

BY:

RESOLUTION NO. 10-16

A RESOLUTION TO AUTHORIZE THE NON-PERMANENT INSTALLATION OF A SIDEWALK CAFE ON THE PUBLIC SIDEWALK AT 132 EAST BROADWAY IN FRONT OF THE BUSINESS KNOWN AS THE "VILLAGE COFFEE COMPANY" FOR CALENDAR YEAR 2010, SUBJECT TO RESTRICTIONS

WHEREAS, Chad Short, proprietor of the Village Coffee Company, has requested Council's permission to install a non-permanent sidewalk cafe on a portion of the public sidewalk in front of his business establishment at 132 East Broadway.

NOW, THEREFORE, be it resolved by the Council of the Village of Granville, Ohio, that:

Section I: Chad Short, d.b.a. Village Coffee Company, is hereby granted permission to install a sidewalk cafe on a portion of the public sidewalk in front of 132 East Broadway subject to the following restrictions:

- A) The sidewalk cafe area is to be segregated from the rest of the sidewalk by means of planters and/or rope stanchions, or similar moveable fixtures;
- B) As shown on Exhibit A attached hereto, the café area so segregated is not to exceed twenty (20) feet wide, twenty (20) feet deep, measured from either side border of the store premises and its building face, respectively;
- C) An east/west access corridor through the cafe shall be provided;
- D) No exterior lights are to be installed;
- E) The cafe area shall be staffed during all hours of business operation;
- F) No cooking shall be permitted outside the existing Village Coffee Company facilities – the sidewalk cafe may engage only in food service, subject to approval by the Licking County Board of Health;
- G) Village Coffee Company and its owners shall at all times be responsible for the cleanliness of the sidewalk cafe area;
- H) Prior to installation of the sidewalk cafe, Village Coffee Company and/or its owners shall provide the Village of Granville with a certificate of insurance in an amount equal to or greater than one-million (\$1,000,000) / two-million (\$2,000,000) dollars, naming the Village of Granville as an additional insured and certificate holder;
- I) No alcoholic beverages are to be served or imbibed on the public sidewalk;
- J) When the sidewalk café sales area is in place, any sidewalk sign previously authorized by the Granville Planning Commission for Village Coffee Company shall be displayed within the designated café area as shown on Exhibit A;
- K) Outside furnishings are not permitted to advertise commercial messages without sign review and approval by the Granville Planning Commission;
- L) No patrons will be permitted in the sidewalk café after 10pm, except during the Bluesfest and Fourth of July festivities;
- M) In the event of breach of any of these conditions, the Village Manager, at his sole discretion, may terminate this permit.

Section II: Village Coffee Company and its current owners are hereby granted nonexclusive commercial use of the property described herein until October 31, 2010. Village staff shall have the discretion to extend the end date of such use beyond October 31, 2010 to a date that is not later than December 31, 2010.

Section III: This resolution shall take effect immediately upon passage.

Passed this _____ day of _____, 2010.

Melissa Hartfield, Mayor

ATTEST:

Mollie Prasher, Clerk of Council

APPROVED AS TO FORM:

D. Michael Crites, Law Director