

ORDINANCE NO. 1177

All ORDINANCE REGULATING, CONTROLLING, OR PROHIBITING CERTAIN USES OF THE PUBLIC RIGHT-OF-WAY, AND PROVIDING FOR THE LICENSING OF AND ESTABLISHING REGULATIONS FOR THE SALE OF CERTAIN MERCHANDISE FROM SUCH RIGHT-OF-WAY

1. DEFINITION.--PUBLIC RIGHT OF WAY.-- All streets, roadways, sidewalks, alleys, and all other areas reserved for present or future use by the public, as a matter of right, for the purpose of vehicular or pedestrian travel or utility installation.

2. DISPLAY OF UNAUTHORIZED SIGNS, SIGNALS, OR MARKINGS.--

(a) No person shall place, maintain, or display upon or in view of any street, any unauthorized sign, signal, marking, or device which purports to be, or is an imitation of, or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.

(b) No persons shall place or maintain upon any street or public right-of-way, traffic sign, signal or parking meter any commercial or political advertising of any type, except that the Traffic Engineer shall have the authority to permit and regulate informational signs of non-profit organizations upon said streets and public rights-of-way.

(c) This shall riot be deemed to prohibit the erection upon private property adjacent to streets of signs giving useful directional information and of a type that cannot be mistaken for official signs.

3. PARKING FOR CERTAIN PURPOSES PROHIBITED.--No person shall park a vehicle upon any street or portion of the public right-of-way for the principal purpose of:

(a) Displaying advertising.

(b) Selling merchandise from such vehicle except in a duly established market place or when so authorized or licensed under the ordinances of this municipality.

4. DISPLAY OF MERCHANDISE.--except as is hereinafter set out the display and/or sale of merchandise on a public right-of-way is prohibited except that, when directed by the City Council, such display or sale may be permitted for a

maximum of seven days when proposed and conducted as a part of a co-ordinate promotional effort involving the majority of the retail business establishments within the City.

5. VENDING RACKS AND BEAUTIFICATION.--The Traffic Engineer shall have the authority to regulate the use of newspaper or magazine vending racks and the placement and use of tubs, pots or hanging baskets or shrubs, plants or flowers for beautification purposes on the public right -of-way.

6. REGULATING THE PEDDLING OF ICE CREAM AND OTHER FOOD FROM THE PUBLIC RIGHT-OF-WAY.--

(a) License required.-- It shall be lawful to sell or offer for sale, or to peddle, ice cream, candy, confection, or beverage for human consumption from a vehicle including motor vehicles and non-motorized vehicles, on the public right-of-way in this municipality when a license has been obtained therefore.

(b) Application.--Fee. -- Application for such licenses shall conform to the regulations of the general ordinance relating, to all such applications. The annual fee shall be Twenty Five Dollars, (\$25.00) per vehicle.

(c) Traffic Hazard.-- It shall be unlawful to permit any such vehicle to stand or remain in any place where parking vehicles is prohibited or to sell or offer any commodity for sale on any through street, or at any place or time when an unusual traffic hazard or danger to prospective Customers exists; or within 200 feet of the scene of any accident or destructive fire or any place where members of the fire or police departments are responding to an emergency call.

(d) Regulations.--operation of vehicles, manner and storage of food stuffs and general sanitation conditions connected therewith shall be in accordance with the direction of the Mesa County Health Department under the regulations Inscribed by the State of Colorado for the dispensing of food stuffs.

(e) Sound Devices.--No continuous sound device shall be used on such vehicles.

(f) Insurance.-- The operator of such vehicle shall be required to carry adequate liability insurance to protect the inhabitants of the City both as to products dispensed and against hazards of the operation and shall be required to give evidence of such insurance to the City Manager.

(g) Sale in Prohibited Areas.-- Permission to sell within the City in those areas where concession rights have been granted must be obtained from the concessionaire and the City Manager.

7. This ordinance shall be Chapter 93 of the 1953 Compiled Ordinances of the City of Grand Junction, Colorado, and may be so cited.

Passed and adopted this 17th day of July, 1963.

/s/ Charles E. McCormick  
President of the City Council

ATTEST:

/s/ Helen C. Tomlinson  
City Clerk

I HEREBY CERTIFY that the foregoing ordinance, being Ordinance No. 1177, was introduced, read and ordered published by the City Council of the City of Grand Junction, Colorado, at a regular meeting of said body held on the 26th day of June, 1963, and that the same was published in The Daily Sentinel, a newspaper published and in general circulation in said City at least ten days before its final passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 18th day of July, 1963.

/s/ Helen C. Tomlinson  
City Clerk

Published: June 30, 1963

Published: July 20, 1963