

ROADSIDE VENDING ORDINANCE NO. 853

What does the ordinance prohibit?

It prohibits any person from offering, displaying for sale, or selling any food, merchandise, goods, or wares within the public road right-of-way, road median, or street, unless allowed under Section 4.

What does Section 4 allow?

It allows roadside vending from lawfully parked vehicles in residential streets. However, vending may not be operated between ½ hour after sunset and ½ hour before sunrise, or any other time when visibility restricts one from seeing a person or vehicle on the highway 1,000 feet away. Vending sales cannot exceed 5 minutes, and vendor must remove all trash and refuse before leaving.

What is the ordinance's meaning of "public road right-of-way"?

This term means 40 feet from the paved edge of any road, public street, private street, intersection, county highway, or alley up to the boundaries of private properties.

Are these the only restrictions for roadside vending?

No, vendors must also comply with other applicable laws, such as business licensing, permits, and zoning requirements.

What will a Code Enforcement officer do when he/she comes across an illegal vendor?

They may seize any goods, wares, merchandise, perishable or nonperishable food, and equipment, but not vehicles. They set up an administrative hearing date and provide an itemized receipt of seized items.

When are seized items returned?

Perishable items are immediately discarded. Nonperishable items are returned if the hearing determines the vendor was not in violation. If the vendor waives or misses the hearing, nonperishable items may be disposed of by the enforcement officer.

What is a violation of this ordinance considered?

Violations are considered unlawful and public nuisances.

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