



CITY OF CHARLESTON WEST VIRGINIA



COUNCIL MEMBER – WARD 20

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Ordinance and Rules Committee, Chair
Parks and Recreation Committee
Finance Committee
Parking Facilities Committee

A meeting of the Council Committee on Ordinance & Rules will be held on Thursday, April 11, 2024
at 5:30 PM. **To be held in person**
AV ROOM #308, CITY HALL

Agenda

APPROVAL OF PREVIOUS MINUTES

1. 2-20-2024

BILLS

1. Bill No. 8030 - A BILL to amend the Municipal relating to updating requirements and penalties associated with bicycle riders and motorized vehicles.
2. Bill No. 8031 - A BILL to amend the Municipal Code relating to updating the regulation of Private Outdoor Designated Areas to be consistent with state code changes and creating the East End PODA.

ADJOURN

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MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

6:00 P. M., FEBRUARY 20, 2024

THE MEETING WAS HELD IN PERSON IN THE AV ROOM #308 IN CITY HALL.

Chad Robinson, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 6:00 p.m., February 20, 2024.

Committee Members Present:

Chad Robinson, Chair

Patrick Salango, Vice Chair

Frank Annie

Becky Ceperley

Joseph Jenkins

Sam Minardi

Emmett Pepper

Absent:

Councilmembers also Present:

Beth Kerns

1. Approval of Previous Minutes –

Councilmember Pepper motioned to approve the previous minutes from 12-18-2023. Councilmember Annie seconded the motion. With those being present having voted unanimously in the affirmative, the Chair declared the minutes as approved as amended.

2. Bill No. 8028 – A BILL to amend the Municipal Code of the City of Charleston relating to updating the regulation of vendors. –

City Attorney, Kevin Baker, added that the City Collector's Office believed that the requirements for vendors could be simplified. The bill redefines how vendors are organized by removing the itinerant vendor classification, and removed the business license requirement. Instead, there is a vendor license requirement, which will reduce the overall fees from \$40 to \$20/annually. The new split for vendors is based on where that vendor will be operating. The Street Vendor Permit allows for vendors to be on a public right of way, involved in events and on private property, etc. An Event Vendor Permit is allowed during specific, city approved events, such as Festival. The Private Property Vendor License allows for vendors to set up on private property, such as on the parking lot of a business.

Councilmember Pepper wanted clarification that line 519, stating that vendors were not allowed to be on the street between 4-6am, applied to all vendors. Baker replied that was current Code. Pepper asked would that apply to Regatta vendors that were parked in those locations overnight. Baker replied that applied to the public right of ways, and would not affect Regatta vendors.

Councilmember Jenkins asked if licenses were required for Private Property vendors, and would that apply to someone who sold something on Ebay. Baker replied that was not the intent, and would not apply in those instances. Councilmember Jenkins suggested adding an "and" to line 256 as a way to clarify those being separate. Baker replied that could be changed clerically.

From the audience, Councilmember Kerns spoke in favor of the bill. She added that this would bring back vendors who were put off from the many fees and licenses previously required.

Councilmember Pepper moved to approve Bill No. 8028 with the mentioned technical cleanup. Councilmember Annie seconded. With those being present having voted unanimously in the affirmative, the Chair declared Bill No. 8028 as approved.

Councilmember Annie motioned to adjourn the meeting. Meeting adjourned.

Bill No. 8030

Introduced in Council:

April 1, 2024

Introduced by:

**Emmett Pepper, Shanw Taylor
And Frank Annie**

Adopted by Council:

Referred to:

Ordinance & Rules

1 **Bill No. 8030** - A BILL to amend the Municipal Code of the City of Charleston by
2 amending and reenacting Sections 114-3, 114-433; 114-662, 114-701, 114-703, 114-
3 705, and 114-711; and repealing Sections 114-366, 114-731, 114-732, 114-733, and
4 114-734, all relating to updating requirements and penalties associated with bicycle
5 riders and motorized vehicles; increasing penalties for traffic violations by operators of
6 motorized vehicles; creating new penalties for violation of the traffic ordinance by a
7 person not operating a motorized vehicle; repealing antiquated language; requiring a
8 driver to give at least three feet of distance when passing a bicycle on a road; clarifying
9 that motor vehicle operators are subject to penalties for violations of the pedestrian
10 crosswalk requirements; creating a new penalty for violation of the bicycle article of the
11 traffic ordinance and a specific lower penalty for violation of the signal device section;
12 updating and clarifying certain bicycle rules of the road and equipment requirements;
13 and repealing the antiquated license and registration requirements.

14
15 **Now, therefore, be it ordained by the Council of the City of Charleston:**

16
17 That Sections 114-3, 114-433; 114-662, 114-701, 114-703, 114-705, and 114-711 of
18 the Municipal Code of the City of Charleston are hereby amended and reenacted; and
19 that Sections 114-366, 114-731, 114-732, 114-733, and 114-734 are hereby repealed,
20 all to read as follows:

21
22 **CHAPTER 114 – TRAFFIC ORDINANCE**
23 **ARTICLE I. – IN GENERAL**

24
25 **Sec. 114-3. - Penalties.**

26
27 (a) Every person operating a motorized vehicle who is convicted of a violation of any of
28 the provisions of this chapter for which another penalty is not provided shall, for a first
29 conviction, be punished by a fine of not ~~more~~ less than \$100.00 nor more than \$500.00
30 or by imprisonment for not more than ten days; for a second such conviction within one
31 year thereafter, such person shall be punished by a fine of not ~~more~~ less than \$200.00
32 nor more than \$1,000.00 or by imprisonment for not more than 20 days or both such
33 fine and imprisonment; and upon a third or subsequent conviction, such persons shall
34 be punished by a fine of not ~~more~~ less than \$500.00 nor more than \$1,500.00 or by
35 imprisonment for not more than 30 days or both such fine and imprisonment.

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(b) Every person not operating a motorized vehicle who is convicted of a violation of any of the provisions of this chapter for which another penalty is not provided shall, for a first conviction, be punished by a fine of not more than \$100.00; for a second such conviction within one year thereafter, such person shall be punished by a fine of not more than \$200.00; and upon a third or subsequent conviction, such persons shall be punished by a fine of not more than \$500.00.

(c) In addition to any other fines and costs required by ordinance or state code, any individual found guilty of a traffic offense which is a moving violation shall be assessed an additional amount of \$5.00, which additional amount shall be retained by the city in a separate account and used solely for police training and the purchase of equipment relating to police training.

(e) (d) Fine amounts for parking violations, including increased fine amounts if not paid in full within ten days of issuance as required by City Code section 114-90, shall be as follows:

PARKING VIOLATION:	FINE:	FINE IF PAID AFTER TEN DAYS FROM ISSUANCE:
Overtime Meter	\$10.00	\$40.00
Loading Zone	25.00	50.00
Bus Zone	25.00	50.00
Taxi Zone	25.00	50.00
Police Zone	25.00	50.00
Fire Lane	25.00	50.00
Fire Hydrant	25.00	50.00
Blocked Traffic	25.00	50.00
Blocked Driveway	25.00	50.00
Blocked Crosswalk	25.00	50.00
Blocked Intersection	25.00	50.00
Street Cleaning	25.00	50.00
Blocked Sidewalk	25.00	50.00
Overtime Marked Space	25.00	50.00
Wrong Side of Street	25.00	50.00
To Near Street Corner	25.00	50.00
In Alley	25.00	50.00
Failure to Display Handicap Placard	25.00	25.00
Handicap 1st Offense	100.00	100.00
Handicap 2nd Offense	300.00	300.00
Handicap 3rd or Subsequent Offense	500.00	500.00
No Parking Zone	25.00	50.00
Residential Only Parking	75.00	110.00

54

55 **ARTICLE VI. – VEHICLE OPERATION**
56 **DIVISION 1. – GENERALLY**

57
58 ~~Sec. 114-366. – Passengers in seat with operator.~~

59
60 ~~No more than three persons including the operator shall ride or be permitted by such~~
61 ~~operator to ride in the seat with the operator of any motor vehicle while the motor~~
62 ~~vehicle is being operated on the streets of the city.~~

63
64 **DIVISION 3. – DRIVING ON RIGHT SIDE OF ROADWAY, OVERTAKING AND**
65 **PASSING**

66
67 **Sec. 114-433. - Overtaking and passing on left.**

68
69 The following rules shall govern the overtaking and passing of vehicles proceeding in
70 the same direction, subject to these limitations, exceptions, and special rules:

71 (1) The driver of a vehicle overtaking another vehicle proceeding in the same
72 direction shall give an audible signal and pass to the left at a safe distance and shall not
73 again drive to the right side of the roadway until safely clear of the overtaken vehicle.

74 (2) The driver of a vehicle overtaking a bicycle traveling in the same direction
75 shall pass to the left of the bicycle at a distance of not less than three feet at a careful
76 and reduced speed, and may not again drive to the right side of the roadway until safely
77 clear of the overtaken bicycle.

78 (3) Except when overtaking and passing on the right is permitted, the driver of an
79 overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible
80 signal and shall not increase the speed of his vehicle until completely passed by the
81 overtaking vehicle.

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83 **ARTICLE VIII. – PEDESTRIANS**

84
85 **Sec. 114-662. - Right-of-way in crosswalks.**

86
87 (a) When official traffic control signals are not in place or not in operation the driver of a
88 vehicle shall yield the right-of-way, slowing down or stopping if need be so to yield, to a
89 pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the
90 half of the roadway upon which the vehicle is traveling, or when the pedestrian is
91 approaching so closely from the opposite half of the roadway as to be in danger; but no
92 pedestrian shall suddenly leave a curb or other place of safety and walk or run into the
93 path of a vehicle which is so close that it is impossible for the driver to yield. This
94 provision shall not apply under the conditions stated in subsection 114-663(b).

95
96 (b) Whenever any vehicle is stopped at a marked crosswalk or at any unmarked
97 crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of
98 any other vehicle approaching from the rear shall not overtake and pass such stopped
99 vehicle.

100

101 (c) Any person operating a motorized vehicle who violates the provisions of this section
102 is guilty of a misdemeanor and, upon conviction thereof, shall be subject to the penalties
103 set forth in Section 114-3 of this Code.

104
105 **ARTICLE IX. – BICYCLES**
106 **DIVISION 1. - GENERALLY**

107
108 **Sec. 114-701. - Obedience to article; duty of parents and guardians; applicability**
109 **of article to bicycles.**

110
111 (a) It shall be unlawful for any person to do any act forbidden or fail to perform any act
112 required in this article.

113
114 (b) The parent of any child and the guardian of any ward shall not authorize or
115 knowingly permit any such child or ward to violate any of the provisions of this article.

116
117 (c) These regulations applicable to bicycles shall apply whenever a bicycle is operated
118 upon any street or upon any path set aside for the exclusive use of bicycles subject to
119 those exceptions stated in this article.

120
121 (d) Unless otherwise stated therein, any person violating the provisions of this article is
122 guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than
123 \$100.00 per violation.

124
125 **Sec. 114-703. - Riding on bicycles.**

126
127 (a) A person propelling a bicycle shall not ride other than upon or astride a permanent
128 and regular seat attached to the bicycle.

129
130 (b) No bicycle shall be used to carry more persons at one time than the number for
131 which ~~it is~~ the bicycle and any attachments are designed and equipped to
132 accommodate.

133
134 **Sec. 114-705. - Riding on roadways and paths.**

135
136 (a) Every person operating a bicycle upon a roadway shall ride as near to the right side
137 of the roadway as practicable, exercising due care when passing a standing vehicle or
138 one proceeding in the same direction.

139
140 (b) Persons riding bicycles upon a roadway shall not ride more than two abreast except
141 ~~on paths or parts of roadways set aside for the exclusive use of bicycles~~ when doing so
142 would not impede the flow of traffic.

143
144 (c) Whenever a usable path for bicycles has been provided adjacent to a roadway,
145 bicycle riders shall are encouraged to use such path and ~~shall not use~~ the roadway.

147 **Sec. 114-711. - Signal device.**
148

149 (a) No person shall operate a bicycle unless it is equipped with a suitable signal bell,
150 horn or other warning device capable of giving a signal audible for a distance of at least
151 100 feet, except that a bicycle shall not be equipped with nor shall any person use upon
152 a bicycle any siren or whistle; and the use of such signaling device for purposes other
153 than to give warning of the approach or presence of such bicycle or as a warning of
154 danger is expressly prohibited.

155
156 (b) When approaching or passing other vehicles or pedestrians, a bicycle rider may
157 sound a short signal of his intention to approach or pass.

158
159 (c) Any person violating the provisions of this section is guilty of a misdemeanor and,
160 upon conviction thereof, shall be fined not more than \$10.00 per violation.

161
162 **DIVISION 2. -- LICENSE AND REGISTRATION**
163

164 **Sec. 114-731. -- License required.**
165

166 ~~No person shall ride or use a bicycle upon any public street, highway or public place~~
167 ~~unless the bicycle shall be duly licensed and registered in the office of the city collector~~
168 ~~as provided in this article.~~

169
170 **Sec. 114-732. -- Registration.**
171

172 ~~Every owner of a bicycle shall list and register with the city collector his name and~~
173 ~~address; the name of the manufacturer of his bicycle; and its number, style and general~~
174 ~~description.~~

175
176 **Sec. 114-733. -- Book record; metallic tags.**
177

178 ~~The city collector shall provide at his office in the city hall a suitable book record for the~~
179 ~~purpose stated in section 114-732, and shall provide suitable metallic identification tags,~~
180 ~~upon each of which shall be marked or stamped a distinguishing number and, for each~~
181 ~~bicycle registered, shall furnish to the owner one of such tags and one duplicate. The~~
182 ~~owner shall affix and keep affixed to the bicycle for which the tag is issued the original~~
183 ~~metallic tag and shall keep the duplicate in his possession and shall at all reasonable~~
184 ~~times upon demand of any member of the police department exhibit the duplicate tag for~~
185 ~~the purpose of identification and as proof of ownership.~~

186
187 **Sec. 114-734. -- License fees; transferal; duplicates.**
188

189 ~~The fee for a license and tag and one duplicate required by this division is fixed at~~
190 ~~\$0.50, which shall be paid to the city collector at the time of the issuance of a license;~~
191 ~~and but one license and registration shall be required so long as the bicycle belongs to~~
192 ~~the same owner. The issuance of the tag and its recording shall be the only evidence of~~

193 ~~the license and the registration of the bicycle, and no written license certificate shall be~~
194 ~~issued. Upon change of ownership, such license tag may be transferred to and issued~~
195 ~~in the manner provided in this division in the name of the new owner upon payment by~~
196 ~~him of a fee of \$0.50. A tag shall not be transferred from one bicycle to another, and no~~
197 ~~person shall attach to any bicycle a tag not issued for use on the bicycle. Upon loss of~~
198 ~~any such duplicate or original, and upon application and satisfactory evidence of such~~
199 ~~loss, a new tag or a new duplicate shall be issued by the city collector upon the~~
200 ~~payment of a fee of \$0.25. All such license fees collected by the city collector shall be~~
201 ~~deposited with the city treasurer in the same manner as other license fees are~~
202 ~~deposited.~~

203

Bill No. 8031 Committee Substitute

Introduced in Council:

April 1, 2024

Introduced by:

**Mary Beth Hoover and
Chad Robinson**

Adopted by Council:

Referred to:

Ordinance & Rules

1 **Bill No. 8031 Committee Substitute** - A BILL to amend and reenact Sections 6-152, 6-
2 153, 6-154, 6-155, 6-156, 6-157, and 6-158 of the Municipal Code of the City of
3 Charleston, as amended, and to amend said code by adding thereto three new
4 sections, designated Sections 6-186, 6-187, and 6-188, all relating to updating the
5 regulation of Private Outdoor Designated Areas to be consistent with state code
6 changes; expanding the types of licenses that can operate within a Private Outdoor
7 Designated Area to be consistent with state code; clarifying that multiple permit holders
8 and licensees may operate within a Private Outdoor Designated Area simultaneously;
9 creating the East End PODA; and setting forth day, time, and personnel needed for the
10 operation of the East End Private Outdoor Designated Area.

11
12 **Now, therefore, be it ordained by the Council of the City of Charleston:**

13
14 That Sections 6-152, 6-153, 6-154, 6-155, 6-156, 6-157, and 6-158 of the Municipal
15 Code of the City of Charleston, as amended, are hereby amended and reenacted; and
16 that said code is hereby amended by adding thereto a new division, designated
17 Sections 6-186, 6-187, and 6-188, all to read as follows:

18
19 **CHAPTER 6. – ALCOHOLIC BEVERAGES.**

20 **ARTICLE IV. – PRIVATE OUTDOOR DESIGNATED AREAS.**

21 **DIVISION 1. – GENERALLY.**

22
23 **Sec. 6-152. – Private Outdoor Designated Area.**

24
25 A Private Outdoor Designated Area includes the public property that has become
26 a legally demarcated area established by a municipal ordinance as set forth in West
27 Virginia Code §8-12-26 for the consumption of liquor, wine, nonintoxicating beer, and
28 nonintoxicating craft beer. Notwithstanding the provisions of Section 78-211 of this
29 Code, a person may possess and consume an approved open container of liquor, wine,
30 nonintoxicating beer, or nonintoxicating craft beer sold from an approved Class S4
31 special permit holder, as further detailed in this Article, outdoors within a Private
32 Outdoor Designated Area. A business operating within a Private Outdoor Designated
33 Area may choose whether or not to permit people to enter its business with an approved
34 open container of liquor, wine, nonintoxicating beer, or nonintoxicating craft beer sold
35 from an approved Class S4 special permit holder. A Private Outdoor Designated Area

36 may be authorized to simultaneously host multiple qualified licenses and permit holders
37 as defined in West Virginia Code, at the discretion and with the approval of the City
38 Manager.

39
40 **Sec. 6-153. – Participation in a Private Outdoor Designated Area.**

41
42 (a) Any Class A, Class B, or Class S2 license holder under West Virginia Code
43 ~~§60-7-1 et seq.~~ that operates in a Private Outdoor Designated Area may apply to the
44 City Manager for the approval to ~~operate in~~ participate in the sale of alcoholic beverages
45 within a Private Outdoor Designated Area. The City Manager shall review the
46 application to ensure it is complete and meets the following requirements:

47 (1) The applicant is located in an established Private Outdoor Designated
48 Area, pursuant to this Article, with a front door in compliance with all building and fire
49 codes for the safe ingress and egress of members, patrons, and guests to and from the
50 Private Outdoor Designated Area.

51 (2) The applicant has a valid city and state business license and is in good
52 standing with the city.

53 (3) The applicant has a valid Class A, Class B, or Class S2 ~~private club~~
54 license under West Virginia Code ~~§60-7-1 et seq.~~

55
56 (b) Once approved by the City Manager, as indicated by a letter of approval to
57 the applicant, the license holder may apply to the West Virginia Alcohol Beverage
58 Control Administration (“WVABCA”) for a ~~special~~ Class S4 special permit, as detailed in
59 West Virginia Code § 60-7-8g, to participate in a Private Outdoor Designated Area, as
60 further detailed in this Article, in the West Virginia Code, and in any applicable rules of
61 the WVABCA. Upon approval by the WVABCA, the Class S4 special permit holder shall
62 notify the City Manager’s office. Any business that receives the approval of the City
63 Manager and a Class S4 special permit from the WVABCA may participate in a Private
64 Outdoor Designated Area.

65
66 (c) Participation in a Private Outdoor Designated Area does not provide a
67 business with any authority to operate outdoor dining on the public right of way. Any
68 business interested in participating in outdoor dining shall follow the requirements of
69 Chapter 102, Article VII of this Code. A business with an approved outdoor dining area
70 that is within a Private Outdoor Designated Area may operate its outdoor dining area
71 simultaneously with its participation in a Private Outdoor Designated Area.

72
73 **Sec. 6-154. – Containers.**

74
75 All beverages served from valid Class S4 special permit holders for consumption
76 in a Private Outdoor Designated Area shall be served in a non-glass container not
77 greater than 16 fluid ounces, which has been approved by the City Manager and the
78 WVABCA.

79
80 **Sec. 6-155. – Signage and Prohibitions.**

82 (a) Prior to the operation of a Private Outdoor Designated Area, the city shall
83 erect conspicuous signage identifying the Private Outdoor Designated Area. The signs
84 shall be located at every reasonable point where a pedestrian may exit the Private
85 Outdoor Designated Area by way of a public sidewalk. The signs shall clearly state “No
86 alcohol beyond this point.” and provide clear notice that a person is leaving the Private
87 Outdoor Designated Area.

88
89 (b) A person may not leave a Private Outdoor Designated Area while possessing
90 an open container of liquor, wine, nonintoxicating beer, or nonintoxicating craft beer that
91 contains liquid.

92
93 (c) A person may not possess an open container of liquor, wine, nonintoxicating
94 beer, or nonintoxicating craft beer that contains liquid while being in, on, or operating a
95 motor vehicle within a Private Outdoor Designated Area.

96
97 **Sec. 6-156. – Public Health, Safety, and Sanitation.**

98
99 (a) All Private Outdoor Designated Areas shall be operated in a manner
100 consistent with all state and municipal laws. The Charleston Police Department shall be
101 responsible for ensuring compliance and may issue citations within the Private Outdoor
102 Designated Areas as necessary. The Charleston Police Department shall provide a
103 copy of any citation issued within a Private Outdoor Designated Area to the WVABCA.

104
105 (b) In addition to any public restrooms in a Private Outdoor Designated Area,
106 participating Class S4 special permit holders shall make available adequate restroom
107 facilities, whether permanent or portable, to serve their members and guests during all
108 hours of operation of the Private Outdoor Designated Area.

109
110 (c) All businesses operating within a Private Outdoor Designated Area shall
111 comply with all requirements of the Kanawha-Charleston Health Department.

112
113 (d) All participating businesses within a Private Outdoor Designated Area shall
114 make waste receptacles available during the operating hours of the Private Outdoor
115 Designated Area in a number sufficient to contain the waste generated within the area
116 and which are emptied regularly by each participating business as needed to ensure
117 availability. These waste receptacles are in addition to the City of Charleston public
118 waste receptacles in the area.

119
120 **Sec. 6-157. – Revocation of City Manager Approval; and General Policy Authority.**

121
122 (a) The City Manager may revoke the letter of approval of any Class S4 special
123 permit holder for violation of any law, rule or regulation, or when doing so is in the
124 interest of public safety, by sending a revocation letter to both the permit holder and the
125 WVABCA.

126
127 (b) The City Manager is authorized to create policies and procedures as

necessary for the efficient operation of the Private Outdoor Designated Areas, including but not limited to, signage language approval, container approval, identification of participating businesses and non-participating businesses, review of security plans proposed to the WVABCA, the interaction and interplay between a fair or festival and the Private Outdoor Designated Areas, and the duties and responsibilities of all participating businesses with respect to clean up and other sanitation matters.

Sec. 6-158. – Suspension of Private Outdoor Designated Area.

The City Manager has the authority to suspend the operation of a Private Outdoor Designated Area immediately for any reason, including when in the interest of public safety, by providing notice to all Class S4 special permit holders within the Private Outdoor Designated Area, City Council, any business association participating in the marketing or advertising of the Private Outdoor Designated Area, and the WVABCA.

DIVISION 6. – EAST END PODA

Sec. 6-186. – Creation and Boundaries.

(a) City Council for the City of Charleston hereby establishes a Private Outdoor Designated Area known as “East End PODA”, which shall have the boundary as stated in subsection (b) of this section and which shall meet all of the requirements of this Article and applicable West Virginia Code.

(b) The East End PODA shall begin at a point on Washington Street East that is 90 feet northeast of its intersection with Maxwell Street and continue in a southeasterly direction along Washington Street East to a point 190 feet southeast of its intersection with Elizabeth Street; it shall include the first 185 feet of public right-of-way off Washington Street East on Elizabeth Street in both a northerly and southerly direction as well as the first 150 feet of public right-of-way off Washington Street East on Maxwell Street in a northerly direction, along with the buildings and lots adjacent to these public rights-of-way. The East End PODA shall include the public rights-of-way within the boundary area and the buildings at or within the following addresses: 1586-1611 Washington Street East and 304-412 Elizabeth Street.

(c) The attached map of the East End PODA is incorporated herein and made a part of this ordinance.

(d) The area within the East End PODA is in a CVD Corridor Village District or a C-8 Village Commercial District, both of which are zoning areas that allow for the sale and consumption of liquor, wine, nonintoxicating beer and nonintoxicating craft beer, and are in compliance with the zoning ordinance.

Sec. 6-187. – Days and Hours of Operation

The East End PODA may operate daily year round on any Monday through Friday from 4:00 p.m. until 10:00 p.m., Saturday from 10:00 a.m. until 10:00 p.m., and Sunday from 10:00 a.m. until 10:00 p.m. Drinks may not be sold in PODA cups or

174 consumed within the ~~Elk City~~East End PODA outside of the hours of operation.

175

176 **Sec. 6-188. – Personnel Needed**

177

178 The estimated number of City personnel needed to ensure public safety and
179 efficient operations in the ~~Elk City~~East End PODA is two police officers and one public
180 works employee. The City Council anticipates that these City employees will be working
181 their regular shifts and generally assigned in this area of the City.

182

East End Private Outdoor Designated Area (PODA)

