

Obstructions in the Right of Way

Having realized that the opportunity to advertise merchandise along the exterior of each storefront is a desire of the business' located in the downtown area, Bloomsburg Town Council has set forth the following regulations to achieve the goals of the downtown merchants and to maintain safe passage for passers by.

The following words, when used in this Part, shall have the meanings ascribed to them in this section, except in those instances where the context clearly indicates otherwise:

Downtown Area: East St., from Seventh St. to Main (Second) St.; Main St. from East St. to West St. and all cross streets extending generally perpendicular to Main St., within the same distance, for a distance of 225' or one block, whichever is greater.

No Obstruction Zone (NOZ): The NOZ shall be an area which begins at the curbline and extends, perpendicular to the curb, for a distance of six feet (6'). The zone shall run parallel with the curb for the distance of lot line to lot line in front of all parcels located in the Downtown Area. *There shall be no obstructions within the NOZ.*

Obstruction: Obstructions shall include, but not be limited to: merchandise, advertisements, signage, tables, chairs, benches, pottery and the like. An obstruction however, shall **not** include: trees, waste/recycling containers, parking meters, signage, street lighting fixtures, benches, pottery, and other similar items installed, placed or **approved by consent of The Bloomsburg Town Council and/or The Pennsylvania Department of Transportation.**

Walkway: A paved portion of the public right of way maintained for pedestrian traffic.

§21-401. OBSTRUCTIONS NOT PERMITTED.

No person shall place an obstruction within the NOZ along any of the public right of way areas within the downtown area. A five foot (5'), unobstructed, walkway shall be maintained within the downtown area. Said walkway must be located within the NOZ. However, if a paved surface does not exist, within said NOZ, said walkway must be provided as close as practical to the NOZ. All walkways must maintain straight paths, whenever possible, and must run parallel with the curbline. *However, a minimum three foot (3') walkway must be maintained at all times, regardless of any approved or naturally occurring obstruction.*

§21-402. APPLICABILITY.

This part shall apply to all property owners located within the Downtown area as well as all tenants of properties located within the Downtown area.

§21-403. APPEALS.

All appeals from this part shall be reviewed by the Bloomsburg Town Council. Appeal fees to be established from time to time by resolution of council.

§21-404. PENALTY.

IF A VENDOR OR PROPERTY OWNER DOES NOT COMPLY WITH THE ORDER OF BLOOMSBURG TOWN COUNCIL TO REMOVE AN OBSTRUCTION, FURTHER CIVIL ACTION MAY BE PURSUED. *Penalties changed as per Council's direction.*