

# Ordinance



City Council  
City of Wilmington  
North Carolina

**Introduced By:** Thomas C. Pollard, City Attorney

**Date:** 01/06/2009

## **Ordinance Amending Section 7-38 of the Wilmington City Code Relating to Performers in Riverfront Park**

### **LEGISLATIVE INTENT/PURPOSE:**

Section 7-38 of the Wilmington City Code provides for a permitting system for performers in Riverfront Park. Because of changes required to be made to the Wilmington City Code Section 6-16, it is desirable that the permitting system in Section 7-38 be expanded to include additional areas surrounding Riverfront Park.

### **THEREFORE, BE IT ORDAINED:**

Section 1. That Section 7-38(a) of the Wilmington City Code is hereby amended to read as follows:

"(a) Permit Generally. No performer shall perform in Riverfront Park or the Riverfront Park Periphery except after the issuance of a permit by the city manager or his designee in accordance of this section."

Section 2. That Section 7-38(b) of the Wilmington City Code is hereby amended by adding a new subsection (4) as follows:

"(4) Riverfront Park Periphery. Any public area as defined in Section 6-16 of the City Code located on the following streets:

- a. Water Street between the northern line of Dock Street and the southern line of Princess Street;
- b. Front Street between the northern line of Dock Street and the southern line of Princess Street; and
- c. Market Street between the western line of Second Street and the western line of Water Street."

Section 3. A violation of this ordinance shall subject the offender to the penalties set forth in Section 7-1 of the Wilmington City Code.

Section 4. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 5. If any section, subsection, paragraph, sentence, clause, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

Section 6. This ordinance shall be effective immediately upon its adoption.

\_\_\_\_\_  
Bill Saffo, Mayor

Adopted at a \_\_\_\_\_ meeting  
on \_\_\_\_\_, 2009

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney