

**ORDINANCE NUMBER 1065 SUPPLEMENTAL
AMENDING CHAPTER 214, ARTICLE V,
SIDEWALK CAFES, SECTION 214-46, PERMIT APPLICATION, TO
INCREASE THE PERMIT APPLICATION FEE**

WHEREAS, Chapter 214, Article V of the Code of Ordinances contains various provisions by which owners of restaurant establishments abutting a public sidewalk situated in the commercial district can apply for a permit to operate a sidewalk café; and

WHEREAS, the permitting process is administered by the Zoning Enforcement Officer of the City of Stamford; and

WHEREAS, the City's administrative costs in administering the permitting process have significantly increased; and

WHEREAS, it has been determined that it is in the best interests of the City of Stamford to increase the fees for the permitting of sidewalk cafés.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF STAMFORD THAT:

Chapter 214, Article V, Section 214-46 of the Code of Ordinances is hereby amended by the following.

Sec. 214-46. Permit application.

A. Application forms and instructions shall be made available to the public by the Zoning Enforcement Officer.

B. A completed application shall include the following:

(1) A lease or other satisfactory evidence of proprietorship of the existing restaurant establishment.

(2) A certificate of insurance naming the City of Stamford and its officers, employees, agents and assigns as the additional insured party. Said certificate of insurance shall be in a minimum amount of one million dollars (\$1,000,000.) against any and all damage and injury to property or person by reason of or related to the permittee's use of the public sidewalk.

(3) An executed agreement to indemnify and hold harmless the City of Stamford and its employees, officials and/or agents from any and all claims, actions, injuries or damages of every kind and description which may accrue to or be suffered by any person by reason of or related to the operation of a sidewalk cafe.

(4) A plan detailing the area for which the application to occupy the public sidewalk is made. Said plan shall specify the location of tables, chairs, temporary poles, railings, similar supports and dividers and like appurtenances. Said plan

shall be signed by the Chief of Police or his designee and the Fire Chief or his designee verifying that the plan permits adequate public access in the area surrounding the cafe area and ingress and egress from the restaurant establishment and adjoining buildings so as not to endanger the public health, safety and welfare. Any sidewalk cafe may occupy up to seventy percent (70%) of the sidewalk, provided that a minimum width of four (4) feet is left unoccupied in order to allow adequate pedestrian movement, except that, in the case of corner lots, this restriction shall take the form of a radius from the intersection of the property lines on both streets. The width of the sidewalk is measured from the property line to curbside obstacles, including but not limited to trees, parking meters, utility poles and fire hydrants.

(5) In the event that alcoholic beverages are to be sold, a copy of a valid and current liquor permit from the State Liquor Commission.

(6) An application fee of one hundred dollars (\$100.) **together with a usage fee based on the square footage of the sidewalk cafe for which the application is being made in the amount of \$1.00 per square foot for the calendar year 2015 and \$2.00 per square foot annually thereafter.**

(7) Additionally, for any application brought by the owner of a restaurant establishment situated within the urban redevelopment area, evidence of the Urban Redevelopment Commission's approval of such applicant pursuant to Section II 2 of the Urban Renewal Plan for the Southeast Quadrant Project (extended), Stamford, Connecticut, R-43, as amended.

This ordinance shall take effect upon its enactment.