

ORDINANCE NO. 7 –2011

AN ORDINANCE AMENDING CHAPTER 242 “STREETS AND SIDEWALKS” OF THE CODE OF THE CITY OF MARGATE CITY, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY

WHEREAS, the Board of Commissioners of the City of Margate, in cooperation with the Margate Business Association, wishes to establish rules and regulations for sidewalk sales within the Commercial Retail Districts; and

WHEREAS, this adoption of rules and regulations for sidewalk sales will assist the merchants in the Commercial Retail Districts to market their merchandise and enhance the esthetic beauty and safety objectives of the City of Margate.

NOW THEREFORE BE IT ORDAINED by the Commissioners of the City of Margate, County of Atlantic and State of New Jersey as follows:

SECTION 1: Section 242-12 “Sidewalk Obstructions” shall be amended to ADD the following sections:

- A. Certain displays in the public right-of-way, in front of stores located within the Commercial Retail Districts, shall be permitted to assist the merchants to market their merchandise and goods on specific dates and times approved by the Board of Commissioners. The dates and times to display merchandise in the public right-of-way shall be known as “Sidewalk Sales Days”. No merchandise may be displayed in the public right-of-way on non Sidewalk Sales Days.
- B. Merchandise, inventory and goods, which are offered for sale within a store, may be displayed in front of the exterior store front within the public right-of-way in the Commercial Retail Districts on the approved dates and times.
- C. Merchandise displayed within the public right-of-way must not occupy more than the merchant’s store front width. Merchants may not use any portion of contiguous property owner’s property to display merchandise. The display shall not obstruct the store front entrance. The top of the display shall not be higher than 8 feet above the sidewalk surface. The merchandise may be displayed under a tent, provided the size and dimensions of the tent are approved by the zoning officer and code official. The zoning officer shall ensure that there are no visual obstructions to neighboring businesses or general safety issues relative to the use of tents. The construction official shall ensure there are no fire safety issues relative to the use of tents.
- D. Merchandise displayed within the public right-of-way must not obstruct pedestrian traffic. A minimum of 3 feet must be maintained for pedestrian traffic to pass unobstructed in front of the store front displaying merchandise in the public right-of-way.
- E. Merchandise displayed within the public right-of-way must be displayed in a visually appealing manner. The Zoning Officer shall make the final determination regarding the visual attractiveness of the display. The display must be removed if it is not approved by the Zoning Officer. Merchandise may not be attached to trees or utility poles. All merchandise must be removed at the end of each Sidewalk Sale Day and placed indoors or off the public right-of-way. Temporary supports to display merchandise, such as racks, tables, carts and shelves must also be removed at the end of each Sidewalk Sale Day and placed indoors or off the public right-of-way.
- F. No merchandise may be displayed in the public right-of-way in front of any store in the Commercial Business Districts except as provided above.

SECTION 2: All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.

SECTION 3: This ordinance shall take effect upon final adoption and publication and in the manner provided by law.

Board of Commissioners of the City of
Margate City, New Jersey

Introduction: March 17, 2011

Enactment: _____