

ORDINANCE 2009-953

**AN ORDINANCE OF THE CITY OF WAITSBURG, WASHINGTON, PERMITTING
BUSINESSES ALONG MAIN STREET TO DISPLAY MERCHANDISE UPON
CERTAIN CONDITIONS**

WHEREAS, owners of businesses which are located along Main Street in the City of Waitsburg benefit from being able to display and sell merchandise on sidewalk areas adjoining their businesses; and

WHEREAS, existing ordinances must be liberalized to allow this practice; and

WHEREAS, the City of Waitsburg desires to allow businesses which operate along Main Street to conduct sales and demonstrations of merchandise on those sidewalks along their buildings so long as neither pedestrian nor vehicular traffic is impeded and so long as such can be conducted without disrupting adjacent businesses or residents; and

WHEREAS, the City of Waitsburg recognizes that it is impracticable to require permits for these displays and sales;

NOW THEREFORE, the City Council of the City of Waitsburg do ordain as follows:

SECTION 14.03.020 of the Waitsburg Municipal Code shall be added and shall read as follows:

14.03.020. Sidewalk Displays and Sales.

- A. It is legal and allowable for businesses operating from buildings located on Main Street to utilize the sidewalks in front and on the sides of their businesses to display, advertise, or sell merchandise so long as the following conditions are met:
- 1.) Pedestrian and automobile traffic must not be impeded by the displays or sales;
 - 2.) The displays and sales must be confined to the portions of sidewalk directly along the building in which the business operates;
 - 3.) The business providing the display or sale along the sidewalk area must ensure that pedestrians are provided a walkway with adequate visibility day or night on the sidewalk that is no less than thirty six inches (36") wide, that is free from tripping hazards, and that is sufficiently clear to permit wheelchairs and strollers to travel;
 - 4.) The display merchandise must not be permitted to overflow into the street or parking areas;
 - 5.) The business must maintain the sidewalk area in a neat and clean manner free from permanent alteration.

- B. If the business owner desires a more extensive display, a permit can be applied for in accordance with Waitsburg Municipal Code Title 6 Chapter 11 related to Temporary Special Events. The city will grant the permit as long as the event does not impede vehicular or pedestrian traffic through the business corridor.
- C. No historic permit shall be required to have these sidewalk displays or sales.
- D. Nothing in this Ordinance shall be construed as a license for a permanent use of a sidewalk for any private purpose.

This Ordinance shall take effect immediately upon passage by the Council and publication as required by law.

Passed by the Waitsburg City Council this 14 day of October, 2009.

Approved:

Attest:

Markeeta Little Wolf, Mayor

Randy Hinchliffe, City Clerk

Approved as to form:

Janelle Carman, City Attorney