ORDINANCE NO. 358-2018

AN ORDINANCE REPEALING SECTION 9.15.210 OF THE MUNICIPAL CODE

Findings

1. Section 9.15.210 of the Hubbard Municipal Code prohibits any person from physically accosting another in a public place to solicit alms; and
2. Court decisions rendered since the enactment of Section 9.15.210 have called into question the continuing legality of the ordinance; and

C. Repealing Section 9.15.210 will avoid any continued legal concerns and permit the Council, as needed, to focus its attention on the enactment of other laws to address any continued health and safety concerns related to the effects of the activities regulated by the existing law.

BASED ON THE FINDINGS, THE CITY OR HUBBARD ORDAINS AS FOLLOWS:

Section 1. Section 9.15.210 of the Hubbard Municipal Code is hereby repealed:

Section 2. This Ordinance shall be effective thirty days from its adoption.

The foregoing Ordinance was passed by the City Council of the City of Hubbard this 11th day of September 2018, by the following vote:

Ayes \_\_\_\_\_\_\_\_\_

Nays \_\_\_\_\_\_\_\_\_

Absent \_\_\_\_\_\_\_\_\_

Whereupon, the Mayor declared the motion to be carried and the Ordinance adopted.

Passed and approved by the City Council of the City of Hubbard this 11th day of September2018.

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Charles Rostocil, Mayor

ATTEST: Approved by the City Attorney:

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Vickie L. Nogle, MMC Beery Elsner and Hammond LLP

Director of Administration/City Recorder