

Sec. 6-431. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Article of merchandise means anything of value offered for sale to the public by any person.

Coliseum district means and includes that area of land off Tyvola Road, which is devoted to use by the Charlotte Coliseum, including all of the parking areas.

Congested business district is hereby declared, designated and defined to be the following streets of the city:

- (1) Chipley Avenue;
- (2) Church Street, between Fifth ~~Street~~ and ~~Second Streets~~ Martin Luther King, Jr. Boulevard;
- (3) Coliseum Drive;
- (4) College Street, between Seventh ~~Street~~ and ~~Stonewall Streets~~ Brooklyn Village Avenue;
- (5) Independence Boulevard, between Morehead Street and the city limits;
- (6) Television Place;
- (7) Trade Street, between Alexander and Cedar Streets;
- (8) Tryon Street, between Eighth ~~Street~~ and ~~Stonewall Streets~~ Brooklyn Village Avenue;
- (9) Second Street, between College and Church Streets;
- (10) Third Street, between College and Church Streets;
- (11) Fourth Street, between College and Mint Streets;
- (12) Fifth Street between Church and College Streets;
- (13) Sixth Street, between Church and College Streets;
- (14) Seventh Street, between Church and College Streets;
- (15) North Davidson Street, between 32nd and Mercury Street;
- (16) Yadkin Avenue, between 32nd and 36th Streets;
- (17) 32nd Street, between Yadkin Avenue and North Davidson Street;
- (18) 33rd Street, between Yadkin Avenue and Rollerton Road;
- (19) 34th Street, between North Davidson Street and Yadkin Avenue;
- (20) 35th Street, between railroad tracks and Yadkin Avenue; and
- (21) 36th Street, between railroad tracks and N. Alexander Street.

The city manager or his designee shall have the authority to amend that area designated and defined as the congested business district of the city by expanding or reducing the number of streets contained therein.

Peddling means the sale or offering for sale at retail by any person on foot or from any vehicle where it is proposed by such person so offering or selling such article of merchandise to deliver the article of merchandise to the purchaser instantly upon receipt of the purchase price therefor.

Stadium district means and includes an area bounded by the following:

- (1) East Seventh Street from North McDowell Street to Hawthorne Lane;
- (2) Hawthorne Lane to East Fourth Street;
- (3) East Fourth Street to South McDowell Street; and
- (4) South McDowell Street to East Seventh Street.

(Code 1985, § 6-21)

Editor's note— Pursuant to this section, the city manager is authorized to amend the "congested business district" streets. A copy of the current list of streets is on file in the office of the city clerk.

Cross reference— Definitions generally, § 1-2.

Sec. 6-436. - Peddling in congested business district, coliseum district or stadium district.

It shall be unlawful for any person to sell any article of merchandise upon any of the streets and sidewalks within the congested business district, the coliseum district and the stadium district of the city, as defined in section 6-431, other than newspapers and magazines, except as provided in article X of this chapter and except as follows:

- (1) Any peddler with the proper business licenses shall be permitted to apply for a permit to sell merchandise within the congested business district as part of a market, festival, activity or other similar event sponsored or sanctioned by the city or county government. No peddler without the required permit shall otherwise sell merchandise within the congested business district. All applications for such permits shall be made to the appropriate event sponsor.
- (2) Any peddler with the proper business licenses shall be permitted to apply for a permit to sell merchandise within the NoDa Market, as defined in section 6-431(15-21), during a pilot period of up to six months commencing no later than August 15, 2025. All applications for such permits shall be made to the City of Charlotte.
- (3) Because of the space limitations within the boundaries of such events, peddlers may be subject to a selection process established and adopted by the event sponsor. The selection process shall include the adoption of guidelines which ensure the fair and equitable selection of all peddlers seeking to sell merchandise at the sponsored event. Peddlers at such events may be assigned locations. Where locations are assigned, the event sponsor shall develop and adopt fair and equitable guidelines for the assignment of locations. Each event sponsor shall establish and adopt an appropriate appeal process for disgruntled peddlers.
- (4) In addition to the required licenses, peddlers may be subject to such additional fees as may be established or authorized by the city council and amended by the city manager or his designee pursuant to subsection (1) of this section or the Tryon Street Mall closing policy.
- (5) The city manager or his designee shall have the authority to designate the boundaries of any market, festival, activity or other similar event. To accommodate such an event, the city manager or his designee is further authorized to temporarily close any public streets, sidewalks or other publicly owned areas within the boundaries of any proposed market, festival, activity or similar event. Where such streets, sidewalks or other publicly owned areas are temporarily closed, they shall be for the general use of the public.

(Code 1985, § 6-26)

Sec. 6-439. - Penalty.

Any person who violates a provision of this article may be assessed a civil penalty not to exceed \$500 pursuant to section 2-24.

Sec. 6-523. - Enforcement.

In addition to the authority under this article to deny, to suspend, or to revoke a permit, any or all of the following methods shall be available for enforcing this article:

- (1) City law enforcement officers shall have the authority to issue citations in the same manner as described in section 2-24 as if it were fully stated in this article. A civil penalty of ~~\$10.00~~ up to \$500 may be levied against any person for a violation of each section of this article for which a citation has been issued. Each day's violation shall be a separate and distinct offense. Nothing in this article shall preclude any other lawful enforcement action by an officer.
- (2) Further, if a vendor with a permit has a permit revoked, the coordinator may reject any new application for any kind of permit under this article for a 12-month period from the date of conviction or revocation.
- (3) Any remedies available to the county department of environmental health or any other county department responsible for enforcing laws pertaining to the activities carried out by this article shall be available to such personnel to enforce this article.
- (4) This article may be enforced by any of the remedies enumerated in G.S. 160A-175, and each day's violation shall be a separate and distinct violation.

(Code 1985, § 6-112; Ord. No. 274, § 3, 3-28-2022