

AN ORDINANCE OF THE TOWN OF MCADENVILLE, NORTH CAROLINA
REVISING CHAPTER 8, SECTION 8-1.

WHEREAS, the Town Council finds that thousands of motorists and pedestrians drive through McAdenville each December to view the annual Christmas light display and that temporary vendors impede the safe and orderly flow of both vehicular and pedestrian traffic during that time; and

WHEREAS, the traffic impediments caused by temporary vendors pose substantial risks to pedestrians and motorists during the month of December; and

WHEREAS, the Town Council of the Town of McAdenville has deemed that banning temporary vendors during the month of December is in the best interest of public safety;

NOW THEREFORE:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MCADENVILLE, NORTH CAROLINA:

Section 8-1 Temporary Vendors Prohibited During December

- A. No person may, during the month of December, operate a temporary concession within the Town of McAdenville. A temporary concession shall include; but not be limited to: the selling or giving away of any goods, food, beverages, merchandise, literature or services or in any other way solicit persons within the Town limits.
- B. No existing business may between the hours of 5:00 p.m. and 11:00 p.m. during the month of December engage in any of the following:
 - 1. outside sale or display of merchandise;
 - 2. outdoor advertising not used on a year-round basis;
 - 3. erection of outdoor temporary showrooms;
 - 4. outside serving or dining areas not used on a year-round basis;
 - 5. charging for or renting of parking spaces.
- C. It shall NOT be a violation of Subsection A of this Section:
 - 1. for any not-for-profit organization, located permanently within the Town, to offer goods, food, beverages, merchandise or literature for fund-raising purposes or at no cost and within their permanent structure within the Town limits during December. For purposes of this section, a permanent, not-for-profit organization shall mean a religious organization, school, civic club or other organization recognized as a 501(c)(3) organization by the Internal

Revenue Code, located in a permanent structure affixed to a lot that has operated continuously within the Town for at least six months prior to December; and has at least five (5) parking spaces available for client use;

2. if the temporary vendor has been approved as a part of a Special Event Permit issued by the Town pursuant to Chapter 7, Article III of the Town of McAdenville Code of Ordinances.

D. No person may conduct or participate in any activity during the month of December and between the hours of 5:00 p.m. and 11:00 p.m. that disrupts in any manner or impedes in any manner vehicular or pedestrian traffic.

PASSED AND APPROVED this _____ day of _____, 2016.

/s/ _____
Jim Robinette, Mayor

ATTEST:

/s/ _____
Town Clerk

/s/ _____
Town Attorney