

KARL N. FLAGG
MAYOR - COMMISSIONER

MARY LAWSON BROWN
VICE MAYOR - COMMISSIONER

ALLEGRA KITCHENS
COMMISSIONER

VERNON MYERS
COMMISSIONER

JAMES NORWOOD, JR.
COMMISSIONER



Regular meeting 2nd and 4th Thursdays each month at 6:00 p.m.

ELWIN C. "WOODY" BOYNTON, JR.
CITY MANAGER

BETSY JORDAN DRIGGERS
CITY CLERK

RUBY M. WILLIAMS
FINANCE DIRECTOR

GARY S. GETCHELL
CHIEF OF POLICE

MICHAEL LAMBERT
CHIEF FIRE DEPT.

DONALD E. HOLMES
CITY ATTORNEY

July 16, 2010

TO MESSRS: MARY LAWSON BROWN, ALLEGRA KITCHENS, VERNON MYERS, Jr.
AND JAMES NORWOOD, Jr.:

You are hereby notified that a workshop meeting of the Palatka City Commission is called to be held on Tuesday, July 27, 2010, at the regular meeting place of the Palatka City Commission, Palatka City Hall, 201 N. 2nd Street, Palatka, Florida, to commence at 6:00 p.m.

The purpose of the meeting is to hold a joint workshop with the Downtown Merchants to discuss merchandise being placed on sidewalks in the Central Business District.

/s/ Karl N. Flagg
Karl N. Flagg, MAYOR

We acknowledge receipt of a copy of the foregoing notice of a special meeting on the 16th day of July, 2010.

/s/ Mary Lawson Brown
COMMISSIONER

/s/ Vernon Myers
COMMISSIONER

/s/ James Norwood, Jr.
COMMISSIONER

/s/ Allegra Kitchens
COMMISSIONER

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY CLERK'S OFFICE AT 329-0100 AT LEAST 24 HOURS IN ADVANCE TO REQUEST ACCOMMODATIONS.

201 N. 2ND STREET • PALATKA, FLORIDA 32177

PHONE: (386) 329-0100

www.cityofpalatka.com

FAX: (386) 329-0106



City of Palatka
Building & Zoning
201 N. 2nd Street
Palatka, Florida 32177
386-329-0103 • Fax 386-329-0172



July 20, 2010

TO: Mayor Flagg, Vice Mayor Brown, Commissioners Kitchens, Myers, and Norwood

FROM: Debbie Banks, Building & Zoning 

RE: Downtown Workshop - Wares on the Sidewalk

Please find attached staff research of ordinances from other municipalities specifically relating to wares on the sidewalk. The table condenses the research into a brief overview for your reference. It appears the majority of municipalities do not allow anything on the sidewalk and those that do require approval by either the Planning Board, City Commission or City Manager and are subject to a "Hold Harmless Agreement" and permitting.

If the Commission opts to allow items on the sidewalk in the downtown zoning districts, they should be listed in the ordinance and include:

- What space they are allowed to occupy [defined by height – width- depth; number]
- Clearance required (height and sidewalk)
- Permits (if required)
- Hold Harmless Agreement and/or Certificate of Insurance (if required)
- Streetscape items such as benches, trash cans, planters should be included
- Newspaper racks
- Package drop-off sites
- Signage (A-frames)

Can a property/business owner place a bench or planters on the sidewalk if they don't conform to a "uniform" look? What about hanging planters; decorative flags?

These are a few of the items to think about if the Commission decides to amend the code.

Code Research for Wares on Sidewalk

Municipality	Wares allowed on sidewalk?	Sidewalk cafes allowed?	Other items allowed?
Deland	No	Yes - License approved by Planning Bd. & Commission. Hold Harmless Agreement (HHA)	
Eustis	No	Yes – 30 day permit & HHA; Work Comp & Liability insurance	Overhead planters; 1 sign per building front HHA/permit
Fernandina Beach	No	No	None listed
Mount Dora	Yes – 5’ clearance required	No	None listed
St. Augustine	No	No	Newspaper vending machines
Titusville	No	No	None listed
Tallahassee	Not clear. 5’ unobstructed area	No	Street furniture & lighting in conformance with the streetscape program
Jacksonville	No	Yes – permit & HHA	Bike rack w/permit
Sarasota	No	No	None listed
Gainesville	By permit & approval	By permit & approval	None listed
Lakeland	Commission approval & HHA	No	Commission approval & HHA
Daytona Beach	No	No	None listed
Miami	No – peddler only with license	No – peddler only with license	None listed
Pensacola	Permit/franchise required	Permit/franchise required	None listed
Tampa	No	Council approval/HHA/License/4’ clearance	None listed
Vero Beach	City Manager permit	Yes – HHA and permit	Sandwich sign; mobile vending cart; artists
Clearwater	No	Yes – permit required	Street furniture; urban amenities
GEORGIA			
Atlanta	No		
Macon	No		
Savannah	No		
Brunswick	No		

Code Research for Wares on Sidewalk

VIRGINIA			
Norfolk	No		
Richmond	Special permit required		
Williamsburg	7' clearance required		
Hampton	No		
Alexandria	By permit		
LOUISIANA			
Baton Rouge	2' from building line allowed		
Shreveport	No		
Abbeville	No		
Hammond	No		
New Iberia	No		
Lafayette City	By permit	By permit	
MICHIGAN			
Ypsilanti	Special permit		
Bad Axe	2' passageway required		
Detroit	3' next to building on a 10' sidewalk		
Pontiac	By permit		
Mackinac Island	No		

Deland:

ARTICLE II. OBSTRUCTIONS IN STREETS AND SIDEWALKS

Sec. 26-4. Obstructing streets and sidewalks.

Every person engaged in the business of selling and vending goods, ~~wares~~, and merchandise from any mobile vehicle, truck, cart, or wagon using the streets and sidewalks of the city is hereby prohibited from obstructing the streets and sidewalks with such mobile vehicle, truck, car, or wagon by parking or stopping such vehicle, truck, cart, or wagon, for the purpose of carrying on the sale of his or its goods, ~~wares~~ and merchandise for a period of time longer than five minutes at any location.

(Bk. 12, P. 227, § 1)

Sec. 26-5. Placing and storage of articles on streets and sidewalks.

No person shall place or store any wood, coal, fuel, fruits, vegetables, goods ~~wares~~ or merchandise, on any public street, sidewalk, park or parkage, in the city, or display or offer for sale, any such commodity or commodities in any such position.

(Bk. 6, P. 55, § 1)

Cross references: For zoning provisions regulating businesses, see Ch. 33.

Sec. 26-6. Same--Declared nuisances.

All wood, coal, fuel, fruits, vegetables, goods, ~~wares~~ or merchandise, which are now or which may hereafter be placed or stored on any public street, sidewalk, park or parkage, in the city, are hereby declared public nuisances and are hereby ordered abated.

(Bk. 6, P. 55, § 2)

Sec. 26-7. Sidewalk displays.

It shall be unlawful for any person to sell or display or offer for sale any commodity whatsoever on any public street, sidewalk, park or parkage, in the city.

Eustis

ARTICLE VI. - SIDEWALK SEATING AND CARICATURE/LOGO DISPLAY SIGNS

Sec. 82-226. - Where permitted.

Adjacent outdoor seating, planters, and caricature/logo display signs permitted in this article shall only be permitted within the central business district as designated on the land use map of the comprehensive plan.

(Ord. No. 09-30, § 1, 7-2-2009)

Sec. 82-227. - Definitions.

Outdoor caricature/logo display signs. An individual display that is characteristic of the organization, business or restaurant which presents some type of information about the products, services or activities of the business, restaurant or organization. Included in this definition are table umbrellas and canopies or tents which present some type of information about the products, services or activities of the business, restaurant or organization.

Outdoor seating area. An area of designated size which may be used as a seating area with tables and chairs for the contiguous business. This seating may be in addition to the allowable indoor seating or it may be the only seating available for the business.

Outdoor planters. Any temporary containers or displays of plant material located outside the business either attached to the building, or hanging from trees, or overhead signage.

Sec. 82-228. - Standards and criteria.

- (a) A 60-inch wide path for ingress and egress shall remain unobstructed and accessible for pedestrian traffic. Overhead planters, signs, awnings, and other items placed in the air must be at least 80 inches from the ground.
- (b) Outdoor signs shall be no larger than eight square feet and shall be of quality design, materials and workmanship both to ensure the safety and convenience of users, and to enhance the visual and aesthetic quality of the urban environment.
- (c) Caricature/logo display signs are permitted to be displayed on the sidewalk adjacent to a business. The number of signs shall be limited to one per sidewalk or pedestrian thoroughway per business frontage. Sidewalk signs may not be placed within three feet of an adjacent property line.
- (d) Notwithstanding anything in this article to the contrary, the city reserves the right to allow, upon petition to the commission, event signage with such terms and conditions as the city commission may require.
- (e) Permits are required for outdoor caricature/logo display signs, A-frame signs, outdoor seating and outdoor planters.
- (f) Outdoor seating areas are only permitted as an accessory use to a licensed business on the abutting site.
- (g) Outdoor seating area permits shall be issued only to validly licensed businesses that wish to provide tables, chairs, and/or benches on the sidewalk.
- (h) Tables, chairs, umbrellas and any other objects associated with the tables, chairs or benches shall be of quality design, materials and workmanship, both to ensure the safety and convenience of users, and to enhance the visual and aesthetic quality of the urban environment. Plastic tables and chairs shall not be permitted. Design, materials and colors shall be sympathetic and harmonious with the urban environment and compliment the design and paint colors on the building.
- (i) Tables and chairs and any other item in the right-of-way shall be removed from the right-of-way in the event of an emergency as determined by the city fire chief, police chief, or city manager.
- (j) No permit shall be issued for either outdoor caricature/logo display signs, planters, or outdoor seating area unless the permittee executes an application which contains a hold harmless agreement which releases the city from liability and which indemnifies the city for any claims, loss, damages, expenses, attorney's fees, or costs associated with use of the right-of-way by any one.

(Ord. No. 09-30, § 3, 7-2-2009)

Sec. 82-230. - Procedures for approval for sidewalk seating areas.

- (a) Permission to utilize portions of public right-of-way for an outdoor seating area shall be provided under the terms of a permit approved by the city commission.
 - (b) The applicant shall submit an application which includes a scaled, dimensioned and legible drawing of:
 - (1) The area proposed for use as an outdoor seating area;
 - (2) The location of the proposed items (tables, chairs, et cetera) in the right-of-way area which the applicant desires to use; and
 - (3) The color and material of any signs, or planters.
- The drawing and necessary supporting documentation shall provide all information needed to verify compliance with the minimum criteria, design standards, and the operating standards set forth in this article.
- (c)

Once the application is complete, city staff shall forward the permit application for the city commission's review and consideration. If the permit is granted, staff shall prepare a permit agreement for signature by the applicant and the city manager or his designee.

(d)

The permit shall be valid for 30 days and renew automatically each 30 days unless terminated by the city commission. The city commission has total discretion to terminate the permit for any reason. Each sidewalk seating area permit is nontransferable and is considered temporary in nature. No permanent approval is granted for any improvement or use and no vesting of any type is accorded.

(Ord. No. 09-30, § 5, 7-2-2009)

Sec. 82-231. - Public's right of use.

The outdoor seating area shall be open for use by the public and such use shall not be restricted to patrons of the licensee. Neither the use of the permittee's seating area nor the tables and chairs the permittee places on the right-of-way shall be limited to the exclusive use of the permittee's patrons. All members of the public shall have the right to use the outdoor seating area and the tables and chairs that the permittee places on the right-of-way without charge.

(Ord. No. 09-30, § 6, 7-2-2009)

Sec. 82-232. - Insurance requirements.

Permittee shall maintain the following insurance coverage and provide evidence of same to the city:

Worker's compensation. Coverage to apply for all employees for statutory limits in compliance with the applicable state and federal laws. The policy must include employers' liability with a limit of \$100,000.00 each accident.

Comprehensive general liability. Minimum limits of \$300,000.00 per occurrence. Combined single limit for bodily injury liability and property damage liability. This shall include premises and/or operations, independent contractors and products and/or completed operations, and a contractual liability endorsement.

Certificate of insurance. The City of Eustis is to be specifically included as an additional insured. This does not pertain to worker's compensation. The policy shall provide a 30-day notification clause in the event of cancellation or modification to the policy. Certificates of insurance must be on file with and approved by the city.

(Ord. No. 09-30, § 7, 7-2-2009)

Fernandina Beach

Sec. 70-2. Encroachments in the public right-of-way.

(a) *Encroachments in the public right-of-way prohibited without permit.*

(1) No person or corporation shall place, affix, or cause to be placed or affixed any encroachment in the right of way without first obtaining permit therefore. Any encroachment not specifically authorized by the city commission or placed without a permit shall be subject to immediate removal by the city in the interests of the public health, safety and welfare.

(2) No sales or display of goods for sale shall be permitted in the public right-of-way.

(b) *Definitions.*

(1) *Encroachment* means any object which intrudes into the public right of way on either a temporary or permanent basis, but does not include newsracks.

(2) *Public right-of-way* means any public street, highway, sidewalk, parkway or alley.

Mount Dora

3.5.20. *Temporary, outdoor, and sidewalk sales and carnivals and amusements.* These types of uses shall be permitted under the standards outlined herein. **Goods** and merchandise shall be allowed to be sold outside of an existing approved retail establishment provided the following criteria are met:

1. *Temporary sales:* Temporary sales by only fraternal, charitable, or other not-for-profit organizations or vendors included in an approved special event application shall be allowed on commercial, office and publicly zoned property. Temporary sales permits shall be valid for 30 days only and shall be obtained from the community development department. Only two permits per parcel per year shall be allowed.

The site proposed for these sales must have adequate, improved ingress and egress as to not impede or interfere with the normal traffic flow on the roadway. The area of the sale shall be construed as additional retail

space and adequate parking must be provided to serve this space. The site must be cleaned and restored to its prior condition within three days following the event or day in question.

2. *Sidewalk sales:* Display and sale of merchandise on sidewalks or in front yards shall be allowed in commercial zoning districts provided at least five feet of clear unobstructed access is provided on the adjacent sidewalk and to the store access. No display or sale of merchandise shall be allowed in parking spaces or driving aisles.

St. Augustine

(b) *Prohibition of street vending outside the provisions of ordinance.* Other than provided for herein, it is unlawful for any person to sell or offer for sale, compensation or donation, or rent or offer for rent, goods, wares, merchandise, food stuffs, refreshments, or other kinds of property or services upon the streets, alleys, ~~sidewalks~~, parks and other public places in the plaza.

Ocala

Sec. 58-2. Street or sidewalk sales.

No person shall sell any goods from any stand located on any street or sidewalk located in public right-of-way, except as authorized by the city council, or as permitted by chapter 22, article VI, division 2, (mobile vending) or in a licensed sidewalk cafe.

(Code 1961, §§ 17-8--17-9.1; Code 1985, § 21-4; Ord. No. 1885, § 4, 12-2-86; Ord. No. 2718, § 15, 4-15-97)

Titusville

Sec. 12-9. Obstructing street.

It shall be unlawful for any auctioneer, commission merchant or other merchant to obstruct any public street or ~~sidewalk~~ for the purpose of selling, vending, showing or disposing of their wares and merchandise, or of delivering the same, nor shall any assembly of persons as bidders, be assembled for the purpose of bidding for the same, so as to obstruct free passage on the ~~sidewalks~~ or streets in the city.

(Code 1963, § 15-19)

Tallahassee

Streetscape standards.

b.

All ~~sidewalks~~ in nonresidential areas and mixed use areas shall provide a continuous, unobstructed clear width area of no less than five feet. This width shall be unobstructed by utility poles, fire hydrants, benches, or any other temporary or permanent structures.

c.

Street furniture and street lighting shall be required to be in conformance with a comprehensive streetscape program that establishes a uniform theme for each area where such streetscape is intended.

Jacksonville

Sec. 250.501. - Intent.

The primary purpose of public ~~sidewalks~~ is for use by pedestrian traffic. However, vending on public ~~sidewalks~~ promotes the public interest by contributing to an active and attractive pedestrian environment. Therefore, to permit such activity it is necessary to provide reasonable regulation of downtown ~~sidewalk~~ vending to protect the public, health, safety and welfare and to promote free, unimpeded and safe vehicular and pedestrian traffic flow. Part of this protection involves regulation of vending cart size, designation of vending locations and size, and insurance requirements to adequately protect the rights of citizens. The regulations contained in this Part do not prohibit pure speech under the United States Constitution, but merely regulate the activities which are commercial in nature.

Sec. 250.901. - Intent.

The primary purpose of public sidewalks is for use by pedestrian traffic. However, sidewalk cafes on public sidewalks may promote the public interest by contributing to an active and attractive pedestrian environment. Therefore, to permit such activity, it is necessary to provide reasonable regulation of sidewalk cafes to protect the public health, safety and welfare while promoting safe vehicular and pedestrian traffic flow.

Sec. 250.907. - Location rules and review.

The applicant will be guided by the following in the drawing required in Section 250.906(f):

(a)

The area to be considered must have sidewalks which are eight feet in width or greater.

(b)

Sidewalk cafes shall be located such that there is a clear pedestrian passageway of at least four feet in width, measured from the edge of the sidewalk cafe to the curb, or nearest overhanging obstruction. If cars would be parked at an angle or perpendicular to the curb at the permitted locations, then wheel stops shall be provided by the owner, as approved by the Building Inspection Division, so that a car overhang will not interfere with the clear pedestrian passageway required herein. Sidewalk cafes proposed for areas which have a high density of pedestrian usage may be required to have a pedestrian passageway of at least six feet in width.

(c)

The sidewalk cafe boundary shall also include any extension created by the use of an umbrella, unless there is a minimum of eight feet of unobstructed clearance between adjacent grade and the lowest portion of any such umbrella when fully opened.

(d)

No obstruction shall be placed within 18 inches of the face of any curb, within five feet of any fire hydrant, fire exit, building entry nor within ten feet of any bus stop.

(e)

No additional signage shall be permitted on the sidewalk.

(f)

Calculation of the sidewalk cafe area should include a two-foot area for the service of food and beverages in addition to the width of the table and chairs.

(g)

The storage and preparation of food or drinks is prohibited in the sidewalk cafe area.

(h)

The use of public sidewalks for cafe service shall not be permitted when it has been determined that:

(1)

The number of pedestrians using the public sidewalk is too great to allow any obstruction;

(2)

The obstruction of the public sidewalk may endanger the health, safety or welfare of the public, or be detrimental to surrounding property values by reason of such factors as noise, litter, lighting, security, outside cooking (odors, smoke), hours of operation, etc.

(i)

In the event of foul weather including winds, all chairs, umbrellas, food, table accessories, trash or other debris shall be secured so as to not create any risk to public safety. Tables and railing/planter components shall also be secured. All table accessories and food items shall be removed and stored within the restaurant and all tables, chairs, etc., shall be secured.

(j)

Any and all food and beverage spills shall be promptly cleaned up. All trash and debris within and around the outdoor dining area shall be picked up immediately and not allowed to collect, litter or blow into the public right-of-way.

(k)

Sidewalk cafes shall demonstrate that sufficient lighting is provided which illuminates the cafe boundaries and adjacent pedestrian walkway in such a manner as to allow perception and safe negotiation of potential obstructions within such areas.

Sec. 250.301. - Vending areas.

(a)

- Sidewalk** vendors may request a permit for an assigned location for the location of a vending area. This location shall meet the standards set forth in this Part. This location shall not be assigned to any other vendor as long as the permit is valid. The vendor must provide a site plan of the location with application. Any such application shall be reviewed by the Department to assure compliance with this Part before being submitted to the Tax Collector for payment.
- (b) **Sidewalk** vendors may request a nonspecified vending area permit. This permit shall authorize the vendor to vend in any location in the City authorized by this Part.
- (c) **Sidewalk** vendors may vend only in City right-of-way along roads which have curbs, gutters and **sidewalks** and only where the zoning is commercial or industrial.
- (d) All vending carts, display devices, and accessory containers must be located at least three feet from the paved portion of the street including any parking areas.
- (e) The vendor's vending carts, display devices and accessory containers shall not cover or obstruct more than 50 percent of the width of any **sidewalk**.
- (f) In no event shall any vending cart, display device, or accessory container be located on the paved portion of any road or:
- (1) Within three feet of any paved portion of any road including any parking areas;
 - (2) Along any divided road which does not have curbs and **sidewalks** alongside such road;
 - (3) On or in any median in any road;
 - (4) Within ten feet of any driveway or curb cut;
 - (5) Within 15 feet of any crosswalk;
 - (6) Within 15 feet of any building exit or any walk which leads directly from a building exit;
 - (7) Within 20 feet of any bus stop;
 - (8) Within three feet of a building or structure unless the **sidewalk** is not less than 11 feet wide;
 - (9) Within three feet of any parking space parallel to the road;
 - (10) Within any area which would block the view of traffic or traffic signals or traffic signs;
 - (11) Within 25 feet of any intersection;
 - (12) Within 75 feet of any vendor who has been granted an assigned location permit pursuant to Section 250.301(a);
 - (13) Within ten feet of any fire hydrant;
 - (14) Within 300 feet of the property line of any property on which is located any established permanent business which sells the same types of products or services as requested to be sold by the permit applicant.
- (g) In no event shall any vending cart or accessory container be located inside any public building or structure or at any place the general public is prohibited or on any place where exclusive vending rights have been leased to another.

Sec. 616.101. - Street signs.

It shall be unlawful and a class B offense for any person to place any sign on any **sidewalk** or street in the City where the sign obstructs or tends to obstruct the use of the street or **sidewalk**.

Note—

Former § 330.301.

Sec. 616.102. - Bicycle racks on sidewalks.

No person shall place any bicycle rack on any sidewalk or in the space between the sidewalk and the roadway of any street without obtaining a permit from the Council for that purpose. The Council may grant a permit under such terms and conditions as to it shall seem advisable for the protection of the interests of the City. Violation of this Section shall constitute a class C offense.

Sarasota

Sec. 23-2. Selling in streets, right-of-way, etc.

(a) It shall be unlawful for any person to sell, dispense, peddle, hawk, display, offer to sell or solicit for sale by offering or exposing for sale any goods, wares, merchandise or services in or on any street, alley, thoroughfare, public right-of-way, public parking lot or median in the city from any table, booth, stand, cart, motor vehicle, showcase, bench, rack, push cart, wagon or any other wheeled vehicle or device which may be moved with or without the assistance of a motor or engine. It shall be unlawful for any person to sell, dispense or display for sale any food items or beverages in or on any street, alley, thoroughfare, public right-of-way, public parking lot or median in the city unless a permit for such purpose has been issued pursuant to Section 6-28 of the Zoning Code of the city.

(b) The terms of this section shall not apply to the business operations of any public transportation system, taxi cabs or other vehicles for hire nor shall the same apply to the commercial servicing or repair of any disabled motor vehicle or any commercial activity involving pick up, delivery or unloading so long as the same is temporary and is done in conformity with other applicable provisions of this Code and other applicable laws.

(Code 1971, § 37-3; Ord. No. 84-2790, § 2, 4-30-84)

Sec. 23-3. Soliciting customers on streets, ~~sidewalks~~, etc.

No merchant, hawker or peddler, or their agents or employees, shall solicit customers on any street, sidewalk or alley, or within any public place in the city, by stopping passersby or by yelling or making any loud noise to attract persons to their places of business, or by exhibiting or having any attraction which blockades or obstructs any street, alley, sidewalk or public place within the city.

(Code 1971, § 37-4)

Gainesville

Sec. 19-95. - Vendors' stands.

It shall be unlawful for any person to display, keep or maintain any stand, article or item of personal property, whether for sale, advertising or other purpose, on any of the streets or sidewalks of the city, or within 50 feet of the main entrance to any public building in the city during normal operating hours for that building, without first obtaining a permit from the city manager. This section does not apply to a vending booth properly permitted under this chapter.

Lakeland

Sec. 90-1. - Objects, obstructions and structures within the public right-of-way—Permit required.

(a)

It shall be unlawful for any person to place or cause to be placed upon the public streets or sidewalks, or any place where the public has a right of passage, any structure, object or obstruction of any kind whatsoever except as provided herein, and it shall be unlawful for the owner or occupant of any lot or part thereof to permit any structure, object or obstruction to passage upon any street, sidewalk or other place where the public has the right of passage adjacent to such lot, except as provided in this section.

(b)

The provisions of this section shall not prohibit the placing of objects or the installation of structures on the public right-of-way where the owner of the property adjacent thereto or the owner of the object to be placed within the right-of-way:

(1)

Obtains the approval of the city commission of the city for the placement of such object or the installation of a structure and complies with the conditions which may be established by the city commission;

(2)

If required by the city commission, agrees in writing to hold the city, its employees and officers harmless from loss arising from the placing of such object or structure on the public right-of-way;

(3)

Obtains the approval of the building inspection division of the city for the installation of any structure if otherwise required by the provisions of other ordinances of the city, after the submission of plans illustrating and describing the structure to ensure the compliance with other ordinances of the city; and

(4)

Continuously maintains the object or structure to ensure that it does not become dilapidated and unsightly in appearance nor hazardous to pedestrian or vehicular traffic.

(5)

The city manager or his designee may authorize the temporary or periodic placement of objects and/or merchandise for sale within the sidewalk area of the public right-of-way and, incidental thereto, may require a written hold harmless agreement and impose such other reasonable conditions as may be necessary to protect the public health, safety and welfare.

(Code 1960, § 30.05; Ord. No. 3726, § 1, 7-15-96)

Daytona Beach

Sec. 86-37. - Obstructions generally.

It shall be unlawful for any person to obstruct any public street or sidewalk in the city by displaying or placing thereon any goods, wares, merchandise or offering services or otherwise except as may be permitted by the city building code and the Land Development Code.

(Code 1970, § 42-1)

Miami

Sec. 39-28. - BTR required.

It shall be unlawful to sell, or offer for sale, any food, beverage, service or merchandise on any street, alley, sidewalk, or public park within the city from any wagon, truck, auto, pushcart, vehicle or by any other means upon the streets, sidewalks, or alleys of the city until the proper BTR has been issued by the department of finance, at which time a metal or plastic tag shall be furnished, upon which tag shall be the words describing the kind of vendor, and the year for which the BTR is paid. Such tag shall be, at all times during the period for which the BTR is paid, securely affixed and attached in a conspicuous place on the left side and upon the stand, wagon, truck, auto, pushcart, or other vehicle used in the business by the vendor or wholesale peddler.

(Ord. No. 9880, § 1, 9-13-84; Code 1980, § 39-12; Ord. No. 13105, § 2, 10-8-09)

Pensacola

Sec. 11-4-2. Business using streets and sidewalks; permit required.

No person shall use any portion of the streets or sidewalks of the city for the location or operation of any private business unless such person obtains a permit or franchise for the use of such streets or sidewalks from the council.

(Code 1968, § 146-27; Ord. No. 22-87, § 31, 5-28-87)

Tampa

Sec. 22-8. - Obstructing streets, sidewalks, alleys, etc.; exceptions.

(a)

It is unlawful for any person to place in or upon any place, street, sidewalk, alley, landing, wharf or pier owned or controlled by the city and located within the city limits any article or thing without a permit therefor, unless such article or thing is otherwise authorized by law.

(b)

If any such article or thing shall be placed in or upon any such place, street, sidewalk, alley, landing, wharf or pier without lawful authority, the official, without notice, is authorized to cause such article or thing to be removed to some convenient place designated by him. The cost of such removal shall be charged to the owner of the article or thing or to the person responsible for placing, establishing or fixing the article or thing in violation of this section.

(Ord. No. 89-244, § 2(34-8), 9-28-89)

Vero Beach

Sec. 62-1. Selling goods on streets or sidewalks.

It shall be unlawful for any person to use or occupy any portion of any public square, park, street, or sidewalk for the purpose of exhibiting, selling, or offering for sale any goods, wares, or merchandise within the corporate limits of the city without a permit issued by the city manager.

(Code 1982, § 34.04; Ord. No. 84-26, § 1, 10-16-1984)

Clearwater

Sec. 28.04. Trading and selling on streets.

Except for the sale of ice cream from ice cream trucks on streets in residential areas, which have been issued a city business tax receipt for such use, and unless authorized by Article III of Chapter 22 which pertains to special events, it shall be unlawful for any person to sell, barter, exchange, or offer to sell, barter or exchange any goods, wares or merchandise of any kind or nature whatsoever in or on or over any street, right-of-way or public property, sidewalk or park within the city.

This section shall not apply to curb service furnished by any regularly established and licensed place of business in the city, and this section shall not apply to the holding of bazaars or other sales not made or carried on for personal profit, where such sales are operated in front of or adjacent to a store or place of business with the consent of the owner or manager thereof. The prohibition set out in subsection (1) of this section shall not prevent the operation of an outdoor cafe on the public right(s)-of-way where the outdoor cafe is permitted under the provisions of section 3-909 of the Community Development Code.

(Code 1980, § 110.04; Ord. No. 6176-97, § 1, 9-4-97; Ord. No. 7073-03, § 1, 4-3-03; Ord. No. 7724-07, § 6, 1-31-07; Ord. No. 8042-09, § 8, 6-4-09)

Georgia

Atlanta

Sec. 138-15. - Obstructing sidewalks by display or sale of goods

Except as otherwise provided in this Code, it shall be unlawful for any person to obstruct any sidewalk by placing thereon goods, wares, merchandise or other things of value for the purpose of display or advertising or to erect or use thereon any boxes, steps, stands or other structures or contrivances for the purpose of displaying goods, wares, merchandise or other things of value or to sell or offer for sale thereon any goods, wares, merchandise, service or other things of value. However, temporary use of the sidewalks as may be necessary to get merchandise into or away from places of business fronting on any such sidewalk shall not be held to be prohibited by this section. Nothing in this section shall be construed to prohibit peddling by licensed peddlers.

(Code 1977, § 9-3018; Ord. No. 2001-22, § 1, 3-14-01)

Macon

Sec. 18-2. Displaying merchandise on sidewalks and the like.

It shall be unlawful for any person to use or cause to be used any part of any sidewalk, alley, street, street park or public square within the corporate limits of the city to store or display any goods, wares, merchandise or other articles, whether the goods, wares, merchandise or other articles be in showcases or otherwise; provided, however, that nothing in this section shall be construed to prohibit merchants from temporarily using not more than one-fourth of the sidewalk in receiving or shipping goods.

(Code 1979, § 7-2006)

Sec. 18-106. Sidewalks to be free of obstructions.

It shall be unlawful for any person in the city to allow the sidewalk in front of his residence or place of business to be occupied by any obstruction not allowed by law.

(Code 1979, § 7-2081)

Savannah

Sec. 4-1001. To be used for public purpose only.

No person shall use the streets, sidewalks, lanes or squares of the city for private purposes of any sort. They shall be used only as public ways and for the public purposes for which they are intended.

(Code 1977, § 4-1001)

Sec. 4-1020. Obstructions generally.

No person shall obstruct the streets or sidewalks of the city, except as permitted by the ordinances of the city.

(Code 1977, § 4-1020)

Brunswick

Sec. 19-16. Obstructions prohibited--By erection of stands, lunch wagons, etc.

No person shall erect, place or maintain in, upon or over any sidewalk, street, alley, or other public place in the city, any fruit stand, shoeshining stand, flower stand, vegetable stand, lunch wagon, table, box, bin or other arrangement or structure for the display or sale of goods, wares or merchandise, or for the pursuit of any occupation whatsoever.

(Code 1953, § 33.26)

Virginia

Norfolk

Sec. 42-13. Placing goods, wares, show cases, etc., on sidewalks.

No person shall place any goods, wares, show cases, bicycle racks, signs or merchandise on any sidewalk area in the city; provided, however, that goods, wares or merchandise in the process of being received or delivered may be permitted to remain on the sidewalk so long as is reasonably necessary to receive or deliver the same, in such a manner as not to inconvenience or endanger the general public in the use of the sidewalk.

(Code 1958, § 45-15)

Sec. 42-14. Obstructing passage for purpose of making sale.

It shall be unlawful for any person to obstruct the passage along any of the streets or sidewalks of the city, by catching hold of or soliciting persons, or in any way interfering with their free passage, for the purpose of inducing or compelling them to buy any article or thing from any store or stand.

(Code 1958, § 31-65)

Richmond

DIVISION 2. VENDING IN CENTRAL BUSINESS DISTRICT

Sec. 18-546. Prohibited without permit.

It shall be unlawful to sell or offer for sale any food, beverage or merchandise on any sidewalk within the central business district without obtaining a permit pursuant to section 18-547.

(Code 1993, § 6-192)

Sec. 18-547. Application for vendor's permit.

A person holding a valid license to do business as a peddler or itinerant merchant in the city may apply to the city for a vendor's permit to be authorized to vend at a specific location on a **sidewalk** in the central business district. A vendor's permit shall be valid for up to one year from the date of issuance and shall expire on December 31 of the year of issuance. Upon application for a vendor's permit, the department of finance shall investigate to determine whether the requested location meets the criteria of this section. No person shall be issued a permit for more than one vending location per block face. In addition, no location shall be:

- (1) Within 100 feet of the grounds of any elementary or secondary school.
- (2) On a **sidewalk** that is less than ten feet in width.
- (3) More than five feet or less than one foot from the curblineline of any street.
- (4) Within 15 feet of any entranceway to or exitway from any building or within 50 feet of any entranceway, exitway or driveway to the emergency room of any hospital.
- (5) Within five feet of any driveway or intersection of any alley with a street.
- (6) Within five feet of the crosswalk at any intersection.
- (7) Within any bus, taxicab or other passenger or commercial loading zone.
- (8) Within ten feet of any fire hydrant.
- (9) Within five feet of any fire escape.
- (10) Within 25 feet of any other location for which a permit has been issued.
- (11) On a block face that already contains three locations designated for vending; provided, however, a larger number of vending locations may be designated for the **sidewalks** surrounding and adjacent to the Richmond Coliseum and Festival Park.
- (12) Situated so that the vending operation will deny reasonable access to or use of any trash receptacle, mailbox, parking meter or other public facility on the **sidewalk**.
- (13) On the **sidewalks** within public parks.
- (14) Operated between 11:31 p.m. and 6:59 a.m.
- (15) Used to sell food or beverages for immediate consumption unless there is available for public use the vendor's own litter receptacle which must be approved by urban design committee pursuant to subsection 114-940.3(d).

(Code 1993, § 6-193)

Williamsburg

Sec. 15-41. Encroachments leaving less than seven feet clear on or above sidewalk.

(a) It shall be unlawful for any merchant or other person to encroach upon any **sidewalk** within the limits of the city so as to prevent a clear and open passageway of at least seven feet on the **sidewalks** in front of their stores, houses or places of business, by placing thereon or suspending in any way above, at a less height than seven feet, any wares, goods, merchandise, sign or other thing for sale, display or other purpose.

Hampton

Sec. 34-6. - Same—Sidewalks.

It shall be unlawful for any person to obstruct any **sidewalk** with boxes, barrels, kegs, crates, merchandise or in any other manner. After unloading or unpacking wares, foods, goods or merchandise on the **sidewalks** of the city, two (2) hours shall be allowed every person in which to remove the crates, boxes, rubbish and other material from the **sidewalk**.

Alexandria

Sec. 5-2-16 Placing merchandise on or otherwise obstructing sidewalks and other public rights-of-way.

(a) No person shall place any goods, wares, merchandise, foodstuffs or similar items on, or in any way obstruct, any street, sidewalk, walkway of the city or occupy or use any of such sidewalks or walkways or other public right-of-way or use any such public right-of-way for the display or sale of any goods, wares, merchandise, foodstuffs or similar items, except either pursuant to a permit issued in accordance with section 7-2400 of the zoning ordinance and section 5-2-29(g) of this code or when receiving or delivering such items, in which case the items may remain on the public right-of-way only so long as is reasonably necessary for the delivery of same. (Code 1963, Sec. 33-17, as amended by Ord. No. 2545, 2/10/81, Sec. 1; Ord. No. 2609, 7/8/81, Sec. 1; Ord. No. 3368, 4/15/89, Sec. 1; Ord. No. 4608, 6/23/09, Sec. 3)

Sec. 5-2-17 Sale of articles of commerce from stands or wagons.

No person shall use the streets or sidewalks in the city for the purpose of selling, offering for sale, or otherwise disposing of medicines, salves, lotions, jewelry, toys or other articles of trade or commerce from stands or wagons with or without a show, entertainment or other device for attracting crowds. This section shall not be construed to prohibit the peddling of green groceries on the streets of the city, nor to apply to merchants delivering goods to their customers. (Code 1963, Sec. 33-18)

Louisiana

Baton Rouge

Sec. 2:152. - Displaying of wares. (Parish)

(a)

It shall be permissible for any person licensed as a retail merchant in the city and parish to display his goods, merchandise or wares on the sidewalks in front of his store for a distance not greater than two (2) feet from the building line. Nothing in this subsection shall be construed as permitting the erection of any obstruction as is prohibited by section 2:50.

(b)

Show windows may extend not more than fourteen (14) inches on the sidewalks from the property line.

(c)

Any person convicted of violating the provisions of this section shall be fined not more than ten dollars (\$10.00) or imprisoned for not more than ten (10) days' at the discretion of the court, and shall also be required to remove the obstruction, or to pay the cost thereof.

(City Code 1951, Title 2, §§ 153—155; Ord. No. 9156, § 1, 10-10-90)

Shreveport

Sec. 78-141. - Kegs, barrels, etc., not to be left on sidewalk or alley.

It shall be unlawful for any person to place, store, leave or keep any keg, barrel, case, box or any other movable property on a sidewalk or alley of the city.

(Code 1971, § 31-21)

Abbeville

Chapter 16 STREETS AND SIDEWALKS*

Sec. 16-2. Obstruction and vision obscurements.

(a) It shall be unlawful for any person to place, cause to be placed, grow or allow to grow on the sidewalks, streets or public parks of the city or upon any property whatsoever any vehicles, agricultural implements or devices, barrels, beer-kegs, boxes, signs, posts, shrubs, hedges, trees, or other article or thing that obstructs the free passage upon or in the streets, sidewalks and public parks of the city or that obscures the vision of any person driving or riding upon the streets of the city.

Sec. 12-3. Animals on sidewalk.

It shall be unlawful for any person to ride, drive or hitch any horse, mule or other animal on any sidewalk in the city.

(Code 1957, § 4-10)

Hammond

Chapter 28 STREETS, SIDEWALK AND PUBLIC PLACES

Sec. 28-2. Obstruction of public ways.

(b) It shall be unlawful to willfully obstruct the free, convenient and normal use of any public sidewalk, street, alley, road or other passageway, or the entrance, corridor or passage of any public building, structure, watercraft or ferry, by impeding, hindering, stifling, retarding or restraining traffic or passage thereon or therein.

New Iberia

Chapter 74 STREETS, SIDEWALK AND OTHER PUBLIC PLACES

Sec. 74-19. Vendors obstructing street or sidewalk.

(a) No auctioneer, commission merchant or other merchant or person shall be allowed to obstruct the free passage on any sidewalk or street for the purpose of selling, vending, showing or disposing of wares or merchandise or of delivering wares or merchandise.

Lafayette City-Parish Consolidated Government

ARTICLE VII. PUSHCARTS, OUTDOOR DINING AND OUTDOOR MERCHANDISE DISPLAY

DIVISION 1. GENERALLY

Sec. 78-404. Prohibited.

Except as a permit may be issued pursuant to this division, it shall be unlawful for any person to display, exhibit, sell or offer for sale any food, beverages, goods or wares of any kind whatsoever, by whatever name called, upon any sidewalk within the Central Business District.

Michigan

Ypsilanti

ARTICLE VII. ~~SIDEWALKS~~

DIVISION 1. GENERALLY

Sec. 94-191. Merchandise on ~~sidewalks~~.

No person shall keep, maintain or sell on any public ~~sidewalk~~, any goods, wares or merchandise, vegetables or fruits, except under license granted by the state liquor control commission, or by permit under article V of chapter 22 of this Code, or by special permit from the city manager.

(Code 1983, § 4.5)

Bad Axe

ARTICLE II. OBSTRUCTING STREET, ~~SIDEWALK~~ OR ALLEY

Sec. 9-11. Sales on public property.

No street, ~~sidewalk~~, or alley shall be blocked by any merchandise offered for sale by any person, firm, corporation, transient, merchant, church, club, charitable institution, hawker, or peddler. A two-foot passageway for pedestrians shall be left open, and merchandise shall be securely and adequately placed so that it will not endanger a passerby or fall or extrude into any street or alley. Such sales shall not be operated in any manner which would cause a nuisance, create a fire hazard, or restrict the use of streets, ~~sidewalks~~, alleys, or parking meters.

Detroit

Chapter 50 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE II. OBSTRUCTIONS AND ENCROACHMENTS

Sec. 50-2-1. - Prohibited generally; violations and penalties; presumptions concerning identity of violator; enforcement; exceptions.

(a) No person shall obstruct or encumber any public wharf, street, alley or any public place with animals, boxes, signs, barrels, posts, fences, buildings, dirt, stones, bricks, rubbish or with any other material or thing whatsoever, except as otherwise provided in this Code, or encroach upon or permit to remain or maintain in any such street, alley or public space, any building, structure or thing owned, occupied or used by him or her, provided, that the department of public works, city engineering division may grant permission for a temporary obstruction of a sidewalk in front of business buildings for the purpose of elevating and receiving heavy merchandise, further provided, that the same shall not be piled over six (6) feet high, and the owner shall be responsible for any damage from such use of the walk. Power to revoke such permission at any time shall be expressly reserved to the department.

(b) With respect to any advertisement, sign, or other obstruction or encumbrance that violates any provision of this section, a rebuttable presumption exists that the advertisement, sign, or other obstruction or encumbrance was erected, placed or displayed at its location by, or with the consent of, the promoter of the event, offer, or service that is the subject of the advertisement, sign, or other obstruction or encumbrance.

(d) It shall be unlawful for any person to violate any provision of this section, or to aid and abet another to violate such provisions.

(e) Any person who violates this section may be issued a violation for each day that the violation continues.

(f) Any person who is found guilty of violating this section shall be convicted of a misdemeanor for each violation that is issued, and, in the discretion of the court, may be fined up to five hundred dollars (\$500.00) and sentenced up to ninety (90) days in jail, or both, for each violation that is issued.

(g) This section shall be enforced by the police department.

(h) This section shall not be construed to prohibit merchants and other business persons from using and occupying, for a width of three (3) feet, the inside of the sidewalk space next to the building or lot line immediately in front of their place of business in all streets whereon the sidewalk space is ten (10) or more feet in width, where such use and occupation will not obstruct public travel, for the purpose of receiving and shipping their goods, wares and merchandise, during the hours between sunrise and sunset.

(i) The department of public works city engineering division may permit merchants or other occupants of the buildings located on the south side of the Fisher Freeway Service Drive, between Russell Street and Riopelle Street; on the west side of Russell Street from the Fisher Freeway Service Drive to the alley north of and parallel with Adelaide Street, and on the east side of Market Street from the Fisher Freeway Service Drive to Winder Street, to use and occupy, where such use and occupation will not obstruct public travel, all of the space of eight (8) feet in width, outside of a line three (3) feet distant from the lot line, for the purpose of receiving and shipping their goods, wares, products and merchandise, or for displaying their goods, wares, products and merchandise used for exhibiting and advertising their business between the hours of sunrise and 11:00 a.m.

(j) This section shall not be construed to prevent the moving of goods, wares and merchandise across any sidewalk in the way of trade or for the use of pedestrians.

(k) This section shall not be construed as giving authority to any owner or occupant of any premises to let, sub-let, rent, lease or grant, free use to any person whatsoever any of the sidewalk space (meaning the space between the lot line of the property and the curbstone or any space outside of the lot line, on, above, or below ground) for business stands of any kind or for any purpose whatsoever. Any person so found doing business in such space may be summarily removed by the police department and shall be deemed in violation of this section.

(Code 1964, § 58-2-1; Ord. No. 13-07, § 1, 5-9-07)

Pontiac

Chapter 102 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Sec. 102-52. Displaying goods on street or sidewalk.

(a) No person not having a permit to do so shall display, exhibit or keep for sale on the public sidewalk or in the street in front of any store or building in the city any goods, wares or merchandise of any kind whatever. In any case, no person shall completely block a public sidewalk with items offered for sale, but shall keep an area open for the passage of pedestrians.

(b) This section shall not be construed to prevent the moving of goods, wares and merchandise through any street or across any sidewalk in the way of trade.

(Code 1985, § 23-27)

Mackinac Island

ARTICLE VI. - SIDEWALK OBSTRUCTION

Sec. 54-191. - Purpose.

The city experiences an annual influx of summer tourists creating significant increases in the vehicular and pedestrian traffic on the public streets and sidewalks in the downtown area of the city. Such right-of-ways must be kept free of obstructions to allow a flow of traffic for the safety and convenience of the people. The city further recognizes that sidewalk obstructions detract from the appearance necessary to enhance the city's reputation as a tourism destination. Therefore, it is intended that this article prohibit the placement of all objects on public ways that have been heretofore commonly placed temporarily on the public street or sidewalk by businesses, such as card racks, sandwich boards, bread crates, boxed food and canned goods, beer can containers, beer bottle containers, packaged liquor boxes, bags and boxes of returnable cans and bottles, merchandise boxes, push carts, dollies, wheelbarrows, luggage carts, bike wagons, benches, chairs, seats, tables, placard stands, flower pots, propane cylinders and similar objects.

(Ord. No. 412, § 1, 6-25-2003)



City of Palatka

Building & Zoning

201 N. 2nd Street

Palatka, Florida 32177

386-329-0103 • Fax 386-329-0172



June 16, 2010

TO: Mayor Flagg, Vice Mayor Brown, Commissioners Kitchens, Myers & Norwood

FROM: Debbie Banks, Director of Building & Zoning 

RE: Merchandise on sidewalks downtown

The Building & Zoning Dept. has received multiple complaints concerning merchandise being displayed on the sidewalks downtown. On April 7, 2010 a letter was hand delivered by Code Enforcement Officer Liz Hearn requesting all merchandise be removed from the sidewalk. The letter allowed 2 weeks to comply or we would follow up with a warning. A call from Sam Deputy, President of the downtown merchants association requesting a meeting to discuss the code resulted in a reprieve from the warning, however, it was requested that the owners not push the envelope by placing more and more merchandise on the sidewalk. No meeting has occurred and complaints continue that downtown is looking like a "flea market" or "yard sale." City Code does allow businesses located in the Downtown Business and Riverfront district to have one a-frame type sign on the sidewalk.

The City's Municipal Code pertaining to sidewalks is included below for reference:

ARTICLE II. SIDEWALKS

DIVISION 1. GENERALLY

Sec. 70-31. Placing merchandise, benches or other obstructions in sidewalk.

Except as otherwise provided in section 70-1, it shall be unlawful for any person to place, put or leave any goods, wares, merchandise, boxes, benches or other obstructions of any nature whatsoever on any part of the sidewalks along the streets of the city outside the property line of the streets; provided that benches or seats for occupancy by persons may be placed and maintained on and along the sidewalks of the city provided they are maintained by the owner or occupant of the abutting property in a safe and sightly condition and no part thereof extends more than 24 inches outside of and beyond the property line of such owner, and provided further that goods and merchandise delivered to duly licensed merchants and operators of places of business in the city may be deposited and left on the sidewalks immediately in front of the places of business of such merchants and operators between the hours of 12:00 midnight and 8:00 a.m. of the next morning when and where any such place of business is not then open or has no storage area to receive such goods and merchandise at the time of delivery. The leaving of any goods or merchandise on the sidewalks of the city after 8:00 a.m. of the morning of delivery shall be and constitute a violation of this section by the merchant or operator of the place of business to whom such delivery is made. (Code 1981, § 18-16)

City of Palatka

Memo

Date: April 7, 2010
To: Downtown Businesses
From: Elizabeth Hearn
RE: Obstruction of Sidewalks

Our office has been fielding complaints about merchandise and other objects being placed on the sidewalks in the downtown business area. The following are excerpts from the municipal code for the City of Palatka:

Chapter 70 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Sec. 70-31. Placing merchandise, benches or other obstructions in sidewalk.

Except as otherwise provided in section 70-1, it shall be unlawful for any person to place, put or leave any goods, wares, merchandise, boxes, benches or other obstructions of any nature whatsoever on any part of the sidewalks along the streets of the city outside the property line of the streets; provided that benches or seats for occupancy by persons may be placed and maintained on and along the sidewalks of the city provided they are maintained by the owner or occupant of the abutting property in a safe and sightly condition and no part thereof extends more than 24 inches outside of and beyond the property line of such owner, and provided further that goods and merchandise delivered to duly licensed merchants and operators of places of business in the city may be deposited and left on the sidewalks immediately in front of the places of business of such merchants and operators between the hours of 12:00 midnight and 8:00 a.m. of the next morning when and where any such place of business is not then open or has no storage area to receive such goods and merchandise at the time of delivery. The leaving of any goods or merchandise on the sidewalks of the city after 8:00 a.m. of the morning of delivery shall be and constitute a violation of this section by the merchant or operator of the place of business to whom such delivery is made.

Chapter 94 ZONING

Sec. 94-161. DR downtown riverfront district.

and

Sec. 94-162. DB downtown business district.

(j) *Permitted signs.* In addition to the requirements of chapter 62 -- signs, this district also allows one A-frame, sandwich sign, or menu board per building front placed on a public sidewalk provided that such sign shall be a uniform size of two feet in width and three feet in height, as measured by any single face, and that such signs are placed on the sidewalk in such a manner so as to maintain a minimum of 48 inches of clear area on the adjacent sidewalk. These signs are to be of rigid, weather resistant material such as wood, metal, or plastic.

I would greatly appreciate your cooperation in working within the parameters of our municipal codes and if applicable, please remove your merchandise and signs from the sidewalks no later than April 16, 2010. I will re-inspect the area at that time and any business not in compliance will be cited in violation of the municipal code and a subsequent Warning Notice of Code Violation will be issued.

Sincerely,

Elizabeth Hearn
Code Enforcement Officer
City of Palatka