

RESOLUTION NO. 21, SERIES OF 2020

TITLE: A RESOLUTION OF THE CITY OF CAÑON CITY, COLORADO REPEALING AND READOPTING THE CITY'S SIDEWALK CAFÉ PERMIT REQUIREMENTS AND PROCEDURES AND THE DESIGN AND DEVELOPMENT STANDARDS FOR SIDEWALK CAFÉS.

WHEREAS, through Resolution No. 12, Series of 1999 the Council of Canon City delegated to the City's administrative staff authority to issue revocable permits for sidewalk cafés to business owners who desired to extend their food and beverage options onto portions of City-owned sidewalks abutting their existing businesses on a trial basis;

WHEREAS, through Resolution No. 27, Series of 2000 the Council extended such authorization indefinitely and provided that such authorization would not expire unless a future resolution of Council would provide for such expiration;

WHEREAS, those granted permits issued for sidewalk cafés have been subject to certain standards, requirements and procedures initially imposed through Resolution No. 12, Series of 1999, as modified in 2000, 2014, and 2015; and

WHEREAS, Council now wishes to allow the enclosure of sidewalk cafés to some extent and on a temporary basis subject to requirements providing seasonal outdoor dining while also providing for the health, safety, welfare and economic vitality of those who will use such public sidewalks for these purposes.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE COUNCIL OF CAÑON CITY, as follows:

1. The Sidewalk Café Permit Requirements and Procedures, attached hereto and by reference incorporated herein as Exhibit 1 – including Attachment A (Sidewalk Café Zones) and Attachment B (Sidewalk Café Development and Design Standards) – are hereby adopted and shall supersede, modify, and supplement all previous regulations, requirements and standards applicable to outdoor dining on public sidewalks and the issuance of permits authorizing the establishment, use and maintenance of such facilities.

2. A Sidewalk Café Permit issued by the City shall evidence the temporary grant of revocable privilege to a business operator to use a portion of the City's sidewalks in a manner consistent with the requirements and limitations set forth or referred to in the permit for purposes that are compatible with the nature and character of other activities regularly occurring on City sidewalks within the City's central business district. No grant of any permit authorized hereunder shall constitute a vested right for the benefit of any person.

3. This resolution and the requirements, procedures and standards incorporated herein shall become effective as of the date this resolution is adopted by the majority of the Council of Cañon City.

Dated this 5th day of October, 2020.

Ashley R Smith
Ashley Smith, Mayor

Cindy Foster-Owens
Cindy Foster-Owens, City Clerk