

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF WHITE PLAINS  
AUTHORIZING THE USE OF THE CITY'S RIGHT-OF-WAY FOR SIDEWALK SALES.

WHEREAS, Executive Order 202.8 issued by the Governor of New York required non-essential businesses, including retail businesses, to close by 8:00 p.m. on March 22, 2020; and

WHEREAS, retail businesses have suffered economic harm as a result of the closures; and

WHEREAS, such retail businesses have been permitted to open under specific guidelines as of June 9, 2020; and

WHEREAS, the public remains hesitant to frequent indoor retail businesses; and

WHEREAS, the sale of goods on the sidewalk would help bolster retail businesses that are an important part of the City of White Plains' economy; and

NOW, THEREFORE the Common Council of the City of White Plains hereby ordains and enacts as follows:

Section 1. The Commissioner of Public Works is hereby authorized to issue sidewalk obstruction permits, which shall be valid until October 9, 2020, subject to the following conditions:

- A. Sidewalk sales are permitted Wednesday through Saturday, between the hours of 10:00 a.m. and sunset. After sunset all items, including merchandise and display apparatus, shall be removed.
- B. No more than 40% of the width of any sidewalk shall be permitted to be occupied by merchandise and/or equipment or otherwise obstructed, and in any event, unobstructed sidewalk passage of not less than 6 feet of width shall be maintained at all times.
- C. No motor vehicles of any kind shall be operated or parked on any sidewalk.
- D. No food shall be cooked or served on the public sidewalk.

- E. Businesses shall retain responsibility to remove, as often as necessary, any litter that accumulates around individual vending and display sites on the sidewalks.
- F. Except as described in this section, businesses must comply with the Municipal Code provisions, including insurance requirements, which govern the use of public rights-of-way.

Section 2. Any fee or deposit for the issuance of a sidewalk obstruction permit, as required by an ordinance establishing Rules and Regulations for Sidewalks, Curbs and Driveways and Controlling Street Openings and Street Obstructions, are hereby waived for the abovementioned permit.

Section 3. This ordinance shall take effect immediately.