

O-09-03

ORDINANCE NO. _____

AN ORDINANCE RESTRICTING THE HOURS OF BUSINESS FOR PEDDLERS; AMENDING NORTH LITTLE ROCK MUNICIPAL CODE SECTION 74-3; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the City of North Little Rock ("City") desires to maintain a safe community and protect the public from improper sales techniques; and

WHEREAS, the City's current ordinances regulating sales and business by transient and itinerant merchants are in need of revision to restrict the hours of operation to daylight hours for the safety and welfare of its citizens.

WHEREAS, to adequately inform peddlers of restrictions to daylight hours, it is necessary to refer to a standard table published by a recognized authority, such as the table published by the United States Naval Observatory that is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1. That Section 74-3 of the North Little Rock Municipal Code is hereby amended to read as follows:

Sec. 74-3. Hours of business.

It shall be unlawful for any peddler to engage in the business of peddling within the city from sunset or 8:00 p.m., whichever is earlier, until ~~between the hours of 8:00 p.m. and 9:00 a.m.~~ the following morning, or at any time on Sundays, except by specific appointment or with invitation from the prospective customer. Any dispute regarding the actual time of sunset shall be finally determined by reference to tables published by the United States Naval Observatory.

Editor's notes: Underline indicates addition. ~~Strikethrough~~ indicates deletion

SECTION 2. That the provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

SECTION 3. It is hereby found and determined that the immediate passage of this Ordinance is necessary to insure immediate regulation of peddlers, transient and itinerant merchant sales, said activity having occurred after daylight hours in the winter months and presenting safety and security issues to citizens, and said immediate passage being necessary for the immediate preservation of the public health, safety and welfare;

THEREFORE, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSORS:

ATTEST:

Alderman Debi Ross

Diane Whitbey, City Clerk

Alderman Linda Robinson

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY