

ORDINANCE NO. 7,153–N.S.

AMENDING BERKELEY MUNICIPAL CODE SECTION 9.48.080 AND 9.49.120
OPERATION OF VENDING FACILITIES-HOURS WHEN PERMITTED

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Berkeley Municipal Code 9.48.080 operation of vending facilities is amended to read as follows:

- A. Vending permits shall be visible at all times at the vending location. All persons engaged in vending shall wear their ID cards while vending.
- B. No more than two employees, including the permittee, shall sit in, stand in or otherwise occupy a sales location at any one time.
- C. Each purchaser of arts and craft items sold hereunder shall be given in writing the name, mailing address and City permit number of permittee.
- D. Vending pursuant to this chapter is permitted only between the hours of 7:00 a.m. and 12:00 a.m.
- E. Vending facilities may not remain at their allocated sites or any other location on the public right of way between the hours of. 1:00 a.m. and 6:00 a.m.
- F. Vending facilities may not be moved to or from an allocated site between. 7:00 a.m. and 9:30 a.m. or 3:30 p.m. and 6:30 p.m., or after 1:00 a.m.

Section 2. That Berkeley Municipal Code 9.49.120 hours when permitted is amended to read as follows:

- A. Food vending pursuant to this chapter is permitted only between the hours of 7:00 a.m. and 12:00 a.m.
- B. Food vending facilities may not remain at their allocated sites or any other location on the public right of way between the hours of 1:00 a.m. and 6:00 a.m.
- C. Food vending facilities may not be moved to or from an allocated site between 7:00 a.m. and 9:30 a.m. or 3:30 p.m. and 6:30 p.m., or after 1:00 a.m.

Section 3. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

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At a regular meeting of the Council of the City of Berkeley held on September 21, 2010, this Ordinance was passed to print and ordered published by posting by the following vote:

Ayes: Anderson, Arreguin, Capitelli, Maio, Moore, Wengraf, Worthington, Wozniak and Bates.

Noes: None.

Absent: None.