



CITY OF LYNN
In City Council

February 14, 1995

IN THE YEAR ONE THOUSAND NINE HUNDRED NINETY-FIVE AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE SALE OF FOOD OR OTHER PRODUCTS FROM MOTOR VEHICLES SITUATED UPON PUBLIC STREETS AND ROADWAYS IN THE CITY OF LYNN.

Be it Ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

SECTION 1. The ordinance regulating the sale of food or other products from motor vehicles situated upon public streets and roadways in the City of Lynn, as heretofore amended, is hereby further amended by deleting the existing Subsection E, and inserting the following new section.

- e. It shall be unlawful to engage in selling or offering for sale any, food or other products from and/or at a motor vehicle, one hour after sunset and before 5:00 a.m., and no music shall be played after 9:00 p.m. daily or before the hour of 10:00 a.m. on Sundays.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.



CITY OF LYNN
In City Council

March 8, 1994

IN THE YEAR ONE THOUSAND NINE HUNDRED NINETY FOUR AN ORDINANCE RELATIVE TO THE SALE OF ANY FOOD AT RETAIL IN THE CITY OF LYNN BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 5:00 AM

Be it Ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

SECTION 1. An Ordinance relative to the sale of any food at retail in the City of Lynn between the hours of 12:00midnight and 5:00 a.m. is hereby established and such ordinance shall provide as follows:

No person shall sell at retail any food between the hours of 12:00 midnight and 5:00 a.m. The term food as used in this ordinance shall include any article or commodity, however stored or packaged, intended for human consumption, and shall include alcoholic beverages to be consumed off the premises at which they are sold, unless any other law or permit or license granted to the seller of such beverages shall otherwise provide.

This ordinance shall not apply to the sale of food or alcoholic beverages to be consumed on the premises at which they are sold when such sale is by a licensed common victualler that also possesses an alcoholic beverage license issued pursuant to the provisions of G.L., Chapter 138. However, this ordinance shall apply to all other common victuallers whether the food is consumed on the premises or off the premises.

SECTION 2. Violation of any of the above provisions shall be punishable by a fine of Three Hundred (\$300.00) Dollars. For purposes of this ordinance, each separate sale shall be deemed a separate offense. In the event of sale of several items or articles at one time to one customer, only one sale shall be deemed to have taken place.

SECTION 3. No store or place of business engaged in the retail sale of food shall be open for the transaction of retail business between the hours of 12:00 midnight and 5:00 a.m.

This ordinance shall not apply to the sale of food or alcoholic beverages to be consumed on the premises at which they are sold when such sale is by a licensed common victualler that also possesses an alcoholic beverage license issued pursuant to the provisions of G.L., Chapter 138. However, this ordinance shall apply to all other common victuallers whether the food is consumed on the premises or off the premises.

SECTION 4. Violation of any of the provisions in Section 3 of this ordinance shall be punishable by a fine of Three Hundred (\$300.00) Dollars for each violation. In case of continuing violation, every calendar day upon which a store shall remain open shall be deemed a separate offense.

SECTION 5. Notwithstanding the above-listed sections, the City Council of the City of Lynn may authorize the sale of any food at retail in the City of Lynn, and further authorize the opening of any store or place of business engaged in the retail sale of food for twenty-four (24) hours, each day, after



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application by the concerned owner and/or operator, and the granting of a one (1) year license, which shall be renewed annually at the discretion of the City Council, after re- application for said license.

SECTION 6. Anyone operating presently, has (90) days after adoption of ordinance to apply to the License Committee. The license to be renewed annually in the month of December and the fee shall be Fifty (\$50.00) Dollars.

SECTION 7. No deliveries shall be made at any retail food store between the hours of 12:00 midnight and 5:00 a.m.

SECTION 8. Violations of any of the provisions in Section 7 of this ordinance shall be punishable by a fine of Three Hundred (\$300.00) Dollars for each violation.

SECTION 9. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 10. This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.



CITY OF LYNN
In City Council

November 10, 19 92

IN THE YEAR ONE THOUSAND NINE HUNDRED NINETY-TWO AN ORDINANCE AMENDING THE ORDINANCE RELATIVE TO THE SALE OF ANY FOOD AT RETAIL IN THE CITY OF LYNN BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 5:00 A.M.

Be it ordained by the City Council of the City of Lynn and by the authority of the same, as follows, to wit:-

SECTION 1. The Ordinance relative to the sale of any food at retail in the City of Lynn between the hours of 12:00 midnight and 5:00 a.m. is hereby amended to include the following new section:

SECTION 8. Violations of any of the provisions in Section 7 of this ordinance shall be punishable by a fine of One Hundred (\$100.00) Dollars for each violation.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.



CITY OF LYNN
In City Council

June 25, 1991

IN THE YEAR ONE THOUSAND NINE HUNDRED NINETY-ONE AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE SALE OF FOOD OR OTHER PRODUCTS FROM MOTOR VEHICLES SITUATED UPON PUBLIC STREETS AND ROADWAYS IN THE CITY OF LYNN

Be it Ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

SECTION 1. An ordinance regulating the sale of food or other products from motor vehicles situated upon public streets and roadways in the City of Lynn as heretofore amended, is hereby further amended by deleting the existing Subsection E, and inserting the following new section:

- e. It shall be unlawful to engage in selling or offering for sale any food or other products from and/or at a motor vehicle one hour after sunset and before 5:00A.M. and no music is to be played after 9:00 p.m.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.



CITY OF LYNN
In City Council

April 23, 1991

IN THE YEAR ONE THOUSAND NINE HUNDRED NINETY-ONE AN ORDINANCE AMENDING THE ORDINANCE REGULATING THE SALE OF FOOD OR OTHER PRODUCTS FROM MOTOR VEHICLES SITUATED UPON PUBLIC STREETS AND ROADWAYS IN THE CITY OF LYNN

Be it Ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

SECTION 1. The ordinance regulating, the sale of food or other products from motor vehicles situated upon public streets and roadways in the City of Lynn as heretofore amended, is hereby further amended by including under the existing Section 1-A. "High Schools".

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.



CITY OF LYNN
In City Council

March 6, 1984

IN THE YEAR ONE THOUSAND NINE HUNDRED EIGHTY-FOUR AN ORDINANCE RELATIVE TO THE SALE OF ANY FOOD AT RETAIL IN THE CITY OF LYNN BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 5:00 A.M.

Be it Ordained by the City Council of the City of Lynn and by the authority of the same, as follows, to wit:-

SECTION 1. An Ordinance relative to the sale of any food at retail in the City of Lynn between the hours of 12:00 midnight and 5:00 a.m. is hereby established and such ordinance shall provide as follows:

No person shall sell at retail any food between the hours of 12:00 midnight and 5:00 a.m.

The term food as used in this ordinance shall include any article or commodity, however stored or packaged, intended for human consumption, and shall include alcoholic beverages to be consumed off the premises at which they are sold, unless any other law or permit or license granted to the seller of such beverages shall otherwise provide.

This ordinance shall not apply to the sale of food or alcoholic beverages to be consumed on the premises at which they are sold or to be consumed off the premises on which they are sold when such sale is by a licensed common victualler primarily engaged in the sale of food to be consumed on such premises.

SECTION 2. Violation of any of the above provisions shall be punishable by a fine of Fifty Dollars (\$50.00). For purposes of this ordinance each separate sale shall be deemed a separate offense. In the event of sale of several items or articles at one time to one customer, only one sale shall be deemed to have taken place.

SECTION 3. No store or place of business engaged in the retail sale of food shall be open for the transaction of retail business between the hours of 12:00 midnight and 5:00 a.m.

This ordinance shall not apply to the sale of food or alcoholic beverages to be consumed on the premises at which they are sold or to be consumed off the premises on which they are sold when such sale is by a licensed common victualler primarily engaged in the sale of food to be consumed on such premises.

SECTION 4. Violation of any of the provisions in Section 3 of this ordinance shall be punishable by a fine of Fifty Dollars (\$50.00) for each violation.



CITY OF LYNN
In City Council

July 8, 1975

IN THE YEAR ONE THOUSAND NINE HUNDRED SEVENTY-FIVE AN ORDINANCE RELATIVE TO THE SALE OF ANY FOOD AT RETAIL IN THE CITY OF LYNN BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 5:00 A.M.

Be it Ordained by the City Council of the City of Lynn and by the authority of the same, as follows, to wit:-

SECTION 1. An Ordinance relative to the sale of any food at retail,, in the City of Lynn between the hours of 12:00 midnight and 5:00 a.m. is hereby established and said ordinance shall provide as follows:

No person shall sell at retail any food between the hours of 12:00 midnight and 5:00 a.m.

The term food as used in this ordinance shall include any article or commodity, however stored or packaged, intended for human consumption, and shall include alcoholic beverages to be consumed off the premises at which they are sold, unless any other law or permit or license granted to the seller of such beverages shall otherwise provide.

This ordinance shall not apply to the sale of food or alcoholic beverages to be consumed on the premises at which they are sold or to be consumed off the premises on which they are sold when such sale is by a licensed common victualer primarily engaged in the sale of food to be consumed on such premises.

SECTION 2. Violation of any of the above provisions shall be punishable by a fine of Fifty Dollars (\$50.00). For purposes of this ordinance each separate sale shall be deemed a separate offense. In the event of sale of several items or articles at one time to one customer, only one sale shall be deemed to have taken place.

SECTION 3. No store or place of business engaged in the retail sale of food shall be open for the transaction of retail business between the hours of 12:00 midnight and 5:00 a.m.

This ordinance shall not apply to the sale of food or alcoholic beverages to be consumed on the premises at which they are sold or to be consumed off the premises on which they are sold when such sale is by a licensed common victualer primarily engaged in case of continuing violation, every calendar day upon which a store shall remain open shall be deemed a separate offense.

SECTION 4. Notwithstanding the above-listed sections, the City Council of the City of Lynn may authorize the sale of any food at retail in the City of Lynn, and further authorize the opening of any store or place of business engaged in the retail sale of food for twenty-four (24) hours, each day, after application by the concerned owner and/or operator, and the granting of a one (1) year license, which shall be renewed annually at the discretion of the City Council, after re-application for said license.

SECTION 5. Anyone operating presently has ninety (90) days after adoption of ordinance to apply to the License Committee. The license to be renewed annually in the month of June. The fee shall be Fifty Dollars (\$50.00).



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SECTION 6. No deliveries shall, be made between the hours of 12:00 midnight and 5:00 a.m.

SECTION 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 8. This ordinance shall take effect thirty-one (31) days after its final approval as adopted and advertised.



CITY OF LYNN
In City Council

November 12, 1974

IN THE YEAR ONE THOUSAND NINE HUNDRED SEVENTY-FIVE AN ORDINANCE
AMENDING THE ORDINANCE REGULATING THE SALE OF FOOD OR OTHER PRODUCTS
FROM MOTOR VEHICLES SITUATED UPON PUBLIC STREETS AND ROADWAYS IN THE
CITY OF LYNN

Be it Ordained by the City Council of the City of Lynn and by the authority of the same, as follows, to wit:

SECTION 1. The ordinance regulating the sale of food or other products from motor vehicles situated upon public streets and roadways in the City of Lynn is hereby amended as follows:

In Section 1, Paragraph B, subsections (1), (2) and (3) after the words "alternately flashing" delete the word "red" and insert in lieu thereof the word "green".

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and approval, after advertising as adopted

SECTION 4. Violation of any of the provisions in Section 3 of this ordinance shall be punishable by a fine of Fifty Dollars (\$50.00) for each violation. In case of continuing violation, every calendar day upon which a store shall remain open shall be deemed a separate offense.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6. This ordinance shall take effect upon its adoption and approval, after advertising as adopted.



CITY OF LYNN
In City Council

November 12, 1974

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY FOUR AN ORDINANCE
ESTABLISHING AN ORDINANCE REGULATING THE SALE OF FOOD OR OTHER PRODUCTS
FROM MOTOR VEHICLES SITUATED UPON PUBLIC STREETS AND ROADWAYS IN THE
CITY OF LYNN

Be it Ordained by the City Council of the City of Lynn and by the authority of the same as follows, to wit:-

SECTION 1. An ordinance regulating the sale of food or other products from motor vehicles situated upon public streets and roadways in the City of Lynn is hereby established, and said ordinance shall provide as follows:

- a. It shall be unlawful for the driver or operator of any motor vehicle to stop said vehicle for the purpose of selling or offering for sale any food or other products or to sell or offer for sale such merchandise at said vehicle while stopped, or to use any loudspeaker, bell or other device giving an audible signal to advertise such merchandise, within a distance of one thousand (1000) feet of any real estate which is then used as part of the school grounds of any duly accredited public, or private grade or junior high school between the hours of 7:00 a.m. and 3:00 p.m. on days when said schools are in session.
- b. It shall be unlawful for the driver or operator of any motor vehicle to stop said vehicle for the purpose of selling or offering for sale at said vehicle any food products without having the following equipment mounted on said vehicle and in operation during the period of selling said products:
 1. A horizontal, sign at least twenty (20) inches in length and at least ten (10) inches in width imprinted with the words "STOP" in six (6) inch, black, block letters on a yellow background and "PROCEED WITH CAUTION" in two (2) inch, black, block letters on a yellow background, such arm to be lighted, at the street end of said arm with two (2) alternately flashing red lights two (2) inches in diameter, clearly visible from both front and rear at a distance of at least three hundred (300) feet, the bottom of said sign to be at a height of five (5) feet above the level of the street or way.
 2. Two (2) alternately flashing red lights not less than four (4) inches in diameter placed one above the other on the side of the front end of the vehicle legally parked, not more than one apart, the lower of which shall be approximately four (4) feet from the surface street or way, and, clearly visible less than three hundred (300) feet front of said vehicle.
 3. Two (2) alternately flashing red lights not less than four (4) inches in diameter, placed one above the other on the street side of the rear end of the vehicle, when legally parked, not more than one (1) foot apart, the lower of which shall be



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approximately four (4) feet from the surface of the street or way, and, clearly visible from not less than three hundred (300) feet from the rear of said vehicle.

- c. It shall be unlawful for any motorist, when approaching a parked, food vending vehicle from any direction at a time when such vehicle is displaying the sign and the flashing lights as provided for in Section B, Par. (1) above, to fail to come to a complete stop at least ten (10) feet from the closest end of said vehicle or to fail to then proceed with caution to pass said vehicle.
- d. It shall be unlawful to sell or offer for sale any food or other products from a vehicle unless said vehicle is legally parked or to sell or offer for sale from- other than the curb side of a legally parked food vending vehicle.
- e. It shall be unlawful to engage in selling or offering for sale any food or other products from and at a motor vehicle between 9:00 p.m. and 6:00 a.m.