

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 905.02 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE BY ADDING A NEW SUBSECTION (d) THERETO ADDRESSING THE SALE OF PRODUCE, FOOD, GOODS, WARES AND OTHER MERCHANDISE UPON SIDEWALKS OF THE CITY.

The City of Morgantown hereby ordains that a new subsection 905.02 (d) is added to its Streets, Utilities, and Public Services Code which reads as follows:

- 905.02 (d) No person shall be allowed to display or sell any produce, food, goods, wares or other merchandise between the hours of 11:00 p.m. and 6:00 a.m. on any public sidewalk within the Downtown Business District of the City, as shown on the map contained herein. Violators of this subsection shall be subject to a fine of five hundred dollars (\$500.00). Persons regulated by this code section shall be allowed to apply for the assignment of a vendor parking space pursuant to Section 361.09 of the Morgantown Traffic Code.



This Ordinance shall be effective October 1, 2013.

FIRST READING:

_____ MAYOR

ADOPTED:

FILED:

_____ CITY CLERK

RECORDED:

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 361.09 OF ITS TRAFFIC CODE, AS THE SAME APPLIES TO PUBLIC PARKING SPACES AND THE SALE OF PRODUCE, FOOD, GOODS, WARES OR OTHER MERCHANDISE IN THE DOWNTOWN BUSINESS DISTRICT OF THE CITY.

The City of Morgantown hereby ordains that Section 361.09 of its Traffic Code is amended as follows (new matter underlined, deleted matter struck through):

361.09 **PARKING TO DISPLAY OR SELL PRODUCE, FOOD, GOODS, WARES OR OTHER MERCHANDISE.**

No vehicle, wagon, cart, or other similar device used for the transportation and/or sale of produce, food, goods, wares or other merchandise, shall be parked in the ~~business or congested district~~ Downtown Business District of the City, as shown on the map contained herein, for the purpose of displaying or selling therefrom any produce, food, goods, wares or other merchandise of any kind, except between the hours of 11:00 p.m. and 6:00 a.m., and only within the parking space assigned to such vendor by the City Manager, or his/her designee, which may include the Morgantown Parking Authority. The City Manager, or his/her designee, shall promulgate rules governing the assignment of parking spaces regulated by this Section, to vendors. Individual vendors shall be required to remove all litter or garbage within the public right-of-way and resulting from the vendor's sales, for a distance of fifty (50) feet of their assigned parking space. The vendor shall remove all such litter or garbage from the public right-of-way before removing its vehicle, wagon, cart, or other similar device used for the transportation and sale of produce, food, goods, wares or other merchandise from the assigned vendor parking space. Violators of this section shall be subject to a fine of five hundred dollars (\$500.00).



This Ordinance shall become effective on October 1, 2013.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED: