

CODE ENFORCEMENT NOTICE - OUTSIDE DISPLAY OF RETAIL ITEMS

The City of Fellsmere regulates outdoor display of retail items. Typical items displayed outdoors include ice boxes, water dispensing machines, propane tanks, newspaper racks, and vending machines. Starting July 1, 2015, the City will enforce existing regulations pertaining to outdoor display of retail items. These regulations are summarized below. Please contact the Community Development Department at 772-646-6314 with questions.

Allowed Locations

Outdoor display of retail items is allowed along North Broadway Street and within Industrial zoned property. For all other commercial locations, business owners may apply for conditional approval for outdoor display. For conditional approvals, the City Council reserves the right to determine if the site is appropriate for such use and if a product is a valid material to be included in an outside sales environment. Applications are available at the Community Development Department.

Outside Displays Regulations

Outside display, where allowed, may be conducted in a neat and orderly manner under the following requirements:

- a. Outside display shall not be located:
 - (1) Within 15 feet of any street intersection or pedestrian crosswalk;
 - (2) Within five feet of a primary roadway access into a parcel;
 - (3) Within five feet of another outside vending location;
 - (4) Within five feet of a building exit;
 - (5) Within 15 feet of a fire hydrant;
 - (6) Where the use obstructs traffic or endangers the public welfare.
- b. Along CR-512, outside display such as telephones, vending machines, or other machines dispensing merchandise or products on private property, shall be confined to a space built into the building or buildings or enclosed in a separate structure compatible with the main buildings architecture. These areas are to be designed with the safety of the user in mind.
- c. Along CR-512, outside display such as accessory structures, including sheds, out-buildings, dumpster enclosures, and screening structures, shall match the style, finish, and color of the sites main building.

Use of Public Sidewalks

Prior to the use of a public sidewalk, the business owner shall file with the Community Development Director a plan depicting the area of the sidewalk to be so utilized. In no case shall the sidewalk width remaining for passage of pedestrians be reduced to less than five feet in width.

Seasonal Sales – Seasonal Sales require receipt of a seasonal sales permit.

Other Regulations

- No merchandise shall be affixed to a parking meter, fire hydrant, telephone or utility lines and/or poles, fence, gate, awning, canopy or tree.
- Merchandise shall be securely and adequately placed so that it will not endanger passersby, customers, or fall or extend into any street, sidewalk, alley, or driveway.
- No stand or display shall be permanently affixed to the sidewalk or building.
- No outside sales of hazardous material.