

ORDINANCE 71212

BOARD BILL NUMBER 73 INTRODUCED BY: ALDERWOMAN PAMELA BOYD

1 An ordinance to amend Sections 2 and 3 of Ordinance 60561, approved October 11th, 2000, and
2 codified in Chapter 8.108A of the Revised Code of the City of St. Louis, pertaining to vendors,
3 to prohibit persons from offering or permitting the offering for free any goods, wares,
4 merchandise, flowers, horticulture products, services, food or beverage, regardless of value, or
5 any coupon, certificate, ticket, voucher, or rebate offer regardless of value, as an inducement to
6 purchase other goods or services or draw customers to a store, business, website or other online
7 platform in order to stimulate sales of goods or services except in those areas designated as
8 Vending Districts and amending the definition of the term “vend or vending” and defining the
9 term “coupon” as such terms used herein.

10 **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

11 **SECTION ONE.** Section 2 of Ordinance 60561, approved October 11th, 2000, and codified in
12 Chapter 8.108A.010 of the Revised Code of the City of St. Louis, is hereby amended to be and
13 read as follows:

14 8.108A.010 - Definitions.

15 "City park" means any area maintained by the Director of Parks, Recreation and Forestry
16 including any sidewalk immediately adjacent to such area but not extending past the curblineline of
17 such sidewalk.

18 **“Coupon” means any ticket, certificate, note, voucher, or other instrument issued by a**
19 **manufacturer or merchant that may be redeemed for a financial discount, additional goods**
20 **or services, or rebate when purchasing a specific goods or services.**

1 "Festival vendor" means any person who sells or offers for sale any goods, wares,
2 merchandise, flowers, horticultural products, services, food or beverages from a booth, stall, stand,
3 table, wagon, pushcart, handcart or other vehicle, or from a pack, basket or similar container, or
4 hand held display at a parade, fair or festival for which the City has issued a permit.

5 "Itinerant vendor" means any person who engages in a temporary or transient business in the
6 City, selling goods, wares, merchandise, flowers, horticultural products, services, food or
7 beverages, and who for the purpose of carrying on such business, hires, leases or occupies any
8 building or enclosed structure, or any portion thereof, for the exhibition or sale of goods, wares or
9 merchandise.

10 "Roadway" means that portion of the street or alley, excluding the median if any, between the
11 regularly established curbs, or that portion ordinarily used for vehicular traffic.

12 "Sampling" means to knowingly distribute or furnish without charge, or cause to be furnished
13 or distributed without charge any goods, wares, merchandise, flowers, horticultural products, food
14 or beverages from a table, wagon, pushcart, handcart or other non-motorized vehicle, or from a
15 pack, basket or similar container, or hand held display.

16 "Sidewalk" means that portion of a street, intended for the use of pedestrians, between the
17 curblineline or lateral boundary of a roadway and the adjacent property line.

18 "Sidewalk vendor" means any person who sells or offers for sale on any public sidewalk or
19 public right of way, other than a roadway or roadway median, any goods, wares, merchandise,
20 flowers, horticultural products, services, food or beverages from a booth, stall, stand, table, wagon,
21 pushcart, handcart or other non-motorized vehicle, or from a pack, basket or similar container, or
22 hand held display.

1 "Soulard market area" means the area bounded by Lafayette Street on the south, Seventh Street
2 on the east, Marion Street on the north and Interstate highway 55 on the west.

3 "Vehicle vendor" means any person who sells or offers for sale on any public roadway any
4 goods, wares, merchandise, flowers, horticultural products, services, food or beverages from a
5 wagon, pushcart, handcart or other vehicle.

6 "Vend or vending" means to sell or offer for sale any goods, wares, merchandise, flowers,
7 horticultural products, services, food or beverages, **or offer for free or permit the offering for**
8 **free of any goods, wares, merchandise, flowers, horticulture products, services, food or**
9 **beverage, regardless of value, or any coupon, regardless of value, as an inducement to**
10 **purchase other goods or services, or to draw customers to a store, business, website or other**
11 **online platform in order to stimulate sales of goods or services.**

12 **SECTION TWO.** Section 3 of Ordinance 60561, approved October 11th, 2000, and codified
13 in Chapter 8.108A.020 of the Revised Code of the City of St.Louis, is hereby amended to be
14 and read as follows:

15 8.108A.020 - Vending prohibited—Exceptions.

16 No person shall sell or offer for sale or permit the offering or selling of any goods, wares,
17 merchandise, flowers, horticultural products, services, food or beverages upon any public
18 sidewalk, street, roadway, or roadway median within the City of St. Louis except in those areas
19 designated by ordinance as Vending Districts, **or offer for free or permit the offering for free**
20 **of any goods, wares, merchandise, flowers, horticulture products, services, food or**
21 **beverage, regardless of value, or any coupon, regardless of value, as an inducement to**
22 **purchase other goods or services, or to draw customers to a store, business, website or other**

- 1 online platform in order to stimulate sales of goods or services upon any public sidewalk,
- 2 street, roadway, or roadway median within the City of St. Louis except in those areas
- 3 designated by ordinance as Vending Districts.

ORDINANCE #60561

Board Bill No. 289

An ordinance recommended by the Board of Public Service to vacate public surface rights for vehicle, equestrian and pedestrian travel in Mackay Avenue from Chouteau Avenue southwardly 295 feet plus or minus, in the City of St. Louis, Missouri as hereinafter described, in accordance with Charter authority, and in conformity with Section 14 of Article XXI of the Charter and imposing certain conditions on such vacation.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE: The public surface rights of vehicle, equestrian and pedestrian travel, between the rights-of-way of:

Mackay Avenue from Chouteau Avenue southwardly 295 feet plus or minus, and being more particularly described as follows:

Beginning at the intersection of the South line of Chouteau Avenue and the East line of said Mackay Avenue; thence Southerly along the East line of said Mackay Avenue to a point being the intersection of said East Line of Mackay Avenue and the South line of LaSalle Street (Vacated Ordinance 57256) thence Westerly perpendicular to the East line of said Mackay Avenue for a distance of 50.00 feet to the West line of said Mackay Avenue; thence Northerly along the West line of said Mackay Avenue to a point being the intersection of the said West line of Mackay Avenue and South line of said Chouteau Avenue; thence Eastwardly along the South line of said Chouteau Avenue to the point of beginning.

are, upon the conditions hereinafter set out, vacated.

SECTION TWO: All rights of the public in the land bearing rights-of-way traversed by the foregoing conditionally vacated street, are reserved to the City of St. Louis for the public including present and future uses of utilities, governmental service entities and

franchise holders, except such rights as are specifically abandoned or released herein.

SECTION THREE: The owners of the land may, at their election and expense remove the surface pavement of said so vacated street provided however, all utilities within the rights-of-way shall not be disturbed or impaired and such work shall be accomplished upon proper City permits.

SECTION FOUR: The City, utilities, governmental service entities and franchise holders shall have the right and access to go upon the land and occupation thereof within the rights-of-way for purposes associated with the maintenance, construction or planning of existing or future facilities, being careful not to disrupt or disturb the owners interests more than is reasonably required.

SECTION FIVE: The owners shall not place any improvement upon, over or in the land traversed by the rights-of-way without a lawful permit from the City and written consent of the utilities, governmental service entities and franchise holders, present or future; and such consent together with the terms and conditions thereof shall be filed in writing with the Board of Public Service and approved by such Board prior to the undertaking of any such construction concerning the rights-of-way.

SECTION SIX: The owners may secure the removal of all or any part of the facilities of a utility, governmental service entity or franchise holder by agreement in writing with such utilities, governmental entity or franchise holder, filed with the Board of Public Service prior to the undertaking of such removal.

SECTION SEVEN: In the event that granite curbing or cobblestones are removed within the vacated area, the department of Streets of the City of St. Louis must be notified and it in turn will remove said curbing or cobblestones at the current removal price.

SECTION EIGHT: This ordinance shall be ineffective unless within sixty (60) days after its approval, or such longer time as is fixed by the Board of Public Service not to

exceed one hundred twenty (120) days from approval or override, the owners of the land subservient to the rights-of-way concerned shall deposit a sum with the Comptroller of the City of St. Louis for the use and benefit of the City Water Division estimated by said Division to be sufficient to covered the full expense of removal and relocation of Water facilities, if any; further, such owner or owners shall within said time deposit an additional sum of money with the comptroller of the City of St. Louis for the use and benefit of the City Lighting Division estimated by said Division to be sufficient to cover the full expenses of removal of all lighting facilities, if any; upon such deposit being made to the benefit of the Water Division and the Lighting Division they shall proceed as is reasonably expedient to accomplish all work required and all useful access and occupation shall be accorded further, such owner or owners shall within said time deposit an additional sum with the Comptroller of the City of St. Louis estimated by the said Board as sufficient to defray the expenses required for the adjustment of the City's streets including curbs, sidewalks, or driveways, roadway drainage connection and inlets, grading, paving sidewalks and roadways and road signing; providing further the owners, shall under the direction of the

Director of Streets, of the City of St. Louis, accomplish the aforesaid adjustments, at their own expenses, but in the even the owners fail to accomplish said within the time and according to the direction of the Director, the Director shall cause the same to be performed and upon his certification of the expenses, the Comptroller shall appropriate said deposit, or so much thereof as required to defray such expenses to the City or others; no claims or demands whatever arising out of such vacation or adjustment shall be made or prosecuted by owners, their heirs, successors or assigns; and the Comptroller after determining the total cost of the foregoing to the City shall return any unextended part of said deposits to the owner or owners.

SECTION NINE: An affidavit stating that all of the conditions of this ordinance have been complied with must be submitted to the Board of Public Service for acceptance One Hundred Twenty (120) days from the date of the signing and approval of this ordinance. If this affidavit is not submitted within the prescribed time the ordinance will be null and void.

Approved: November 16, 1987