

STREETS AND SIDEWALKS
Establishment of a pedestrian way

That Chapter 27, Streets and Sidewalks, of the Code of Ordinances of the City of Burlington be and hereby is amended by adding a new section, Sec. 27-22, thereto to read as follows:

Sec. 27-22. Establishment of a pedestrian way on Pearl, Cherry, Bank, College and Main Streets between South Winooski Avenue and St. Paul Street.

(a) *Intent.* This section is enacted to protect the public safety and to provide for unencumbered passage for pedestrians and disabled citizens on Pearl, Cherry, Bank, College and Main Streets between South Winooski Avenue and St. Paul Street, and to promote the economic vitality of the downtown area.

(b) *Establishment of pedestrian way.* An area six (6) feet on each side of Pearl, Cherry, Bank, College and Main Streets between South Winooski Avenue and St. Paul Street is hereby established as a pedestrian way. This area shall be used exclusively for pedestrian passage. For purposes of this section, the use of wheelchairs and motorized carts by disabled citizens shall be considered a pedestrian use. The pedestrian way shall extend six (6) feet out from the building.

(c) *Prohibition.* No person, after notice from a law enforcement officer of this prohibition, shall continue to sit, lie down or otherwise block in any way the free flow of pedestrian traffic within this designated pedestrian way. It shall also be prohibited to place any encumbrance in the pedestrian way including, but not limited to, sandwich board signs or other types of advertising.

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(d) *Exceptions.* Encumbrances within the pedestrian way that are currently licensed and authorized by the city may continue in effect until the expiration of the current licensing period. Thereafter, variances from this section shall be granted by the City Council only upon recommendation from the Marketplace Commission and after a finding of special circumstances by the Council.

(e) *Penalty.* A violation of this section shall be a civil offense and shall be punishable as provided in section 1-9.

* Material underlined added.