

CITY OF DEPOE BAY
ORDINANCE NO. 222

AN ORDINANCE AMENDING ORDINANCE NO. 93 TO PROVIDE FOR MOBILE VENDING STANDS TO OPERATE AND SELL UPON PUBLIC RIGHTS-OF-WAY OR PUBLIC PROPERTY IN CONJUNCTION WITH FESTIVAL/COMMUNITY EVENTS; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council of the City of Depoe Bay finds that mobile vending stands are a necessary and accessory activity to festivals and community events and that therefore mobile vending stands should be conditionally permitted to occur in conjunction with festivals and community events; and

WHEREAS, the City Council of the City of Depoe Bay finds that festivals and community events may occur upon public property or public right-of-ways which are closed for public thoroughway upon motion of resolution of the City Council;

NOW, THEREFORE, the City Council of the City of Depoe Bay ordains as follows:

1. Ordinance No. 93, Section 2.010 is hereby amended in its entirety to read as follows:

"No person shall sell any items, including but not limited to food, beverages, flowers, balloons, or other items, or offer them for sale, from any street, sidewalk, public right-of-way, or public property within the City limits of the City of Depoe Bay; provided however that items permitted to be sold from a "mobile vending stand" may be sold from public property or public right-of-way which has been closed by motion or resolution of the City Council if the mobile vending stand is doing business in conjunction with a festival/community event. A "festival or community event" is a temporary use of land for the purpose of providing general community amusement, recognition of historical events or traditions, or celebration of community-wide local products, which are organized by nonprofit organizations and the proceeds of the festival or event are used to promote the purposes of the nonprofit organization or donated to other nonprofit organizations."

WHEREAS, the adoption of this ordinance is necessary to preserve the peace, health, safety and welfare of the citizens of the City of Depoe Bay, an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately

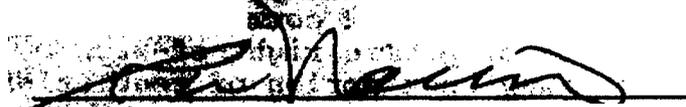
upon its adoption by the City Council of the City of Depoe Bay and approval by the Mayor.

Introduced and passed the first reading in a regular meeting of the City Council of the City of Depoe Bay, Oregon on this 7th day of August, 1995.

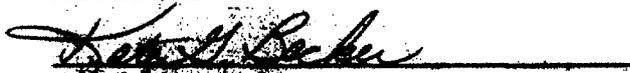
Passed at the second reading, placed on final passage, and adopted by the City Council of the City of Depoe Bay, Oregon, on this 7th day of August, 1995.

Approved by the Mayor of the City of Depoe Bay, Oregon, this 7th day of August, 1995.

CITY OF DEPOE BAY


Mayor

ATTESTED:


City Recorder