
Chapter 922 ~~TEMPORARY COMMERCIAL ZONE PERMIT~~ [Reserved]

922.01 Definitions.

- (A) ~~"Temporary commercial zone" means the closing of one (1) or more parking locations in the public right of way between one (1) or more intersections, while maintaining vehicular traffic access on the street, road, or alley, for the purpose of conducting commercial activity, including mobile food vending.~~
- (B) ~~"Commercial activity" means the ordinary activities of trade and commerce where the profit motive is the primary purpose of the temporary commercial zone. This terminology does not apply to sales of materials which are intended to convey information and ideas, or which espouse causes or beliefs protected by the First Amendment of the U.S. Constitution, whether in the form of books, pamphlets, buttons, bumper stickers or t-shirts.~~

922.02 Authority.

- (A) ~~The director of public service shall promulgate reasonable rules and regulations to carry out the provisions of this chapter. The authority granted to the director to promulgate such rules and regulations shall include the authority to establish permit fees.~~
- (B) ~~The Director of the Public Service Department, the Director of the Department of Public Safety, the Director of the Department of Development, the Health Commissioner, and their designees shall have the authority to enforce this chapter of code.~~

922.03 ~~Temporary commercial zone parking closures.~~

- (A) ~~No person shall use any public right of way to establish a temporary commercial zone, as defined in Section 922.01, without first obtaining a temporary commercial zone permit.~~
- (B) ~~In an area zoned residential, no temporary commercial zone permit shall be effective for more than one (1) day without approval from the director of public service.~~
- (C) ~~In areas not zoned residential, no temporary commercial zone permit shall be effective for more than three (3) consecutive days without approval from the director of public service.~~
- (D) ~~The department of public service shall issue a temporary commercial zone permit if the following requirements are met:~~
- ~~(1) The applicant has met the requirements of the temporary commercial zone application and paid the required fees;~~
 - ~~(2) The applicant has submitted a petition bearing the signatures of eighty (80) percent of the property owners or tenants, or building managers whose property adjoins the side(s) of the public street affected by the permit. A petition with less than the required signatures may be accepted provided the applicant has demonstrated a good faith effort in attempting to contact the property owners or tenants or building managers who did not sign the petition;~~
 - ~~(3) The applicant has executed the indemnity agreement required under Section 922.034;~~
 - ~~(4) The applicant has presented proof of current and valid permits or licenses otherwise required for the type of commercial activity proposed to be conducted in the public right of way;~~
 - ~~(5) The applicant has agreed to otherwise abide by the relevant rules and regulations regarding such commercial activity;~~

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- ~~(6) The applicant is not delinquent on any taxes or other obligations to the city or county; and~~
 - ~~(7) The department of public service has made a determination that the public health, safety or welfare will not be negatively impacted upon the granting or renewal of such a permit.~~

~~922.04 Indemnification and hold harmless agreement.~~

~~The applicant shall agree in writing to hold the city of Columbus, its employees, agents, servants, boards and commissions harmless from liability arising from the issuance of the temporary commercial zone permit and from the conduct of the participants or customers of the temporary commercial zone.~~

~~The applicant shall agree in writing to indemnify the city of Columbus, its employees, agents, servants, boards and commissions against all claims of injury or damage to persons or property caused by the negligent acts of the applicant.~~

~~922.99 Violations — Penalties.~~

~~Whoever violates any provision of this chapter shall be deemed guilty of a first degree misdemeanor and fined not exceeding one thousand dollars (\$1,000.00), or imprisoned for not more than six (6) months, or both. Any such violation shall constitute a separate offense on each successive day continued.~~