



## Recommendation for Action

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**File #:** 19-3030, **Agenda Item #:** 38.

9/19/2019

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### **Posting Language**

Approve an ordinance amending certain subchapters of Chapters 8 (*Parks and Recreation*), 10 (*Public Health Services and Sanitation*), and 14 (*Use of Streets and Public Property*) of the City Code to ensure consistency with House Bill 234, adopted during the 86<sup>th</sup> Regular Session of the Texas Legislature, deregulating the occasional sale of nonalcoholic beverages by persons under the age of 18.

### **Lead Department**

Parks and Recreation.

### **Fiscal Note**

There is no fiscal impact.

### **For More Information:**

Anthony Segura, Assistant Director, 512-974-9411, Jason Maurer, Sales and Event Manager, 512-974-2427, Vera Labriola, Business Process Specialist 512-974-5716.

### **Additional Backup Information:**

House Bill 234, adopted during the 86<sup>th</sup> Regular Session of the Texas Legislature, provides, in relevant part:

Notwithstanding any other law, a municipality, county, or other local public health authority may not adopt or enforce an ordinance, order, or rule that prohibits or regulates, including by requiring a license, permit, or fee, the occasional sale of lemonade or other nonalcoholic beverages from a stand on private property or in a public park by an individual younger than 18 years of age.

Amendments to Chapters 8 (*Parks and Recreation*), 10 (*Public Health Services and Sanitation*), and 14 (*Use of Streets and Public Property*) are necessary to ensure consistency with this legislation.