

ORDINANCE NO. 8788-62

AN ORDINANCE  
AMENDING ARTICLE I SECTION 17-4, ENTITLED,  
"USE OF RESIDENTIAL STREETS PROHIBITED; EXCEPTION PEDDLERS" OF  
CHAPTER 17 OF THE CODE OF ORDINANCES, CITY OF URBANA, ILLINOIS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
URBANA, ILLINOIS, as follows:

That Section 17-4, entitled "Use of Residential Streets Prohibited; Exception Peddlers", of Article I, entitled "In General", of Chapter 17, entitled "Peddlers, Solicitors and Transient Merchants", of the Code of Ordinances, City of Urbana, Illinois, as amended, be and the same is hereby further amended to provide as follows:

Sec. 17-4. Use of Residential Streets Prohibited;  
Exception Peddlers and Permit Holders.

(a) For the purposes of this section, the following words shall have the meanings respectively ascribed to them unless the context clearly indicates otherwise:

"Block" means that portion of a residential street lying between the two (2) nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, unsubdivided area, or other definite boundary.

"Residential street" means the entire width between the boundary lines of every public way located wholly within or immediately adjacent to any area of the city classified as an R-1, R-2, R-3, R-4, R-5, R-6 R-6B or R-7 zoning district by the "Official Zoning Map of Urbana, Illinois", as such districts or map may, from time to time, be amended.

(b) Except as otherwise provided in this section, it shall be unlawful for any person to use any residential street for the purpose of offering or exposing goods, wares and merchandise for sale, or of making sales and delivering such goods, wares and merchandise, to any purchaser.

(c) The provisions of this section shall not apply to the following:

(i) Any peddler, duly licensed as such in accordance with this chapter or otherwise exempt from the requirements for license, who in fact travels by foot, wagon, automotive vehicle or any other type of conveyance, from place to place, from house to house or from street to street. In order to qualify under this exception, such travel by any peddler shall mean and include the actual movement from any one such location

to another without stopping or standing for the purpose of offering or exposing goods, wares and merchandise for sale or of making sales or delivering such goods, wares and merchandise to any purchaser within the same block of any residential street for a period greater than five (5) minutes and without returning to any such block of a residential street where such peddler had stopped or stood for such purpose within the immediate preceding period of three (3) hours.

(ii) Any person duly licensed in accordance with this chapter or otherwise exempt from the requirements for such license, who uses such specifically defined portion or area of a residential street as is provided for herein pursuant to a valid permit issued by the City Clerk of the city for such specific location. The specifically defined portion or area of a residential street for which a valid permit may be issued under this exemption shall be the paved portion or area within the curb cutout immediately adjacent to the southern edge of the roadway in the 100 block of West Iowa Street located at the Urbana High School, where the use of such area shall be limited to no more than two (2) permit holders at any one time. The application for a permit under this exemption shall contain all information relevant and necessary to determine whether a particular permit may be issued, including but not limited to:

- Proof of the identity and business address of the applicant.
- A brief description of the nature, character and quality of the food, beverages, goods, wares or merchandise to be sold.
- If a motor vehicle is to be used, a description of the vehicle together with the motor vehicle registration or license number.
- A description of the proposed time periods during which it is proposed that the business shall be conducted at such specific location.

As a condition to the issuance of any such permit under this exemption, every applicant shall specifically agree to each of the following:

- That such applicant shall not occupy any portion of the available sidewalk or roadway width.
- That such applicant shall not use or employ any electronic or other amplified noise in conducting such business at any such location.
- That such applicant shall not use or employ any signs other than those permanently affixed to the vehicle, if any, and shall not otherwise use or employ canopies, umbrellas or other appurtenances except as may be necessary in the event of inclement weather.
- That such applicant may engage in such business only between the hours of 11:15 A.M. and 1:30 P.M.
- That such applicant shall collect all trash and other debris accumulating within 100 feet of any such location.

No permit shall be issued to an applicant unless the applicant furnishes proof to the city that the applicant is insured in an amount not less than \$100,000.00 for property damage and



injuries, including injury resulting in death, caused by operation of the business. Any permit issued under this exception may be suspended or revoked for any of the following reasons:

- Conducting the business contrary to the conditions of the permit.
- Conducting the business in such a manner as to create a nuisance or constitute a danger to the public health, safety or welfare.
- Any action by the city council rescinding any previous determination as to the suitability of any location as a specifically defined portion or area of a residential street for a permit in accordance with this exception.

In the event that more than two (2) permit holders desire to use such area at the same time, such use shall be apportioned to such permit holders desiring such use on a fair and equitable basis under such rules and regulations therefore as may, from time-to-time, be determined and promulgated by the City Clerk, who is hereby authorized to promulgate such rules and regulations.


Permits issued under this exception may be valid for a period not to exceed four (4) months, and may be renewed for subsequent periods not exceeding four (4) months on the same basis as new applications.

This ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said council.

PASSED by the City Council this 18<sup>th</sup> day of April,  
1988.

  
Ruth Brookens, City Clerk

APPROVED by the Mayor this 25<sup>th</sup> day of April,  
1988.

  
Jeffrey T. Markland, Mayor