

1 **BOARD BILL NO. 250 INTRODUCED BY ALDERWOMAN PHYLLIS YOUNG**
2

3 An ordinance pertaining to sidewalk and vehicle vendors permits; repealing
4 Sections Twelve and Thirteen of Ordinance 65061 pertaining to the bidding, issuance and
5 term of annual permits; containing an emergency clause.

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

7 **SECTION ONE** Section Twelve of Ordinance 65061 is hereby repealed and the
8 following language inserted:

9 **SECTION TWELVE. Sidewalk and Vehicle Vendor's Permit-Bidding**

10 A. The Board of Public Service is authorized and empowered to issue the highest
11 responsible bidder an annual permit approved by the Director of Streets. Said permit
12 shall include, but not be limited to:

13 1) Designation of the specific and definite area within which said permitted
14 vendor shall confine all sales activities.

15 2) Designation of the general type and character of food, goods and
16 merchandise to be sold.

17 3) The cleanliness of the specific assigned area shall rest solely with the
18 permitted vendor.

19 4) Requirements of an annual inspection fee of one hundred dollars
20 (\$100.00) for each location to be paid upon the issuance of each permit and the
21 anniversary of each permit to ensure compliance with the provisions of this ordinance.

22 5) Other regulations or requirements as deemed necessary by the Board of
23 Public Service or the Director of Streets. Said Regulations and requirements may include
24 times and days of sales.

1 6) Requirements and provisions for payment to City a specified amount.
2 Requirements that the permitted vendor shall pay in advance annually. Payments due
3 under the permit shall be in addition to the license tax due for the permitted vendor.

4 7) Any failure on the part of the licensee to comply with any terms of the
5 permit, contract, this ordinance, rules or regulations promulgated pursuant to this
6 ordinance or any other ordinance or statute shall cause a revocation and termination of
7 the permit.

8 B. Before letting the bids, the Board shall advertise for bids in the City Journal at
9 least ten (10) days before the opening of bids. In case all bids are rejected, the Board, in
10 its discretion, may proceed to advertise anew for bids.

11 C. No permit issued under the provisions of this ordinance shall be assignable or
12 transferable and no permitted vendor shall be issued permits for more than one location.

13 D. The Board of Public Service shall revoke the permit of any duly permitted
14 vendors or itinerants for not complying with the foregoing provisions of this ordinance.

15 E. Any person, firm or corporation violating the provisions, of this ordinance shall
16 upon conviction, be fined the sum of not less than twenty-five dollars (\$25.00) nor more
17 than five hundred dollars (\$500.00) or by imprisonment for not more than ninety (90)
18 days, or both such fine and imprisonment. Each day that any violation shall continue
19 shall constitute a separate offense.

20 **SECTION TWO** Section Thirteen of Ordinance 65061 is hereby repealed and the
21 following language inserted:

22 **SECTION THIRTEEN.** Sidewalk or vehicle vendor's Permit-Term.
23 Any sidewalk or vehicle vendor's permit issued according to the provisions of this
24 ordinance shall be valid until December 31 of the year in which this ordinance is enacted.
25 Thereafter all permits shall be valid for one (1) year beginning on January 1 and ending

October 17, 2008

Page 2 of 3

Board Bill No. 250

Sponsored by: Alderwoman Phyllis Young

1 on December 31. Renewal of permits shall be submitted beginning on December 1
2 annually.

3 **SECTION THREE. SEVERABILITY CLAUSE.** The provisions of this ordinance
4 shall be severable. In the event that any provision of this ordinance is found by a court of
5 competent jurisdiction to be unconstitutional, the remaining provisions of this ordinance
6 are valid unless the court finds the valid provisions of this ordinance are so essentially
7 and inseparably connected with, and so dependent upon, the void provision that it cannot
8 be presumed that the Board of Aldermen would have enacted the valid provisions without
9 the void ones or unless the Court finds that the valid provisions, standing alone, are
10 incomplete and incapable of being executed in accordance with the legislative intent.

11 **SECTION FOUR. EMERGENCY CLAUSE.** This being an ordinance for the
12 preservation of public peace, health, and safety, it is hereby declared to be an emergency
13 measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City
14 of St. Louis and therefore shall become effective immediately upon its passage and
15 approval by the mayor.