

REQUIREMENTS FOR PLACEMENT OF ITEMS ON THE CITY'S SIDEWALK IN THE DOWNTOWN BUSINESS AND DOWNTOWN RIVERFRONT ZONING DISTRICTS

Per Chapt. 70 of the Palatka Municipal Code: In the Downtown Riverfront (DR) and Downtown Business (DB) zoning districts business owners may obtain a permit to place wares/items on the City's sidewalk in conformance with the following conditions:

1. Merchandise may be placed on the city sidewalk up to two (2) feet outside of and beyond the property line housing the permanent retail operation not to exceed more than fifty percent (50%) of the building frontage.
2. No sales may take place in the right-of-way.
3. Placement of all merchandise must adhere to the requirements of the Americans with Disabilities Act and all other applicable standards. A path along the sidewalk at least 48 inches in width shall remain clear and free of obstructions at all times.
4. Displays of merchandise may not obstruct ingress to or egress from the building.
5. No electricity may be used in conjunction with the display of merchandise, for artificial light or any other purpose. Electrical goods which are not plugged in may be displayed.
6. All merchandise must be brought in at the close of business each day.
7. All merchandise and supporting structures shall be kept clean and in good repair.
8. Planters will be allowed to remain outside at all times provided they are at least 18" in height and maintained at all times.
9. Real estate boxes, newspaper racks and package/letter drop-off containers must be permitted and installed to code.
10. A-frame signs/sandwich signs/menu boards must be permitted
11. 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 2 ½ feet outside of and beyond the property line of such owner. No signage will be allowed on any portion of the bench or seat for occupancy.
12. Open air dining on public sidewalks is allowed as a conditional accessory use in the DB and DR zoning districts and is subject to the following:
 - a. The 48" clear path referenced in paragraph A.3 above must be maintained.
 - b. No obstruction shall be placed within 18" of the face of any curb, within five feet of any fire hydrant, fire exit, or building entry.
 - c. Open air dining shall be allowed to exceed the 50% limitation of building frontage if approved by the Planning Board.
 - d. The storage and preparation of food or drinks is prohibited in the open air dining area.

- e. In the event of foul weather including winds, all tables, chairs, table accessories, trash or other debris shall be secured or removed to the extent that same is reasonably possible, and so as to minimize the risk to public safety from flying debris, etc.
 - f. Any and all food and beverage spills shall be promptly cleaned up. All trash and debris within and around the open air dining area shall be picked up immediately and not allowed to collect, litter or blow into the public right-of-way.
 - g. Open air dining areas shall be sufficiently lighted so as to adequately illuminate the dining boundaries and adjacent pedestrian walkways in such a manner as to allow safe negotiation of potential obstructions with such areas.
13. Each business owner placing anything on the city sidewalk must provide a Certificate of Insurance evidencing a policy of liability insurance naming the business owner as insured and naming the city as additional insured with regard to coverage for claims for personal injury, death, and property damage in the amount of \$500,000 per person and \$1,000,000 per accident for personal injury/death and \$300,000 for property damage.
 14. Each business owner placing anything on the city sidewalk must sign appropriate documents agreeing to hold the city harmless and indemnify the City against any claims, demands, suits, or causes of action, and against any costs incurred by the City in defending itself against any of same, arising or allegedly arising from or as a result of the business owner's placement of anything on the city sidewalk as is otherwise permitted by this ordinance.
 15. 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.

(a) Violations:

1. First offense – written warning
2. Repeat offense - A fine of \$25 per occurrence will be charged for each day a violation of this ordinance is found following the initial warning.
- 3.

70-31(c). Permit fee for placing wares/items on sidewalk in DB and DR zoning districts.....**\$25**