

Peddler's Ordinance

Sec. 17-105. Exhibition of peddler's, charitable soliciting, and palmetto artisan's permits.

Peddlers, charitable solicitors, and palmetto artisans are required, while so engaged in peddling, charitable soliciting or the selling of palmetto art products, to exhibit on their persons their permit issued by the city and identification identifying themselves and any firm, corporation, organization, or religious institution on whose behalf they are peddling, charitably soliciting, or selling of palmetto art products.

(Ord. No. 2007-43, § 2, 2-13-07)

Sec. 17-106. Areas prohibited to peddlers, charitable solicitors, and palmetto artisans.

(a) Excluding palmetto artisans and all vendor spaces franchised by the City of Charleston pursuant to section 17-121 of the Code of the City of Charleston, peddling and charitable soliciting may take place on all sidewalks, streets or other public properties in the City except in the following districts:

- (1) The Market District;
- (2) South of Broad District;
- (3) Waterfront Park District; and
- (4) Aquarium District.

Nothing herein shall be construed to prevent the director of traffic and transportation, at the direction of the mayor, from authorizing peddlers or charitable solicitors to operate in the above areas described herein on a temporary basis during city sponsored events as and when the mayor may deem appropriate.

(b) Excluding White Point Garden and the Battery, palmetto artisans shall be prohibited from selling palmetto art products in the South of Broad District.

(c) There shall be no peddling, charitable soliciting or selling of palmetto art products in the Visitor Reception and Transportation Center District.

(d) There shall be no peddling in the King Street District.

(Ord. No. 2007-43, § 2, 2-13-07; Ord. No. 2008-118, § 2, 8-19-08)

Sec. 17-107. Obstructing public ways.

(a) All peddlers as defined in section 17-92, who operate on the public right of ways, save and except those peddlers who are blind, physically disabled or who vend traditional sweetgrass baskets and flowers shall, at all times, maintain a constant forward motion in the peddling of his goods or services; provided, however, that any such peddler may cease his motion for such time as is necessary for the transaction of a sale. Nothing herein shall be construed to allow any peddler any right or privilege to obstruct or otherwise inhibit the free, safe and efficient flow of vehicular and/or pedestrian traffic on any street or sidewalk even when transacting a sale.

(b) All peddlers engaged in charitable soliciting as defined in section 17-92, who operate on the public right of ways, save and except those who are blind or otherwise physically disabled shall, at all times, maintain a constant forward motion while charitably soliciting; provided, however, that any such charitable solicitor may cease his motion for such time as is necessary for the charitable soliciting transaction to occur. Nothing herein shall be construed to allow any charitable solicitor any right or privilege to obstruct or otherwise inhibit the free, safe and efficient flow of vehicular and/or pedestrian traffic on any street or sidewalk even when transacting a sale.

(c) All palmetto artisans engaged in selling of palmetto art products as defined in section 17-92, who operate on the public right of ways, save and except those who are blind or otherwise physically disabled shall, at all times, maintain a constant forward motion while selling palmetto art products; provided, however, that any such palmetto artisan may cease his motion for such time as is necessary for the transaction of a sale. Nothing herein shall be construed to allow any palmetto artisan any right or privilege to obstruct or otherwise inhibit the free, safe and efficient flow of vehicular and/or pedestrian traffic on any street or sidewalk even when transacting a sale.

(Ord. No. 2007-43, § 2, 2-13-07)

Sec. 17-108. Conduct of business during certain hours prohibited.

(a) No person shall engage in peddling or charitable soliciting as defined in section 17-92 between the hours of 8:00 p.m. and 8:00 a.m.

(b) No persons shall engage in the selling of palmetto art products as defined in Section 17-92 during school hours while school is in session including, summer school and mandatory after school programs, if applicable. While school is in session, Palmetto Artisans are permitted to sell palmetto art products on Friday afternoons after school from 4:00 p.m. until 8:00 p.m., and on weekends and holidays from 8:00 a.m. until 8:00 p.m. When school is out of session, palmetto artisans are permitted to sell palmetto art products daily from 8:00 a.m. until 8:00 p.m.

(Ord. No. 2007-43, § 2, 2-13-07)

Aquarium District shall mean the area bounded on the north by Charlotte Street; on the east by the Cooper River; on the south by Laurens Street; and on the west by East Bay Street, said area to include all right-of-ways and sidewalks lying within and adjacent to said district and that portion of the city's riverwalk located within said district.

Charitable Organization shall mean any person, organization, rescue squad, volunteer fire department or any other charitable or eleemosynary organization.

Charitable Soliciting shall mean any of the following:

(1) Any individual, whether a resident of the city or not, who on behalf of himself is traveling by foot or any type of conveyance, from place to place, from house to house, or from street to street, requesting, directly or indirectly, for his or her own

livelihood money, credit, property, financial assistance, remuneration, or other thing of value.

(2) Any individual, whether a resident of the city or not, who on behalf of a charitable organization is traveling by foot or any type of conveyance, from place to place, from house to house, or from street to street, requesting, directly or indirectly, for money, credit, property, financial assistance, remuneration, or other thing of value.

Battery shall mean the elevated sidewalk adjacent to the Cooper River and Ashley River between the intersections of East Bay Street and Water Street and Murray Boulevard and King Street.

King Street District shall mean that section of King Street between Carolina Street and Broad Street and all right-of-ways and sidewalks lying within and adjacent to said district.

Market District shall mean the area bounded on the north by Hasell and Beaufain Streets; on the east by the Cooper River; on the south by Cumberland, Horlbeck Alley and Clifford Streets; and on the west by Archdale Street, excepting from said district the Market Head Hall, four (4) market sheds and the sidewalks abutting the sheds which are adjacent to the blocks of Church, Anson, and State Streets running between said sheds and that portion of Anson Street lying between south and north Market Streets in said district, said district to include all right-of-ways and sidewalks lying within and adjacent to said district.

South of Broad District shall mean the area bounded on the north by Broad Street; on the east by the Cooper River; on the South by the Ashley and Cooper Rivers; and on the west by the Ashley River, said district to include Broad Street and all right-of-ways and sidewalks lying within and adjacent to said district except the portion of Meeting Street lying between St. Michael's Alley and Broad Street and the portion of the sidewalk directly in front of 93 Broad Street.

Palmetto artisan shall mean any individual who is enrolled in the City of Charleston's Youth Palmetto Art and Business Program, which program is for youths between the ages of nine (9) and sixteen (16) and is administered by the recreation department, who are traveling by foot or any type of conveyance, from place to place, house to house, or from street to street, attempting to sell palmetto bud fronds that have been physically altered from their natural state into a palmetto art product.

Peddling shall mean any individual, whether a resident of the city or not, traveling by foot or any type of conveyance, from place to place, from house to house, or from street to street, taking or attempting to take refundable security or seat deposits, or requesting a person's commitment of time, or orders for the sale of goods, wares, and merchandise, or other personal property of any nature whatsoever for immediate or future delivery, or for services to be furnished immediately or performed in the future, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or whether he is collecting advance payments on such sales or not.

Selling of palmetto art products shall mean the activities engaged in by palmetto artisans when they are traveling by foot or any type of conveyance, from place to place, house to house, or from street to street, attempting to sell

palmetto bud fronds that have been physically altered from their natural state into a palmetto art product.

Vending shall mean any individual, whether a resident of the city or not, engaged in the business of selling food or drink and/or reading material from a stationary cart or any other stationary vehicle or device that is placed, parked or stopped in or upon any city street or in any public parking space, right-of-way, driveway or sidewalk, or alongside of, or next to, any city street or on any other public property in the Old and Historic District of the City of Charleston except in such area as may be designated and marked by the department of traffic and transportation for such purpose and as is approved by city council.

Visitor reception and transportation district shall mean the area bounded on the north by Ann Street and the northern boundary of Wragg Square; on the east by Elizabeth Street; on the south by Hutson and Charlotte Streets; and on the west by King Street, said district to include all right-of-ways and sidewalks lying within and adjacent to said district.

Waterfront Park District shall mean the area bounded in a northerly direction along Concord Street from the intersection of S. Adgers Wharf to the intersection of Concord Street and Mid-Atlantic Wharf; thence turning and running in a westerly direction on Mid-Atlantic Wharf to the intersection of Mid-Atlantic Wharf and Prioleau Street; thence turning and running in a northerly direction on Prioleau Street to the intersection of Prioleau Street and Vendue Range; thence turning and running in an easterly direction on Vendue Range to the intersection of Vendue Range and Concord Street to the intersection of Concord and Cumberland Streets, said area to include all right-of-ways and sidewalks lying within and adjacent to said district.

(Ord. No. 2007-43, § 2, 2-13-07; Ord. No. 2008-118, § 1, 8-19-08)