



Department Source: City Manager
To: City Council
From: City Manager & Staff
Council Meeting Date: April 5, 2021
Re: Restaurant Right of Way Ordinance

Executive Summary

Approval of this request would authorize the City Manager to grant temporary right of use permits to restaurants to use parking stalls located in the right of way adjacent to the restaurants for additional seating. The City Manager will be authorized to grant the temporary right of use permits in the calendar year of 2021, the permits will not exceed twenty consecutive days.

Discussion

In response to events occurring in the community, the proposed ordinance would allow for restaurants to have additional capacity. This will allow restaurants to serve additional customers during peak times by utilizing the parking stalls for seating.

The right of use permit will be a temporary permit that will not exceed twenty (20) consecutive days. The applications will be due to the Public Works Director at least twenty-one (21) days prior to the desired date of use. The applications will include drawings to scale, evidence of notification, and the engineered plans if desired by the Director of Public Works.

The size of the additional seating area shall be no larger than fourteen (14) feet from the face of the curb for angled parking spaces. For parking spaces that are parallel to the curb, the size of the additional seating area shall be no larger than six (6) feet from the face of the curb.

As part of the application process, the applicant will be required to notify users, property owners, and occupants of property abutting the area to be closed. The applicant will be required to make them aware of the dates and times of use, and that they have a right to submit a written objection of the application to the City Manager's Office.

The restaurant will be responsible for the safety of its employees and patrons. There will be barricades and other safety measures outlined in their application. The additional seating must be in compliance with the American Disabilities Act. The food and beverage service will only occur in the approved location and will adhere to the restaurants regular hours. This temporary seating will not interfere with the use of the public street and sidewalk. The restaurant will be responsible for maintaining and cleaning the right of way. The power supply for the additional seating shall not use the public right-of-way. In order to operate, the restaurant must possess a commercial general liability insurance that is licensed to do business in the State of Missouri. The amount of insurance for Single Limit Coverage shall be



City of Columbia

701 East Broadway, Columbia, Missouri 65201

at least \$3,000,000.0. The applicant who applies for a temporary right of use permit must execute a written indemnification agreement.

There will be a twenty-five dollar (\$25) processing fee for the application. This fee will cover the cost of processing the application. If the application is approved, the applicant shall pay the special meter hood fees of ten dollars (\$10.00) per day.

If passed, this ordinance shall become effective through December 31, 2021.

Fiscal Impact

Short-Term Impact: No additional cost to the City of Columbia

Long-Term Impact: No additional cost to the City of Columbia

Strategic & Comprehensive Plan Impact

[Strategic Plan Impacts:](#)

Primary Impact: Economy, Secondary Impact: Infrastructure, Tertiary Impact: Not Applicable

[Comprehensive Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

Date	Action
N/A	N/A

Suggested Council Action

Approval of the ordinance to allow for temporary right of use permits.