

**ORDINANCE NO. 2021-487**

**AN ORDINANCE CREATING SECTION 14-2 OF THE CODE OF ORDINANCES  
OF THE CITY OF MILTON REGULATING OUTDOOR DISPLAY OF MERCHANDISE**

WHEREAS, business owners in the Central Business District of the city having indicated to the Common Council their desire to have the ability to display a sample of their merchandise on the public sidewalk adjacent to their businesses in order to stimulate customer interest in their businesses; and

WHEREAS, the Common Council having determined that the outdoor display of a sample of the merchandise of a business is a marketing tool commonly used in various municipalities; and

WHEREAS, the Common Council finds that subject to proper regulation, it is appropriate to provide for the ability of business owners in the central business district of the city to display a sample of their merchandise on the public sidewalk adjacent to businesses.

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

Section I. Section 14-2 of the Code of Ordinances of the City of Milton is created to read as follows:

Sec. 14-2. Outdoor display license.

(a) License required. It is unlawful for any individual, partnership, corporation or other entity to display, sell or offer to sell on any public sidewalk any goods, wares, foodstuffs or anything of value or service of any kind (collectively "merchandise") on a public sidewalk without having first obtained an outdoor display license as provided herein. Such license may only be issued for outdoor display of merchandise on public sidewalks located in the Central Business District (B-3).

(b) Regulations. All holders of an outdoor display license are subject to the following requirements:

(1) Merchandise shall not be placed in a location that obstructs, hides or blocks a view of traffic warning or control signals, pedestrian crosswalks or handicap curbside ramps, or that blocks doors or fire escapes.

(2) Merchandise shall provide at least sixty (60) inches of clear space between it and any obstruction or street curb.

(3) The merchandise shall be placed contiguous to a building owned or occupied by the license holder.

(4) The location shall not block the flow of pedestrian traffic on the sidewalk.

(5) The merchandise shall not contain glass or consist of weapons or other inherently dangerous objects.

(6) Merchandise shall be secured to prevent it from blowing away or otherwise moving to obstruct the sidewalk or street.

(7) Merchandise shall not be placed on a public sidewalk until all snow is removed from the sidewalk from the adjacent building to the adjacent street curb.

(8) Alcohol is not permitted on a public sidewalk without compliance with an alcohol license.

(c) Application. Application for an outdoor display license shall be made in writing to the city clerk on a form furnished by the clerk which shall require information pertaining to the applicant including identification of the applicant, contact information, and location to which the license is to apply.

(d) Term. Upon issuance the license shall remain in effect until June 30 next succeeding the date of issuance.

(e) Fee. A fee for an outdoor display license shall be paid to the clerk before issuance of the license. The amount of the fee shall be as provided by resolution of the common council. All fees received shall be allocated for beautification projects in the Central Business District (B-3).

(f) Indemnification. As a condition for obtaining an outdoor display license, the license holder agrees to indemnify, defend, save and hold harmless the city, its officers and employees, from any and all claims, liability, losses, damages and causes of action which may arise from actions related to the license.

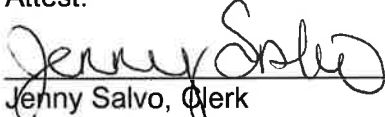
Section II. This ordinance shall take effect upon January 1, 2022 after passage and publication as provided by law.

Approved by the Common Council of the City of Milton this 5th day of October, 2021.

CITY OF MILTON

  
Anissa Welch, Mayor

Attest:

  
Jenny Salvo, Clerk

1<sup>st</sup> Reading: 10-5-21  
2<sup>nd</sup> Reading: waived  
3<sup>rd</sup> Reading: waived

Date Adopted: 10-5-21  
Date Published: 10-14-21  
Effective Date: 10-15-21

**Effect of Ordinance: Authorizes the issuance of a license to allow for outdoor display of merchandise on public sidewalks adjacent to city businesses in the B-3 District.**