

ORDINANCE #68392
Board Bill No. 114

An ordinance pertaining to sampling, portable structures, and special event permits; defining the terms “sampling” and “portable structures”, prohibiting any individual from sampling within an special event zone as designated by special event permit; prohibiting any individual from erecting a portable structure within a special event zone as designated by special event permit without prior approval of the Special Events Program Executive; containing a sunset clause and an emergency clause.

BE IT ORDAINED BY THE CITY OF SAINT LOUIS AS FOLLOWS:

SECTION ONE. Definitions

As used in this ordinance the following terms have the following meanings:

“Clean Zone Time” means a period of time from one to thirty days, as determined by the Special Events Office to be necessary for the successful and orderly conduct of the Special Event, before the beginning of the Special Event until the end of the Special Event.

“Portable Structure” means any temporary structure including enclosures that are covered with fabric or another type of membrane, are either inflatable or of rigid construction, and/or serve as a shelter or barricade and includes canopies and air-supported, air-inflated, tensioned membrane structures or of rigid construction, temporary fencing and barricades, as well as conventional tents, sheds, shelters, trailers, mobile facilities, bleacher, risers, grandstands, and kiosks.

"Production Zone" means one or more areas, not necessarily contiguous to each other, used by a Special Event Organizer for the production of the Special Event, including, but not limited to, stages, barricades, parked vehicles, booths, tents or other temporary or permanent structures, temporary signage and/or utility poles, and the area immediately surrounding them.

"Public Right of Way/Property" means any property that is owned or controlled by the City, including but not limited to streets, sidewalks, parks, plazas, malls, and public buildings.

“Sampling” means to knowingly distribute or furnish without charge, or cause to be furnished or distributed without charge any goods, coupons, literature or brochures advertising commercial goods or services, wares, merchandise, flowers, horticultural products, food or beverages from a table, wagon, pushcart, handcart or other non-motorized vehicle, or from a pack, basket or similar container, hand held display, or from an individual.

“Special Event” means an organized event which is open to the public, requires a permit or other approval from more than one City department or agency other than the Special Events Office, and takes place on Public Right of Way/Property, including but not limited to Parades, certain charitable runs or walks, street fairs, and Festivals. "Special Event" does not include i) picnics, barbecues, sports activities or private events at park facilities, under permits from the Department of Parks, Recreation and Forestry, or ii) events of any kind in Forest Park, or iii) block observances of National Night Out.

“Special Event Zone” means the entire area in which a Special Event occurs and includes the Production Zone, all vending locations connected with the event, temporary signage, and the area expected to be occupied by persons attending the event.

SECTION TWO. Prohibition of Sampling and Portable Structures within Special Event Zone

A. No person shall engage in sampling within a Special Event Zone, as designated by a valid City of St. Louis Special Event Permit, during the Clean Zone Time of the Special Event Permit, as determined by the Special Events Office pursuant to Section Seven of Ordinance 68296 of the City of St. Louis.

B. No person shall erect or cause to be erected any portable structure within a Special Event Zone, as designated by a valid City of St. Louis Special Event Permit, during the Clean Zone Time of the Special Event Permit, as determined by the Special Events Office pursuant to Section Seven of Ordinance 68296 of the City of St. Louis, without the prior written consent of the Special Events Office.

SECTION THREE. Penalty

Any violation of this Ordinance shall be a General Offense punishable by a fine of up to \$500 and/or up to 90 days imprisonment.

SECTION FOUR. Sunset Provision

All of the provisions of this ordinance shall terminate and no longer be enforceable after July 15, 2009.

SECTION FIVE. Emergency Clause

This ordinance being deemed necessary for the immediate preservation of the public health, welfare, and safety is hereby declared an emergency measure and shall become effective immediately upon its passage and approval by the Mayor.

Approved: June 22, 2009