Texas Health and Safety Code*, permitted to establish ordinances to protect the health, safety and general welfare of its residents; and

WHEREAS, the mobile food industry has the unique potential to create new employment opportunities, small business growth and favorable conditions for entrepreneurs in the City of Nixon; and

WHEREAS, protecting private residents of the City from unwanted annoyance of mobile food vending and/or food trucks, and protecting the peace in the community;

WHEREAS, requiring mobile food vendors and/or food truck operators to register, obtain a permit and pay permit fees may deter inappropriate conduct and/or unlawful activities; and

WHEREAS, the City has no desire to interfere with free speech, open dialogue and exchange of opinion;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NIXON, TEXAS, THAT;

Section. 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section. 2. Repealing. The Nixon City Council hereby repeals any prior Ordinance previously enacted by the City that governs, controls or creates regulations with regards