

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: