

CITY OF BEVIL OAKS, TEXAS

Ordinance NO. 275

AN ORDINANCE OF THE CITY OF BEVIL OAKS, TEXAS, REGULATING AND PROHIBITING DOOR-TO-DOOR SOLICITATION; PROVIDING FOR EXEMPT ACTIVITIES; ESTABLISHING PENALTIES; PROVIDING FOR ENFORCEMENT, PROVIDING FOR A \$500 PER DAY FINE; REPEALING ORDINANCE 240, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bevil Oaks, Texas recognizes the need to protect the privacy, safety, and peace of its residents; and

WHEREAS, unregulated door-to-door solicitation can pose risks including fraudulent activity, harassment, and interference with the quiet enjoyment of private property; and

WHEREAS, the City Council seeks to balance the rights of individuals and organizations to express themselves with the City's responsibility to protect its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF Bevil Oaks, TEXAS:

SECTION 1. PURPOSE AND INTENT

The purpose of this Ordinance is to promote and protect public health, safety, and welfare by regulating the presence of personal, door-to-door contact between members of the public and private citizens residing within the city limits of Bevil Oaks, Tx, including but not limited to salespersons, construction/remediation contractors and charitable, political or religious entities.

SECTION 2. DEFINITIONS

For purposes of this Ordinance, the following definitions apply:

- 1. Solicitor** - means any person, whether a resident of the City or not, traveling by foot, vehicle, or other conveyance, who goes upon private residential property without prior invitation for the purpose of advertising, selling, or offering for sale any goods or services, or to solicit donations or contributions.
- 2. Solicitation** – means any door-to-door activity intended to promote a business, product, or commercial service for financial gain of any kind. Some non-exclusive

examples include the sale of consumer products, construction services, debris cleanup or financial products.

3. **Solicitation permit** – temporary permits issued by the City that permit an exempt person or organization to participate in solicitation for activities directly related to charitable, political or religious purposes.

SECTION 3. SOLICITATION PROHIBITION

(a) It shall be unlawful for any solicitor to engage in door-to-door solicitation within the city limits of Bevil Oaks requests for donations, unless otherwise authorized in this ordinance.

(b) A person shall be considered engaged in solicitation if they knock on doors, ring doorbells, or otherwise attempt to contact occupants at their place of residence on the boundaries of a resident's private property.

SECTION 4. EXEMPT ACTIVITIES

The following shall be exempt from this ordinance:

1. **Religious or Political Expression:** Individuals distributing religious or political materials, or engaging in political canvassing or religious proselytizing, so long as no goods or services are offered for sale.
2. **Charitable Undertaking:** Charitable Organizations registered under IRS 501(c)(3), provided they obtain a solicitation permit from the City prior to any activity. Only activities related to goods or services associated with the Charitable Organization's business shall exempt.
3. **Public Officials or Candidates for elective office when engaged in campaigning.**

All persons engaging in Exempt Activities must comply with "No Solicitation" signs posted on any premises.

SECTION 5. "NO SOLICITATION" LIST

(a) The City shall maintain a registry of residents who request no solicitation be permitted at their residence.

(b) The list shall be available to all persons engaging in Exempt Activities, who must not approach listed addresses.

SECTION 6. PERMITS

(a) The City shall issue limited, temporary permits for charitable or community-based solicitation upon application and written acknowledgement of the requirement to engage exclusively in Exempt Activities.

(b) Organizations engaging in Exempt Activities must maintain a copy of a valid temporary permit and present it upon request by a resident or city official.

SECTION 7. PENALTIES

(a) Any person who violates this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined up to \$500 per offense.

(b) Each unauthorized solicitation, and each day such activity continues, shall constitute a separate offense.

SECTION 7. SEVERABILITY

That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

SECTION 8. REPEALING CLAUSE:

All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed. This specifically includes fully repealing previously enacted Ordinance 240.

SECTION 9. EFFECTIVE DATE – PUBLICATION OF CAPTION

The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of Bevil Oaks. The City Secretary is hereby directed to engross and enroll this Ordinance by copying the exact Caption and Effective Date clause in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

This Ordinance shall take effect and shall be in full force from and after the date of its final passage and publication as provided by law.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Bevil Oaks, Texas,
on this the 14th day of August, 2025.



Mayor Cheri Mitchell

ATTEST:



Jeff Thibodeaux,
City Council Secretary