

Introduced by _____

First Reading _____

Second Reading _____

Ordinance No. _____

Council Bill No. B 99-14

AN ORDINANCE

amending Chapter 4 of the City Code as it relates to sidewalk cafes; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 4 of the Code of Ordinances of the City of Columbia, Missouri, is hereby amended as follows:

Material to be deleted in ~~strikeout~~; material to be added underlined.

Sec. 4-48. Sidewalk cafes.

(a) It shall be unlawful for any person to serve an alcoholic beverage on a public sidewalk without a license under this section.

(b) A place of business licensed to sell intoxicating malt liquors with an alcoholic content of more than three and two-tenths (3.2) per cent by weight and not more than five (5) percent by weight and light wine for consumption on the premises may be licensed to sell such products on the public sidewalk adjacent to the place of business. A place of business licensed to sell all kinds of intoxicating liquor at retail or by the drink for consumption on the premises may be licensed to sell such products on the public sidewalk adjacent to the place of business. The following restrictions shall apply to serving and consuming alcoholic beverages on the adjacent sidewalk:

- (1) Alcoholic beverages can only be served between 11:00 a.m. and ~~4:00 p.m.~~ 12:00 a.m.
- (2) All alcoholic beverages served must be consumed by ~~4:00 p.m.~~ 1:00 a.m.
- ~~(3) All alcoholic beverages served must accompany a food order.~~
- ~~(3-4)~~ Only alcoholic beverages served by the licensee may be consumed on the sidewalk.

- (~~4-5~~) Alcoholic beverages may be served only to persons and consumed only by persons who are seated on a chair or bench provided by the licensee. This provision shall not apply to disabled persons in wheelchairs.
- (~~5-6~~) Alcoholic beverages may be served and consumed only in an area enclosed by a decorative barrier. The barrier shall consist of either bollards connected by chains or ornamental picket-style fencing. Bollards, including the base, must be made of black, powder coated steel. The chains must be made of black metal. Fencing, including the base, must be made of black, powder coated steel. Spacing between pickets must be no wider than four (4) inches. Barriers must be no less than thirty-six (36) inches nor more than forty-three (43) inches high and shall not be anchored in the sidewalk. A straight, unobstructed pathway at least sixty (60) inches wide must be maintained on the sidewalk along the entire length of the sidewalk used by the licensee. A licensee shall not keep barriers on the sidewalk during any time of the year when the licensee does not serve food or alcoholic beverages outdoors.
- (~~6-7~~) All alcoholic beverage sales must comply with the statutes and regulations of the state.
- (~~7-8~~) These areas shall be nonsmoking.

(c) An application for a license under this section shall be accompanied by a written plan demonstrating compliance with subsection (b)(~~5-6~~). The plan must show the location of the business, the adjacent sidewalk, any structure located on the sidewalk, the proposed barrier and the required straight, unobstructed pathway. The plan shall also contain a description of the barrier.

(d) There shall be no fee charged for a license issued under this section.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this _____ day of _____, 2014.

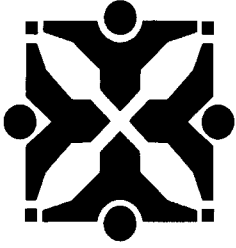
ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor



Source: City Manager

Agenda Item No:

To: **City Council**
From: **City Manager and Staff** *MM*

Council Meeting Date: Apr 7, 2014

Re: Extension of Sidewalk Cafe Hours.

EXECUTIVE SUMMARY:

The proposed amendments to Chapter 4 of the City Code would extend hours in which alcohol could be served and consumed in sidewalk cafes.

DISCUSSION:

Staff has been asked by the CID to bring forward the proposed amendments to extend the hours for serving and consuming alcohol in sidewalk cafes downtown. The proposed amendments would extend the hours in which alcohol can be served from 10 p.m. to 12 a.m., the hours in which served alcohol must be consumed from 11 p.m. to 1 a.m., and remove the necessity that alcoholic beverages be served with food in sidewalk cafes.

These amendments were requested to be brought forward in conjunction with the amendments to the City Code that enable mobile food vendors (food trucks) to vend on city streets and in designated areas downtown.

FISCAL IMPACT:

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

SUGGESTED COUNCIL ACTIONS:

Approve legislation amending Chapter 4 of the City code to extend hours in which alcohol can be served and consumed in sidewalk cafes.

FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?		Federal or State mandated?	
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?		Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?		Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	
One Time	\$0.00	Requires add'l FTE Personnel?		Primary Vision, Strategy and/or Goal Item #	
Operating/ Ongoing	\$0.00	Requires add'l facilities?		Secondary Vision, Strategy and/or Goal Item #	
		Requires add'l capital equipment?		Fiscal year implementation Task #	