

Revised

AN ORDINANCE BY THE CITY OF MORGANTOWN AMENDING SECTION 905.02 OF ITS STREETS, UTILITIES AND PUBLIC SERVICES CODE BY ADDRESSING THE SALE OF PRODUCE, FOOD, GOODS, WARES AND OTHER MERCHANDISE UPON SIDEWALKS OF THE CITY.

The City of Morgantown hereby ordains that subsection 905.02 of its Streets, Utilities, and Public Services Code is amended as follows (new matter underlined, deleted matter struck through):

- 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, without allowing a minimum of four feet of width of accessible sidewalk for pedestrian movement. No such vendor shall be allowed to locate on any public sidewalk within the 300 Block of High Street, as shown on the map contained herein, within the hours of 11:00 p.m. to 6:00 a.m. The sidewalk vendor 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 its vending location. The vendor shall remove all such litter or garbage from the public right-of-way before moving from the vending location on such night.

All such vendors shall be required to comply with all applicable State, Federal and City Codes, including the West Virginia State Fire Code. 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 January 1, 2014.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED:

Revised

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 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; or as a part of an authorized special event permit. 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 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).

The prohibitions contained within this code section shall not prohibit the City Manager from issuing permits to vehicle vendors, allowing such vendors to set up in parking spaces from the hours of 6:00 a.m. to 11:00 p.m. while special events are being held by and/or authorized by the City of Morgantown.



This Ordinance shall become effective on January 1, 2014.

FIRST READING:

MAYOR

ADOPTED:

FILED:

CITY CLERK

RECORDED:

Downtown Truck Vending - Commercial Assistance Memo

The City of Morgantown has established the rules and



regulations for registering truck vendors in the downtown district to help reduce pedestrian congestion and increase safety on downtown sidewalks between the hours of 11:00 pm and 6:00 am.

What are the rules?

City of Morgantown Code 361.09 has been created to manage truck vending in the downtown between the hours of 11:00 pm and 6:00 am. Truck vendors will be allowed to register for an allowable parking space that is located 50 feet from an open business and is not located within the 300 block of High Street (from Fayette Street to Walnut Street) or along the Courthouse Plaza on High Street when meters are bagged, or any parking space that has a bagged meter. Parking spaces that are allowable can be seen in the attached Downtown Nighttime Mobile Vending maps (parking spaces located in red are not allowed). Maps will be updated annually in November to determine allowable parking spaces for the upcoming year. Registration will be through the Morgantown Parking Authority, which will be responsible for the bagging of the meter 2-hours before vendors can locate into the parking space. Parking spaces will be available on February 1 of each year for registration on a first come, first serve basis. Each space can be registered on a weekly schedule.

What are my responsibilities?

As a truck vendor, your responsibilities include:

1. Obtain a Hawker Peddler License through the Morgantown Finance Department
2. Register and pay for a requested parking space at least one week in advance.
3. 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.

It is the responsibility of the truck vendor or owner to have their vehicle inspected by the Morgantown Fire Marshall's office prior to locating at the registered parking space.

Cost

Parking spaces can be registered for \$14 each day (11:00 pm to 6:00 am). If three consecutive days (11:00 pm to 6:00 am) are registered, the cost will be \$13 each day.

Who enforces these rules?

The Morgantown Police Department will enforce laws regarding Code 361.09 for truck vendor that are not in a registered parking space in downtown Morgantown, or if the truck vendor is not correctly licensed with the City Finance Department. The Finance Department will enforce the payment of Business and Occupation Taxes to be collected on gross sales.

What happens if I don't follow these laws/rules/regulations?

Violators of this section shall be subject to a fine of five hundred dollars (\$500.00).

Who do I contact if I have questions?

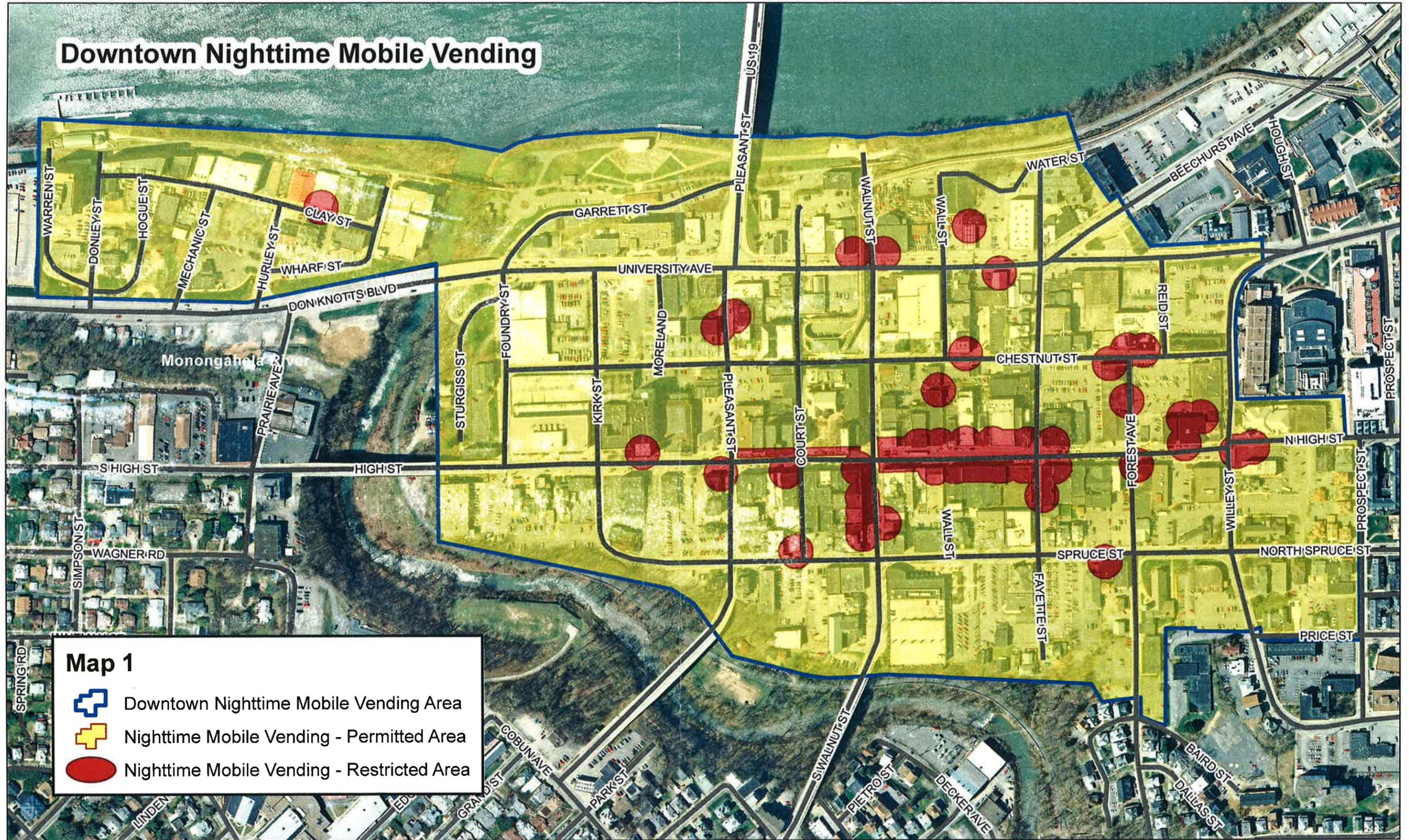
Contact the Morgantown Parking Authority for questions on registering for vendor parking spaces at 304-284-7435.

Contact the Morgantown Finance Department on business licensing for truck vending at 304-284-7417.

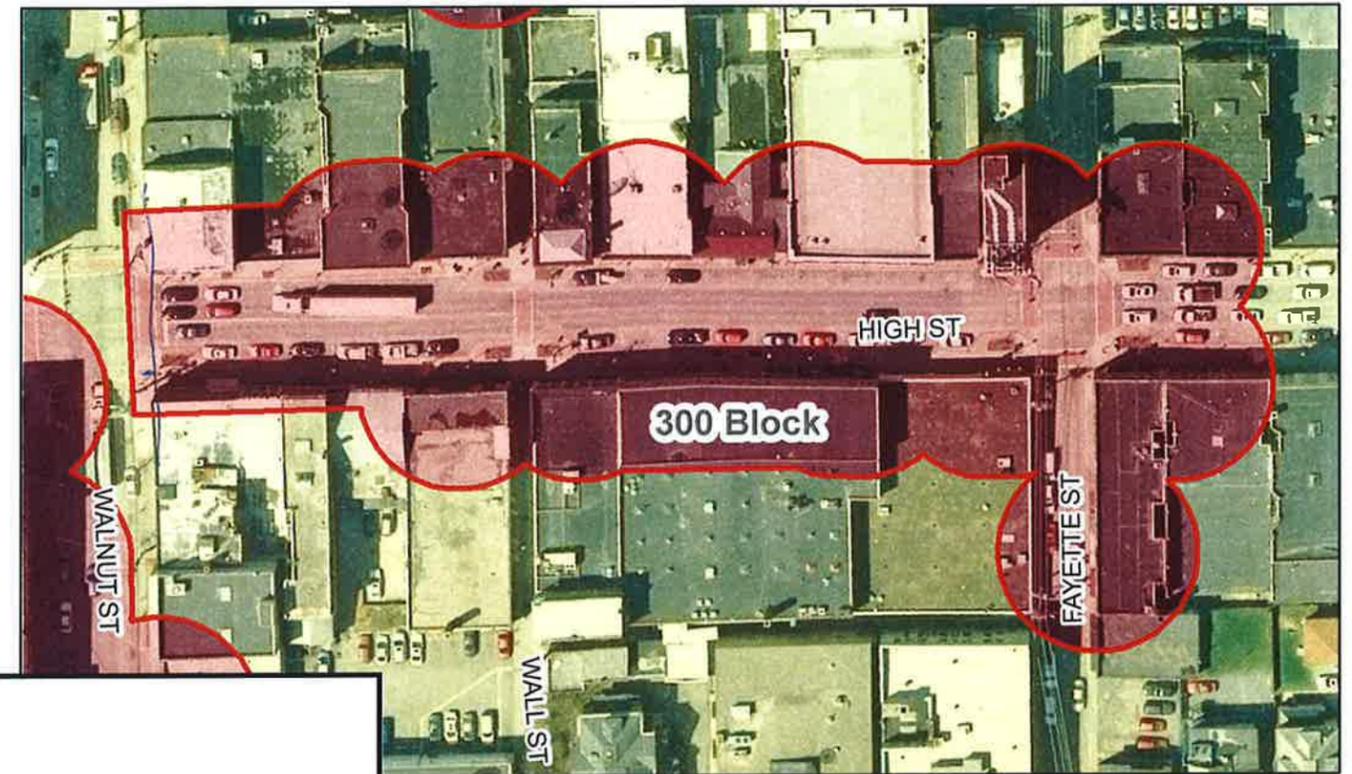
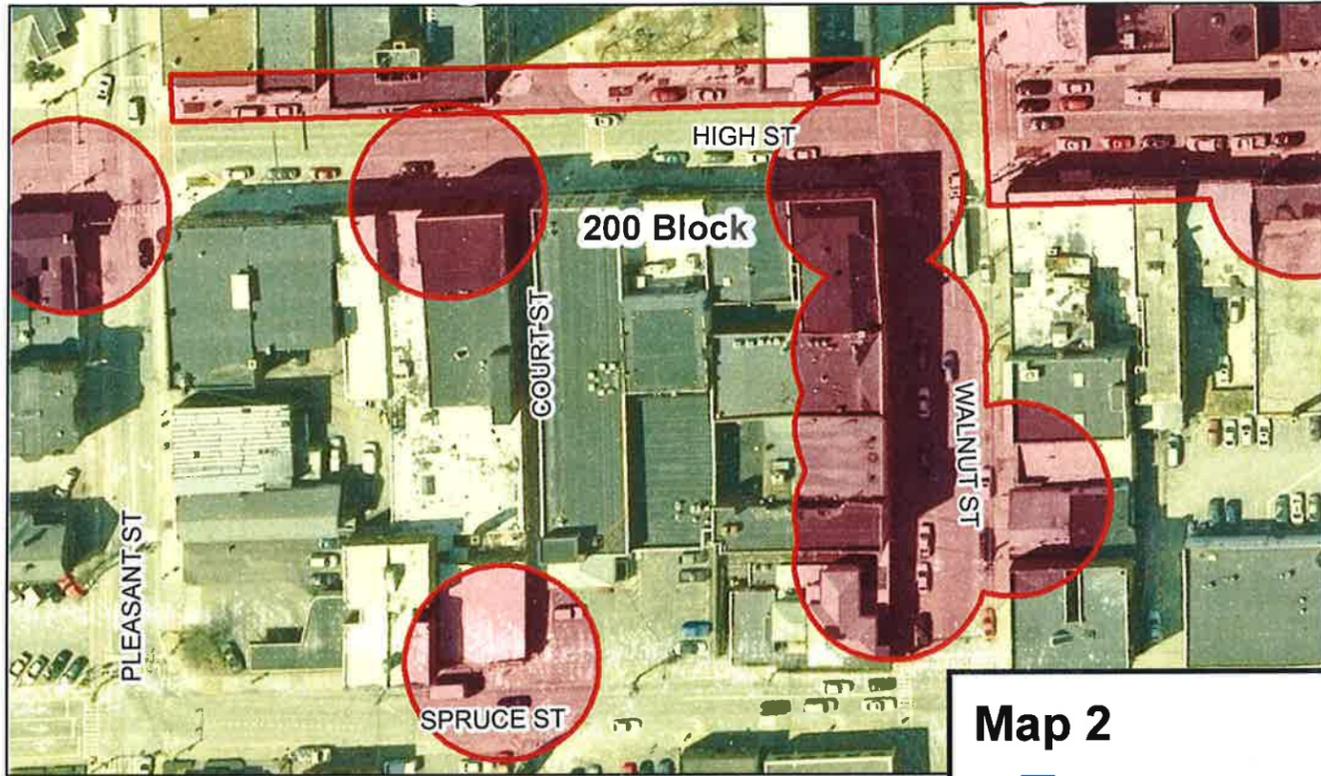
Contact the Morgantown Fire Marshall's Office for vending truck inspections at 304-284-7480.

Authorization:

Downtown Nighttime Mobile Vending



Downtown Nighttime Mobile Vending



Map 2

-  Downtown Nighttime Vendor Area
-  Nighttime Mobile Vending - Permitted Area
-  Nighttime Mobile Vending - Restricted Area

