

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 14-9 RELATING TO THE DISPLAY OF SIGNS, MERCHANDISE, AND ACCESSORIES ON CITY SIDEWALKS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 14-9-13 (*Exceptions to Prohibition Against Obstruction for Sale of Merchandise*) is amended to read:

§ 14-9-13 EXCEPTIONS TO PROHIBITION AGAINST OBSTRUCTION FOR SALE OF MERCHANDISE.

Section 14-9-12 (*Obstruction for Sale of Merchandise Prohibited*) does not apply to:

- (1) a display for a newspaper, pamphlet, or periodical, on a sidewalk if the display is not more than three feet from the curbline or lot line, in compliance with Article 4 (*Restrictions on Newsracks and Direct Sales in a Public Rights-of-Way*);
- (2) a public market established under Chapter 14-2 (*Public Markets*);
- (3) the delivery of previously ordered or purchased merchandise;
- (4) the use of a street, alley, or sidewalk in connection with residence-to-residence or business-to-business sales or solicitations;
- (5) fresh cut flower sales, offers for sale, exchanges, or purchase orders;
- (6) a sidewalk cafe permitted or licensed under Chapter 14-4 (*Sidewalk Cafés*);
[and]
- (7) a sidewalk sign that complies with Section 25-10-153 (*Sidewalk Signs*) or a retail item for display or sale, provided that:
 - (i) the sign or retail item is within the frontage of the business displaying the sign or retail item; and
 - (ii) an unobstructed pedestrian pathway exists sufficient to meet applicable requirements of the Americans with Disabilities Act (ADA); [-] and

- (8) a street vendor operating a non-stationary vending cart from which only prepackaged food or drinks are sold to the general public, provided the street vendor is a person affiliated with or operating as an agent of a non-profit corporation that assists the chronically homeless.

PART 2. This ordinance takes effect on _____, 2014.

PASSED AND APPROVED

_____, 2014 §
 §
 § _____
 Lee Leffingwell
 Mayor

APPROVED: _____
 Karen M. Kennard
 City Attorney

ATTEST: _____
 Jannette S. Goodall
 City Clerk