

# TOWN OF PALM BEACH

Information for Town Council Meeting on: June 13, 2023

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TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: John C. Randolph, Town Attorney

RE: Ordinance No. 013-2023 Restricting Use of Town Streets and Sidewalks

DATE: May 11, 2023

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## **STAFF RECOMMENDATION**

The Town Attorney recommends that Town Council approve on first reading the attached ordinance No. 013-2023 relating to a prohibition on the use of public streets and sidewalks.

## **GENERAL INFORMATION**

At the May 9 Town Council meeting the Town repealed the then existing version of Section 106-48 because it was potentially unconstitutional. Because it was deemed important by the Mayor and Town Council to have in place a constitutional ordinance regulating the use of Town streets and sidewalks by pedestrians, I have prepared the attached ordinance for your consideration which ordinance makes it unlawful for any person to stand in the portion of the roadway paved for vehicular traffic or any public sidewalk of the Town for any purpose which interrupts the normal flow of vehicular or pedestrian traffic on said roadway or public sidewalk or for the purpose of inviting or enticing a person to enter a commercial establishment adjacent to said street or sidewalk.

This ordinance should withstand a legal challenge.

## **FUNDING/FISCAL IMPACT**

There is no funding or financial impact.

cc: Kirk Blouin, Town Manager