

ORDINANCE NO. 03-031
Sponsored by Council Member Craig Hassinger

AN ORDINANCE TO ENACT SECTION 311.03 OF THE CODIFIED ORDINANCES OF THE CITY OF WADSWORTH TO MAKE PROVISION FOR SPECIAL EVENTS TO BE HELD IN PUBLIC RIGHT OF WAYS AND TO PROVIDE FOR STREET AND PARKING LOT VENDING DURING SPECIAL EVENTS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WADSWORTH, STATE OF OHIO:

Section 1. That section 311.03 of the Codified Ordinances of the City of Wadsworth is hereby enacted to read as follows:

311.03 SPECIAL EVENTS AND STREET VENDING

- (A) The Director of Public Safety may establish by administrative regulation a procedure for the issuance of special events permits to event sponsoring organizations for special events to be held in the downtown business district. For purposes of this section, the downtown business district shall include the public right of ways of Broad Street from Lyman Street to High and Main Streets, of Main Street from Mills Street to College and Broad Streets, of College Street from Pardee Street to High and Main Streets and High Street from King and Maple Streets to College and Broad Streets. The Director of Public Safety may also establish by administrative regulation a procedure for additional public right of way areas outside the downtown business district to be used for parades whether or not the parade is incidental to a special event to be held in the downtown business district.
- (B) During the time period when a special event permit is in effect, streets may be closed to traffic, parking spaces may be closed to parking and street and parking lot vending may be permitted on public right of ways and public parking lots in the downtown business district. Street vending shall be subject to the following conditions:
- (1) Street vendors shall have obtained a street or parking lot vending permit from the Director of Public Safety after providing such information as the Director of Public Safety may reasonably require and subject to such restrictions as the Director of Public Safety may reasonably impose. The permit shall be for a specific location and shall not be issued unless the applicant has received approval for the permit to be issued both from the sponsoring organization of the special event and, if the permit location is to be on the public right of way, from the owner of the land adjacent to the proposed vendor location. For purposes of this section, the “owner of the land adjacent” shall be the person or persons legally entitled to possession of the land.
 - (2) The specific locations for street vending permitted pursuant to this section shall be limited to the following:

- (a) If streets are not closed to traffic, street vending may be permitted only on sidewalks and in parking lots.
- (b) If streets are closed to traffic, street vending may be permitted on sidewalks, parking lots, and traffic lanes.
- (c) No street vending shall be permitted at any location that the Director of Public Safety determines should be left available for the use of emergency vehicles.
- (d) All property of street or parking lot vendors incidental to street or parking lot vending shall be removed from the permit location by the time of expiration of the permit.

(C) No person shall engage or attempt to engage in street or parking lot vending on public rights of way or public parking lots without a street or parking lot vending permit from the Director of Public Safety. Whoever violates this provision is guilty of unlawful street or parking lot vending, a minor misdemeanor. If the offender persists in the aforesaid conduct after reasonable warning or request to desist by a law enforcement officer, unlawful street or parking lot vending is a misdemeanor of the fourth degree.

(D) Nothing in this section shall be deemed to require a permit for merchants to use the sidewalk immediately adjacent to their own businesses nor for the placement of newspaper sale boxes on the sidewalk, provided that the movement of pedestrians on the sidewalk is not unreasonably impeded.

Section 2. That this ordinance shall be effective at the earliest time permitted by law.

Passed: _____

 President of Council

Attest: _____
 Clerk of Council

Approved: _____

 Mayor

1st Rdg. _____
 2nd Rdg. _____
 3rd Rdg. _____
 Passed: yes _____ no _____

CERTIFICATE OF PUBLICATION

I, Katherine M. Stugmyer, Clerk of Council of the City of Wadsworth, State of Ohio, do hereby certify that the foregoing ordinance was duly published in the *The Gazette* on _____ and _____, which is for two consecutive weeks as required by section 731.21 of the Ohio Revised Code.

 Katherine M. Stugmyer
 Clerk of Council
 City of Wadsworth