

Agenda

Finance, Governance and Public Safety Committee

Chairperson Andrea Bough

Vice Chair Quinton Lucas

Councilmember Crispin Rea

Councilmember Darrell Curls

Councilmember Wes Rogers

Tuesday, September 9, 2025

10:30 AM

26th Floor, Council Chamber

Meeting Link: https://us02web.zoom.us/j/84530222968

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link: https://us02web.zoom.us/j/84530222968

Public Testimony is Limited to 2 Minutes

FIRST READINGS

Sponsor: Councilmember Darrell Curls 250709

> Amending Chapter 76, Code of Ordinances, by repealing and replacing Sections 76-289, 76-423 and 76-427, and amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-273, for the purpose of amending regulations relating to tow truck operators within the City.

250709com Attachments:

No Docket memo Provided for Ordinance 250709

Docket Memo 250709

Sponsor: Mayor Quinton Lucas 250711

> Enacting a new Chapter 52, Code of Ordinances, containing Sections 52-1 to 52-9 to provide for the regulation of surface parking lots in the City's entertainment districts and Central Business District Area, 18th & Vine, the Country Club Plaza, Westport and Crossroads, and providing for a delayed effective date.

Attachments: No Docket Memo

Docket Memo 250711

250713 Sponsor: Councilperson Crispin Rea

> Authorizing the City Manager to enter into a Cooperative Agreement with the Kansas City EDC Loan Corporation (the "EDCLC") to provide funding for a multifamily project at 9th and Central; estimating City Surplus Tax Increment Financing (TIF) revenue in the amount of \$2,800,000.00 in the General Fund; appropriating \$2,800,000.00 from the Unappropriated Fund Balance of the General Fund; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

No Docket memo Provided for Ordinance 250713 Attachments:

Docket Memo 250713 CS

HELD IN COMMITTEE

250553 Sponsor: Mayor Quinton Lucas

RESOLUTION - Expressing the need for and desire to implement a software grant

management system.

No Docket Memo 7.29.2025 Attachments:

250673 Sponsor: Mayor Quinton Lucas and Councilmember Wes Rogers

Amending Chapter 64, Article V, by adding new subsections to Sections 64-168, 64-170, and 64-171 of the Code of Ordinances for the purpose of establishing a temporary moratorium on annual permit fees for sidewalk cafes, parklets, and street cafes; and directing the City Manager to provide an annual report to the Council related to the program.

Attachments: 250673 Docket Memo

PW FGPS slides 081925 PW FGPS slides 081925

250682 Sponsor: Councilmember Nathan Willett

Approving the First Amendment to the Metro North Mall General Development Plan to amend the Estimated Completion Time to twenty years from passage of this Ordinance and affirming the findings of the City Council made when approving the Plan.

Attachments: Docket Memo 250682 BB

ADDITIONAL BUSINESS

Agenda

- 1. Citywide Business Plan Review of the Inclusive Growth and Development Goal
- 2. There may be general discussion for current Finance Governance & Public Safety Committee issues.
- 3. Closed Session
- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate:
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.
- 4. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org.

Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at

https://www.youtube.com/watch?v=3hOuBlg4fok

• Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google

Fiber on Channel 142.

• To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section:

http://kansascity.granicus.com/ViewPublisher.php?view id=2

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



Kansas City

414 E. 12th Street Kansas City, MO 64106

Legislation Text

File #: 250709

ORDINANCE NO. 250709

Sponsor: Councilmember Darrell Curls

Amending Chapter 76, Code of Ordinances, by repealing and replacing Sections 76-289, 76-423 and 76-427, and amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-273, for the purpose of amending regulations relating to tow truck operators within the City.

WHEREAS, City Council passed Committee Substitute for Ordinance No. 250367 on May 1, 2025, which amended the City's ordinances regulating the towing of vehicles within the City; and

WHEREAS, Committee Substitute for Ordinance No. 250367 also directed the City Manager to develop a Bill of Rights for Towed Vehicles, identify an online platform for reporting tows City-wide, and report back to Council in 30 days; and

WHEREAS, the City Manager has developed a Bill of Rights for Towed Vehicles for publication to inform individuals of the City's regulations pertaining to tow truck businesses; and

WHEREAS, the City Manager has identified an appropriate online platform to facilitate the reporting of all tows within the City; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 76, Code of Ordinances of the City of Kansas City, is hereby amended by repealing Section 76-289, Price schedule and authorization for tow, Section 76-423, Notice of tow; procedure for removal of vehicles left unattended or improperly parked on private property, and Section 76-427, Tow service business requirements, and enacting in lieu thereof new sections of like number and subject matter, to read as follows:

Sec. 76-289. Price schedule and authorization for tow.

(a) The owners of all tow vehicles operating in the city shall prepare and file with the director a schedule of prices to be charged for the towing and storage of vehicles. Such schedule may be based on the time, mileage, weight or a combination thereof. In addition, the schedule must include the minimum charge for any undertaking involving towing and storage. The director shall forward the schedule to the police department.

- (b) It shall be unlawful to charge a sum in excess of that listed in the schedule filed with the director.
- (c) Prior to the undertaking of any tow, the tow vehicle operator shall present the schedule of prices to the customer for their examination. The tow vehicle operator shall also present a copy of the City's Bill of Rights for Towed Vehicles to the vehicle owner when such owner is present upon the undertaking of the tow.
- (d) The price schedule for a city tow will be determined by the director. Nothing in this article shall prevent the director from authorizing a contractor to oversee city tows of vehicles within the city.

Sec. 76-423. Notice of tow; procedure for removal of vehicles left unattended or improperly

parked on private property of another.

- (a) Prior to towing any motor vehicle, the tow service business or operator shall contact the city's police department and provide the following information:
 - (1) The name of the tow service business and operator;
 - (2) A description of the vehicle to be towed, including its year, make, model, vehicle identification number and license plate number;
 - (3) The date and time of the tow;
 - (4) The reason for effectuating the vehicle tow;
 - (5) The address of the location from which the vehicle is being towed;
 - (6) The name and address of the facility to which the vehicle is to be delivered and stored, and from which the vehicle may be retrieved; and
 - (7) If the vehicle to be towed is reported as stolen the tow company shall not remove the vehicle and provide the location and description to the Police.
- (b) Any towing company which tows abandoned property without authorization from a law enforcement officer shall report the tow to the City via the online reporting platform as designated by the City Manager.
 - (1) Such report shall be completed via the online platform as designated by the City Manager within two hours if the tow was made from a signed location pursuant to 76-423(c)(1). For all other tows, the report shall be completed within 24 hours.
- (c) Notwithstanding Section 76-422, if a person abandons property on any real property owned by another without the consent of the owner of person in possession of the property, at the

Kansas City Page 2 of 5

request of the person in possession of the real property, a Kansas City Police Department officer may authorize a towing company to remove such abandoned property from the real property in the following circumstances:

- (1) The abandoned property is left unattended for more than forty-eight hours; or
- (2) In the judgement of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.
- (d) The owner of real property or lessee in lawful possession of the real property or the property or security manager of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee, or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow pursuant to this subsection may be made only under any of the following circumstances:
 - (1) There is displayed, in plain view at all entrances to the property, signage in accordance with Section 76-429;
 - (2) The abandoned property is left unattended on owner-occupied residential property with four residential units or less, and the owner, lessee, or agent of the real property in lawful possession has notified the appropriate law enforcement agency, and ten hours have elapsed since the notification; or
 - (3) The abandoned property is left unattended on private property, and the owner, lessee, or agent in lawful possession of the real property has notified the appropriate law enforcement agency, and ninety-six hours have elapsed since that notification.

Sec. 76-427. Tow service business requirements.

A tow service business operating a tow vehicle pursuant to the authority granted in this article shall:

- (1) Have and occupy a verifiable business address; and
- (2) Have a fenced, secure, and lighted storage lot or an enclosed, secure building for the storage of motor vehicles. The City's Bill of Rights for Towed Vehicles shall be displayed, in a conspicuous place, at the service desk and/or window of the tow service business; and
- (3) Be available 24 hours a day, seven-days a week, Availability shall mean that an employee of the towing company or an answering service answered by a person is able to respond to a tow request; and

Kansas City Page 3 of 5

- (4) Maintain a valid insurance policy issued by an insurer authorized to do business in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount of at least \$750,000.00 per incident; and
- (5) Provide workers' compensation insurance for all employees of the towing company if required by RSMo Ch. 287; and
- (6) Maintain current motor vehicle registrations on all tow vehicles currently operated within the tow service business fleet; and
- (7) Maintain the business name, address and phone number on all tow vehicles operated within the tow service business fleet; and
- (8) All towing company employees, agents, and representatives operating within the City shall cooperate fully with law enforcement officers by promptly providing their true full name, valid government-issued identification, employer and position, and producing for inspection any documentation authorizing the tow or impoundment of a vehicle, including but not limited to a completed Form 4669 or equivalent authorization including the documentation required by section 76-290.

Section 2. That Chapter 70, Code of Ordinances of the City of Kansas City, is hereby amended by repealing Section 70-273, Tow vehicles and accident scene, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 70-273. Tow vehicles and accident scene.

- (a) No owner of a tow vehicle or tow vehicle operator shall:
- (1) Stop, stand or park a tow vehicle at a location where an accident has occurred to solicit business unless:
 - a. The owner of a tow vehicle or tow vehicle operator has been requested by the police officer in charge at the location where an accident has occurred; or
 - b. The owner of a tow vehicle or tow operator has been requested by one of the operators, owner, or agent of the vehicles involved in the accident; or
 - c. The owner of a tow vehicle or tow operator has been requested by the dispatcher of the police officer in charge at the location where an accident has occurred.
- (2) Remain at a location where an accident has occurred after being directed to leave by a police officer.

Kansas City Page 4 of 5

- (3) Fail to provide any police officer, upon request, at the location where an accident has occurred with the name and telephone number of the person requesting the tow truck operator, or the police officers name and serial number requesting the tow truck operator or the dispatchers name and serial number requesting the tow truck operator.
- (b) Failure by the owner of a tow vehicle or tow vehicle operator to provide the police officer's name and serial number or the police officer's dispatcher's name and serial number or the name and telephone number of the operator of the vehicle involved in the traffic accident requesting the tow truck operator to be present at the scene of the accident to any police officer shall be prima facie evidence that the owner of a tow vehicle or tow vehicle operator had not been requested to stop, stand or park a tow vehicle at a location where an accident occurred.
- (c) Any towing company or tow truck arriving at the scene of an accident that has not been called by a patrol officer, a law enforcement officer, a Missouri department of transportation employee, a Kansas City Public Works Department employee, the driver or owner of the motor vehicle or his or her authorized agent, including a motor club of which the driver or owner is a member, shall be prohibited from towing the vehicle from the scene of the accident, unless the towing company or tow truck operator is rendering emergency aid in the interest of public safety, or is operating during a declared state of emergency. A tow truck operator that stops and tows a vehicle from the scene of an accident in violation of this subsection shall be guilty of an ordinance violation upon conviction, and pursuant to Chapter 304.153.6, RSMo. such tow truck shall be subject to impounding.
- (d) Any person operating a tow vehicle in violation of any part of this section, upon conviction, shall be punished, in addition to other penalties specifically provided by code, by a fine of not less than \$250.00 and not more than \$500.00, or by imprisonment of not more than 180 days, or by both such fine and imprisonment.

end	
	Approved as to form:
	Andrew Bonkowski Assistant City Attorney

Kansas City Page 5 of 5

COMPARED VERSION NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 250709

Amending Chapter 76, Code of Ordinances, by repealing and replacing Sections 76-289, 76-423 and 76-427, and amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-273, for the purpose of amending regulations relating to tow truck operators within the City.

WHEREAS, City Council passed Committee Substitute for Ordinance No. 250367 on May 1, 2025, which amended the City's ordinances regulating the towing of vehicles within the City; and

WHEREAS, Committee Substitute for Ordinance No. 250367 also directed the City Manager to develop a Bill of Rights for Towed Vehicles, identify an online platform for reporting tows City-wide, and report back to Council in 30 days; and

WHEREAS, the City Manager has developed a Bill of Rights for Towed Vehicles for publication to inform individuals of the City's regulations pertaining to tow truck businesses; and

WHEREAS, the City Manager has identified an appropriate online platform to facilitate the reporting of all tows within the City; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 76, Code of Ordinances of the City of Kansas City, is hereby amended by repealing Section 76-289, Price schedule and authorization for tow, Section 76-423, Notice of tow; procedure for removal of vehicles left unattended or improperly parked on private property, and Section 76-427, Tow service business requirements, and enacting in lieu thereof new sections of like number and subject matter, to read as follows:

Sec. 76-289. Price schedule and authorization for tow.

(a) (a) The owners of all tow vehicles operating in the city shall prepare and file with the director a schedule of prices to be charged for the towing and storage of vehicles. Such schedule may be based on the time, mileage, weight or a combination thereof. In addition, the schedule must include the minimum charge for any undertaking involving towing and storage. The director shall forward the schedule to the police department.

(b) (b) It shall be unlawful to charge a sum in excess of that listed in the schedule filed with the director.

(c) (e) Prior to the undertaking of any tow, the tow vehicle operator shall present the schedule of prices to the customer for their examination. The tow vehicle operator shall also

Formatted: Font: Bold

Formatted: Indent: Left: 0", First line: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 0.75", Left

Formatted: Tab stops: 0.75", Left

Formatted: Indent: Left: 0", First line: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 0.75", Left

Formatted: Tab stops: 0.75", Left

Formatted: Indent: Left: 0", First line: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 0.75", Left

present a copy of the City's Bill of Rights for Towed Vehicles to the vehicle owner when such owner is present upon the undertaking of the tow.

(d) (d) The price schedule for a city tow will be determined by the director. Nothing in this article shall prevent the director from authorizing a contractor to oversee city tows of vehicles within the city.

Sec. 76-423. Notice of tow; procedure for removal of vehicles left unattended or improperly parked on private property of another.

(a) (a) Prior to towing any motor vehicle, the tow service business or operator shall contact the city's police department and provide the following information:

- (1) The name of the tow service business and operator;
- (2)(1) A description of the vehicle to be towed, including its year, make, model, vehicle⁴ identification number and license plate number;
- (3)(1) The date and time of the tow;
- (4)(1) The reason for effectuating the vehicle tow;
- (5)(1) The address of the location from which the vehicle is being towed; and
- (6)(1) The name and address of the facility to which the vehicle is to be delivered and stored, and from which the vehicle may be retrieved.; and
- (7)(1) If the vehicle to be towed is reported as stolen the tow company shall not remove the vehicle, and provide the location and description to the Police.
- (a) (b) Any towing company which tows abandoned property without authorization from a law enforcement officer shall report the tow to the City via the online reporting platform as designated by the City Manager.
 - (1) Such report shall be completed via the online platform as designated by the City

 Manager within two hours if the tow was made from a signed location pursuant to

 76-423(c)(1). For all other tows, the report shall be completed within 24 hours.
- (b) Notwithstanding Section 76-422, <u>Hff</u> a person abandons property on any real property owned by another without the consent of the owner <u>orof</u> person in possession of the property, at the request of the person in possession of the real property, a Kansas City Police Department officer may authorize a towing company to remove such abandoned property from the <u>real</u> property in the following circumstances:
 - (1) the The abandoned property is left unattended for more than forty-eighten hours; or

Formatted: Tab stops: 0.75", Left

Formatted: Indent: Left: 0", First line: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 0.75", Left

Formatted: Indent: Left: 0", First line: 0.5", Line spacing: single, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0"

Formatted: Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Line spacing: single

Formatted: Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Line spacing: single

Formatted: Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Normal, Justified, Indent: Hanging: 0.5"

Formatted: Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Line spacing: single

Formatted: Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Line spacing: single

Formatted: Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Line spacing: single

Formatted: Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Indent: First line: 0", Line spacing: single

Formatted: Indent: Left: 0", First line: 0.5", Line spacing: single, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted

- (2) inIn the judgement of a law enforcement officer, the abandoned property constitutes a safety hazard or unreasonably interferes with the use of the real property by the person in possession.
- (c) (e) The owner of real property or lessee in lawful possession of the real property or the property or security manager of the real property may authorize a towing company to remove abandoned property or property parked in a restricted or assigned area without authorization by a law enforcement officer only when the owner, lessee, or property or security manager of the real property is present. A property or security manager must be a full-time employee of a business entity. An authorization to tow pursuant to this subsection may be made only under any of the following circumstances:
 - (1) thereThere is displayed, in plain view at all entrances to the property, signage in accordance with Section 76-429;
 - (2) the The abandoned property is left unattended on owner-occupied residential property with four residential units or less, and the owner, lessee, or agent of the real property in lawful possession has notified the appropriate law enforcement agency, and ten hours have elapsed since the notification; or
 - (3) the The abandoned property is left unattended on private property, and the owner, lessee, or agent in lawful possession of the real property has notified the appropriate law enforcement agency, and ninety-six hours have elapsed since that notification.

Sec. 76-427. Tow service business requirements.

A tow service business operating a tow vehicle pursuant to the authority granted in this article shall:

- (1) Have and occupy a verifiable business address; and
- (2) —Have a fenced, secure, and lighted storage lot or an enclosed, secure-building for the storage of motor vehicles. The City's Bill of Rights for Towed Vehicles shall be displayed, in a conspicuous place, at the service desk and/or window of the tow service business; and
- (3) —Be available 24 hours a day, seven—days a week—Availability shall mean—that an employee of the towing company or an answering service answered by a person is able to respond to a tow request; and
- (4) (4) Maintain a valid insurance policy issued by an insurer authorized to dobusiness in this state, or a bond or other acceptable surety providing coverage for the death of, or injury to, persons and damage to property for each accident or occurrence in the amount of at least \$750,000.00 per incident; and

Formatted: Indent: Left: -0.5", Line spacing: single

Formatted: Indent: Hanging: 0.5", Line spacing: single, Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Indent: First line: 0", Line spacing: single

Formatted: Indent: Left: 0", First line: 0.5", Line spacing: single, Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 0.75", Left

Formatted: Indent: Hanging: 0.5", Line spacing: single, Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Indent: Left: -0.5", Line spacing: single

Formatted: Indent: Hanging: 0.5", Line spacing: single, Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Indent: Left: -0.5", Line spacing: single

Formatted: Indent: Hanging: 0.5", Line spacing: single, Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Font: Not Bold

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

- (5) —Provide workers' compensation insurance for all employees of the towing company if required by RSMo ehCh. 287; and
- (6) —Maintain current motor vehicle registrations on all tow vehicles currentlyoperated within the tow service business fleet, and
- (7) Maintain the business name, address and phone number on all tow vehicles operated within the tow service business fleet.; and
- (8) —All towing company employees, agents, and representatives operating within the City shall cooperate fully with law enforcement officers by promptly providing their true full name, valid government-issued identification, employer and position, and producing for inspection any documentation authorizing the tow or impoundment of a vehicle, including but not limited to a completed Form 4669 or equivalent authorization including the documentation required by Sectionsection 76-290.

Section 2. That Chapter 70, Code of Ordinances of the City of Kansas City, is hereby amended by repealing Section 70-273, Tow vehicles and accident scene, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 70-273.—Tow vehicles and accident scene.

- (a) (a) No owner of a tow vehicle or tow vehicle operator shall:
- (1) ____Stop, stand or park a tow vehicle at a location where an accident has occurred to solicit business unless:
 - a. The owner of a tow vehicle or tow vehicle operator has been requested by the police officer in charge at the location where an accident has occurred; or
 - b. _____ The owner of a tow vehicle or tow operator has been requested by one of the operators, owner, or agent of the vehicles involved in the accident; or
 - c. e. The owner of a tow vehicle or tow operator has been requested by the dispatcher of the police officer in charge at the location where an accident has occurred.
- (2) Remain at a location where an accident has occurred after being directed to leave by a police officer.
- (3) (3) Fail to provide any police officer, upon request, at the location where an accident has occurred with the name and telephone number of the person requesting the tow truck operator, or the police officers name and serial number requesting the

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: Times New Roman, 12 pt

Formatted: Normal, Justified, Indent: Hanging: 0.5"

Formatted: Indent: Left: 0.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: 12 pt, Bold

Formatted: Font: 12 pt, Bold

Formatted: Normal

Formatted: Normal, Indent: Left: 0", First line: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.19" + Indent at: 0.44", Tab stops: 0.75", Left

Formatted: Normal

Formatted: Normal, Indent: Hanging: 0.5", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Normal, Indent: Left: 0", First line: 0"

Formatted: Normal, Indent: Left: 1", Hanging: 0.5", Numbered + Level: 3 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.38" + Indent at: 1.63"

Formatted: Normal

Formatted

Formatted: Normal

Formatted

Formatted: Normal, Indent: Left: 0", First line: 0"

Formatted

Formatted: Normal, Indent: Left: -0.5"

Formatted

tow truck operator or the dispatchers name and serial number requesting the tow truck operator.

(b) (b) Failure by the owner of a tow vehicle or tow vehicle operator to provide the police officer's name and serial number or the police officer's dispatcher's name and serial number or the name and telephone number of the operator of the vehicle involved in the traffic accident requesting the tow truck operator to be present at the scene of the accident to any police officer shall be prima facie evidence that the owner of a tow vehicle or tow vehicle operator had not been requested to stop, stand or park a tow vehicle at a location where an accident occurred.

(c) (e) Any towing company or tow truck arriving at the scene of an accident that has not been called by a patrol officer, a law enforcement officer, a Missouri department of transportation employee, a Kansas City Public Works Department employee, the driver or owner of the motor vehicle or his or her authorized agent, including a motor club of which the driver or owner is a member, shall be prohibited from towing the vehicle from the scene of the accident, unless the towing company or tow truck operator is rendering emergency aid in the interest of public safety, or is operating during a declared state of emergency. A tow truck operator that stops and tows a vehicle from the scene of an accident in violation of this subsection shall be guilty of an ordinance violation upon conviction, and pursuant to Chapter 304.153.6, RSMo. such tow truck shall be subject to impounding.

(a) (d) Any person operating a tow vehicle in violation of any part of this section, upon conviction, shall be punished, in addition to other penalties specifically provided by code, by a fine of not less than \$250.00 and not more than \$500.00, or by imprisonment of not more than 180 days, or by both such fine and imprisonment.

Approved as to form:

Andrew Bonkowski Assistant City Attorney

Formatted: Normal

Formatted: Normal, Indent: Left: 0", First line: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.19" + Indent at: 0.44"

Formatted: Font: Times New Roman, 12 pt

No Docket memo Provided for Ordinance 250709



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250709 Submitted Department/Preparer: City Manager's Office Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in <u>Administrative Regulation (AR) 4-1</u>.

Executive Summary

Amending Chapter 76, Code of Ordinances, by repealing and replacing Sections 76-289, 76-423 and 76-427, and amending Chapter 70, Code of Ordinances, by repealing and replacing Section 70-273, for the purpose of amending regulations relating to tow truck operators within the City.

Discussion

This ordinance will:

n/a

- 1. Require tow operators to provide a copy of the bill of rights to a vehicle owner when the owner is present (76-289(c));
- 2. require tow businesses to display the bill of rights at service desks in a conspicuous manner (76-427(2));
- 3. Require tow operators to report tows to the city via an online platform (76-423(b))
- 4. Establishes a prohibition for towing from the scene of an accident if the tow operator has not been called by law enforcement, public works, or the driver unless the tow is for emergency/ public safety purposes (76-273(b)). This tracks with RSMo 304.153.6.

Fiscal Impact

1.	Is this legislation included in the adopted budget?	□ Yes	⊠ No
2.	What is the funding source? n/a		
3.	How does the legislation affect the current fiscal year?		

4.	dif	Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs. n/a					
5.	Does the legislation generate revenue, leverage outside funding, or deliver a return on investment? n/a						
		Management and Budget Review ff will complete this section.)					
1.	Thi	is legislation is supported by the general fund.	☐ Yes	⊠ No			
2.	Thi	s fund has a structural imbalance.	☐ Yes	⊠ No			
3.	Ac	count string has been verified/confirmed.	□ Yes	⊠ No			
		al Discussion (if needed) ordinance has no fiscal impact.					
		Citywide Business Plan (CWBP) Impac	:t				
1.	Vie	w the Adopted 2025-2029 Citywide Business Plan					
2.		Which CWBP goal is most impacted by this legislation? Inclusive Growth and Development (Press tab after selecting.)					
3.	. Wł	Which objectives are impacted by this legislation (select all that apply):					
	 Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts. Ensure quality, lasting development of new growth. Increase and support local workforce development and minority, women, and locally owned businesses. Create a solutions-oriented culture to foster a more welcoming business environment. Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States. 						
		Prior Legislation					

Click or tap here to list prior, related ordinances/resolutions.

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

- 1. What will be the potential health impacts to any affected groups? Click or tap here to enter text.
- 2. How have those groups been engaged and involved in the development of this ordinance?

Click or tap here to enter text.

- 3. How does this legislation contribute to a sustainable Kansas City? Click or tap here to enter text.
- 4. Does this legislation create or preserve new housing units? Please Select (Press tab after selecting)

Click or tap here to enter text. Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Please Select (Press tab after selecting)

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



Kansas City

414 E. 12th Street Kansas City, MO 64106

Legislation Text

File #: 250711

ORDINANCE NO. 250711

Sponsor: Mayor Quinton Lucas

Enacting a new Chapter 52, Code of Ordinances, containing Sections 52-1 to 52-9 to provide for the regulation of surface parking lots in the City's entertainment districts and Central Business District Area, 18th & Vine, the Country Club Plaza, Westport and Crossroads, and providing for a delayed effective date.

WHEREAS, the City recognizes that unsecured "Surface Parking Lots" are locations where occurrences of crime are more likely, including acts of violence, vandalism of vehicles, theft of vehicles or property inside vehicles, disorderly conduct, and other threats to the security of persons and property;

WHEREAS, safety and security of visitors to the City's entertainment districts and other areas including the Central Business District Area, 18th & Vine, Country Club Plaza, Westport and Crossroads is important to the continued viability of these districts and Kansas City;

WHEREAS, the City further recognizes that thefts from vehicles constitute a significant source of illegal firearms, a serious problem that contributes to violent crime in Kansas City;

WHEREAS, this problem is particularly acute in areas that attract large numbers of visitors, attendees at special events, conventions, patrons of bars and restaurants, and in districts with high population or employment density;

WHEREAS, research and experience demonstrate that unsecured surface parking lots lacking adequate lighting, fencing, surveillance, or management oversight create conditions that invite criminal activity and decrease the perception of safety for patrons and surrounding communities;

WHEREAS, calls for service at unsecured surface parking lots, including thefts, assaults, and shootings, place a significant strain on limited public safety resources and divert law enforcement from proactive crime prevention efforts; and

WHEREAS, instituting permit requirements for all properties defined as "Surface Parking Lots," and providing greater oversight of the issuance and renewal of permits for such facilities, is likely to significantly reduce the threat to health, safety, and security of parking patrons and the public; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 52, Code of Ordinances, is hereby enacted to read as follows:

Sec. 52-1. Title of chapter; delegation of duties by director of city planning and development.

- (a) This chapter shall be known as the surface parking lot code and may be cited as such.
- (b) Responsibilities of the director of city planning and development under this chapter may be performed by authorized representatives of the director.

Sec. 52-2. Purpose and scope of chapter.

- (a) The purpose of this chapter is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the permitting of all surface parking lots within the city.
- (b) The regulations of this chapter are not intended to permit any violations of the zoning ordinance or any other applicable ordinances.

Sec. 52-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

18th and Vine means the area bounded by 17th Terrace on the north, Woodland on the east, 19th Street on the south, and Paseo Boulevard on the west.

Central Business District Area means the area generally described as the area between the Missouri River on the north, Broadway on the west, Holmes on the east and Pershing Road on the south. The Central Business District Area includes the public areas on both sides of the named boundaries.

Country Club Plaza means the area of the city included within the following general boundaries: Summit Street, Jefferson Street, and Pennsylvania Avenue on the west; W 47th Street, W 46th Street, and W 46th Terrace on the north; Broadway, Wyandotte Street, and JC Nichols Parkway on the east; and Ward Parkway on the south and more specifically portrayed by Exhibit A in Section 88-810-395.

Crossroads Area means the area of the city included within the following boundaries: Truman Road on the north, Troost Avenue on the east, the Kansas City Terminal Railway tracks on the south, and by Broadway Avenue between Truman Road and Southwest Boulevard and by Interstate 35 between Southwest Boulevard and the Kansas City Terminal Railway tracks on the west.

Kansas City Page 2 of 9

Director means the director of the department of city planning and development unless the context clearly indicates otherwise.

Entertainment District means an urban mixed-use project containing not less than 200,000 gross leasable square feet of space intended for retail, entertainment, shopping and restaurant purposes, all within 2500 feet of a convention facility owned or operated by the City within an area designated as a development area under Sections 99.915-99.980, RSMo, and which is zoned as an urban redevelopment district (URD) or a project within an area designated as a redevelopment area under Section 99.800-99.865, RSMo, containing a multipurpose arena with approximately 18,000 to 20,000 seats.

Motor vehicle means an automobile, truck, motor scooter, motorcycle, motor tricycle or any other self- propelled motor vehicle.

Owner means any person, partnership, limited liability company, corporation, or other firm, or governmental agency properly regulated by the city that alone, or jointly or severally with others:

- (1) Shall have legal title to any building, structure or parcel of ground, or part thereof with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any building, structure or parcel of ground, or part thereof, as agent, employee or personal representative of the person or entity having legal title to the building or structure, or part thereof.

Security incident means any incident on the premises of a Surface Parking Lot that results in criminal harm to any person, vandalism of vehicles, theft of vehicles or property inside vehicles, discharging of firearms, or any other incidents that threaten the health, safety, and welfare of the public.

Security lighting means artificial lighting producing a minimum of 2.0-foot candles in horizontal luminance and 1.0-foot candles in vertical luminance, and a maximum to minimum uniformity ratio of 5:1.

Surface parking lot means any plot, piece, or parcel of land that has no building or structure above, and upon which a business is conducted of storing motor vehicles for a fee. This includes all spaces, aisles, access drives and landscaped areas. Surface parking lots may be exempt from the requirements in this chapter if they meet (1), (2) and (3) or if they solely meet (4):

- (1) No fee charged to park; and
- (2) The lot is adjacent to a business establishment; and

Kansas City Page 3 of 9

- (3) The lot is provided for the exclusive use and convenience of persons doing business with the adjacent establishment or
- (4) If the lot is continuously monitored (no less than twenty-four hours per day) by on-site security personnel or by closed-circuit video monitoring carried out in real time by security personnel located at a security station i) that is located within the 911 service area of the City, ii) that is located within a facility whose security technologies have received Certification by the United States Department of Homeland Security under the Support Anti-Terrorism by Fostering Effective Technologies Act (the "SAFETY Act") and iii) that contains sufficient equipment and connection to immediately engage the 911 system or other direct emergency dispatch system implemented by the Kansas City Police Department shall be deemed to be in compliance with the requirements for surface parking lots set forth in this chapter.

Westport Area means the area of the city bounded by the following described perimeter: beginning at the intersection of W. 43rd Street and Madison Avenue, then north along Madison Avenue and Southwest Trafficway, then east along W. 40th Street, then north along Washington Street, then east along W. 39th Street, then south along Baltimore Avenue, then southwest along Archibald Street, then southeast along Central Street, then south along Baltimore Avenue, then west along W. 43rd Street to the point of beginning.

Sec. 52-4. Permit required in entertainment districts and other areas.

- (a) No person, firm or corporation shall operate or maintain a surface parking lot in an Entertainment District, the Central Business District Area, 18th and Vine, Country Club Plaza, the Crossroads Area or the Westport Area without first obtaining a surface parking lot permit from the director.
- (b) A surface parking lot permit shall be required for each surface parking lot location, even a location within another business operation. This permit shall be in addition to any other permit or license required by other local, state, or federal government agencies. No permit shall be issued for any business seeking to operate at a location prohibited by any applicable local, state, or federal law, statute, ordinance, rule, or regulation. Every individual, firm, corporation, partnership, organization, or association holding a surface parking lot permit as required under this chapter shall post the permit in a conspicuous place and manner on the premises.
- (c) The director may waive one (1) or more of the surface parking lot requirements described in this section if he concludes that the parking lot owner can show that the requirements impose a hardship due to an inability to make reasonable use of the property for parking, or impose a hardship on adjacent properties, or that they eliminate access to a public right-of-way. The director may rescind this waiver if facts arise that reasonably affect their conclusion. Hardship should be unique to the affected parking lot, not just due to ordinary inconvenience, difficulty, or maximizing the number of parking spaces, and should not generally apply to other properties.

Kansas City Page 4 of 9

(d) Notwithstanding any provision to the contrary, any property owner or lessee, may apply for a temporary construction surface parking lot permit for a property that is temporarily being used for parking in connection with an adjacent construction project, as determined by the director, for which a valid building permit with an estimated cost greater than three hundred thousand dollars (\$300,000.00) has been issued. Such temporary construction surface parking lot permits shall be valid for six (6) months at a time and can be renewed up to two (2) times during active construction of an adjacent project. In no event can a temporary construction surface parking lot be permitted for longer than a total of eighteen (18) months unless the director approves an extension. The application for a temporary construction surface parking lot permit must address and meet the requirements outlined in Section 52-5(b)(9) - (12). The temporary construction surface parking lot permit shall expire thirty (30) days after substantial completion of the construction project

Sec. 52-5. Permit application.

- (a) Application for a surface parking lot permit may be made by the person intending to operate the surface parking lot upon forms furnished by the director and shall set forth the following information:
 - (1) The name under which, and the place where, the surface parking lot is to be operated;
 - (2) Whether the applicant is an individual, partnership or corporation; if an individual, the name and business and residence of the applicant; if a partnership, the name and business and residence address of each partner; if a corporation the name, date and state under which such corporation was organized, the names and business addresses of the officers, manager-in-charge, and directors thereof;
 - (3) Whether the premises are owned or leased by the applicant, and if leased, the name and residence and business address of each owner or partner thereof;
 - (4) The vehicle capacity and hours of operation of the surface parking lot;
 - (5) The hours, if any, during which an attendant will be on duty, and any other information deemed necessary by director and not inconsistent with this chapter;
 - (6) The signature(s) of the owners of the property, the signature(s) of the lessors of the property, and the signature(s) of the parking lot operators must appear on the application;
 - (7) Documentation describing how all of the requirements in Section 52-5.A Surface parking lot requirements will be addressed.
- (b) Permit applications must include a site plan and/or other documentation to demonstrate compliance with the following requirements:

Kansas City Page 5 of 9

(1) A perimeter fence extending along abutting public streets/alleys between every vehicle entry/exit and pedestrian ingress/egress opening. Vehicle entry/exit must be no wider than twenty (20) feet each. Pedestrian ingress/egress must be no wider than six (6) feet. Perimeter fences must have a height of at least four (4) feet, open at least eighty (80) percent (i.e., no more than twenty (20) percent opaque), and constructed of aluminum, steel or other decorative metal. Other permitted options shall include a continuous masonry barrier, or bollards spaced no more than twelve (12) inches apart, or landscaped mounds. Permitted options must be at least three (3) feet in height and capable of deterring trespassing vehicles and pedestrians.

For any new surface parking lot constructed after the effective date of this chapter, or any existing surface parking lot that currently has no perimeter fence in compliance with this chapter, no chain link fencing is permitted along any public street or alley except for temporary lots adjacent to an active construction project. No additional barrier higher than six inches is allowed along or adjacent to a perimeter fence.

- (2) No surface parking lot may operate outside of hours of operation approved by the Director.
- (3) Landscaping shall be free of weeds, trash and debris and be well maintained at all times.
- (4) Paving and striping must be in good condition.
- (5) Security lighting must be present and functioning during all non-daylight hours. A perimeter fence extending along abutting public streets/alleys between every vehicle entry/exit and pedestrian ingress/egress opening.
- (6) Surfaces shall be free of potholes, large cracks, and standing water.
- (7) Signage must have the address of the surface parking lot, the hours of operation for the surface parking lot, the phone number of its management company and/or owner, and the amount to be charged for parking. A local contact must be provided, in addition to the address and phone number of any out-of-town owner/operator.
- (8) The property owner/lessee must have an occupancy permit and a business license. The occupancy permit will list the approved hours of operation.
- (9) All lots must be cleaned of trash, glass, and other debris before opening the following day. An owner, operator, or lessee applying for a temporary construction surface parking lot permit is not required, for the purposes of a temporary permit, to meet requirements 2, 3, 4, 5, 6, 7, 8, 9, and 10.

Kansas City Page 6 of 9

- (10) The property owner/lessee must provide a certificate of insurance showing at least one million dollars (\$1,000,000.00) of commercial general liability insurance (updated copy sent to the Building Division annually).
- (11) Security video surveillance system capable of producing retrievable images and videos, and positioned to view the surface parking lot's points of vehicular entrance, exit, and able to view all parked vehicles.
- (12) Entry and exit by vehicles shall only be possible: a) when an attendant on duty allows entry or exit, or b) by means of a security access gate system that restricts unauthorized entry and exist, whether or not connected to automated payment system.
- (c) Each permit application must be reviewed by the Kansas City Police Department to evaluate the adequacy of security measures to be implemented.

Section 52-6. Permit issuance, denial or revocation.

- (a) Fee. The fee for a surface parking lot permit application is \$110.00.
- (b) Revocation or denial of renewal.
- (1) The director may revoke an existing permit or deny renewal of a permit if any of the following deficiencies or conditions exist:
 - a. The property is included on the City's list of nuisance properties.
 - b. The surface parking lot is not being operated in compliance with the surface parking lot requirements described in Section 52-5.
 - c. The physical improvements to the surface parking lot have deteriorated or are damaged and no longer function properly.
- (2) If any of the above deficiencies or conditions have been determined to exist by the director, a letter of warning shall be sent to the permit holder for the surface parking lot no later than thirty (30) days prior to a proposed revocation or denial of renewal of the permit. In the event that the permit holder fails to adequately address the deficiencies or conditions described in the letter of warning, the director shall hold an administrative hearing to determine if the permit shall be revoked or renewal should be denied.
- (3) If a permit is revoked by the director, the permit holder may not apply for a new permit for the same surface parking lot for a period of three (3) months.

Kansas City Page **7** of **9**

(c) *Appeal*. If the director revokes a permit or denies a new or renewal application, such permittee or applicant may appeal such decision to the building and fire codes board of appeals in the manner provided in Section 18-12.

Sec. 52-7. Inspections.

- (a) Annual inspection. The director shall make or cause to be made an inspection at least once a year of every surface parking lot. The director is hereby empowered to make such inspections, to appoint designated inspectors to make said inspections, and all surface parking lots shall be open to the inspections of the director or their designee(s), as well as any member of the police department, at any time during the hours allowed by business and other reasonable times. The director shall maintain a record of security incidents taking place on the lot and include it with the inspection report.
- (b) *Fee*. The fee for an annual inspection is \$50.00. Parking lots having more than twenty (20) spaces shall be charged an additional inspection fee for each twenty (20) spaces or portion thereof. A fee of \$50.00 shall be charged for each additional inspection required.

Sec. 52-8. Authority to prescribe additional rules and regulations.

The director shall have the power to promulgate regulations as may be necessary and feasible for the carrying out the intent of this chapter that are not inconsistent with the other provisions of this chapter. The rules and procedures shall be in writing and kept on file in the office of the director. In addition, all current surface parking lot permit holders will be promptly notified by certified mail and email of any changes.

Sec. 52-9. Enforcement of chapter.

- (a) Violations; penalty. It shall be unlawful for any owner to operate or maintain any surface parking lot without a surface parking lot permit. Upon conviction thereof, such person shall be punished by a fine of not more than \$500.00, imprisonment for not more than six months, or both such fine and imprisonment. Each day a surface parking lot is operated in violation of this chapter or any provision thereof shall constitute a separate offense.
- (b) *Appeals*. Any decision of the director in the enforcement of this chapter shall be subject to appeal to the building and fire codes board of appeals in the manner provided in Section 18-12.
- (c) *Right of entry*. Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever the director has reasonable cause to believe that there exists any condition which makes the surface parking lot unsafe, dangerous or hazardous or there exists a violation of this chapter, the director may enter upon the premises at all reasonable times to inspect or to perform any duty imposed upon the director, provided that the director shall first request entry to inspect any area not properly open to the director.

Section 2. This ordinance will be effective nine (9) months after its passage.

Kansas City Page 8 of 9

28

File #: 250711				
end				
		Approved as to form:		
		Eluard Alegre Associate City Attorney		

Kansas City Page 9 of 9

No Docket memo Provided for Ordinance 250711



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250711 Submitted Department/Preparer: City Planning Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in <u>Administrative Regulation (AR) 4-1</u>.

Executive Summary

Enacting a new Chapter 52, Code of Ordinances, containing Sections 52-1 to 52-9 to provide for the regulation of surface parking lots in the City's entertainment districts and Central Business District Area, 18th & Vine, the Country Club Plaza, Westport and Crossroads, and providing for a delayed effective date.

Discussion

This resolution enacts a new Chapter 52, Code of Ordinances, which institutes permitting requirements for properties defined as "Surface Parking Lots" in entertainment districts, Central Business District Area, 18th and Vine, the Country Club Plaza, Westport, and the Crossroads Arts District.

Fiscal Impact

- 1. Is this legislation included in the adopted budget? $\hfill \square$ Yes $\hfill \square$ No
- 2. What is the funding source?
 This resolution has no fiscal impact
- 3. How does the legislation affect the current fiscal year? This resolution has no fiscal impact
- 4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

 This resolution has no fiscal impact
- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
 This resolution has no fiscal impact

		f will complete this section.)					
1.	This	s legislation is supported by the general fund.	☐ Yes	⊠ No			
2.	. This fund has a structural imbalance. $\hfill\Box$ Yes						
3.	3. Account string has been verified/confirmed. \Box Yes						
		al Discussion (if needed) n has no fiscal impact.					
		Citywide Business Plan (CWBP) Imp	act				
1.	Vie	w the <u>Adopted 2025-2029 Citywide Business Plan</u>					
2.	Which CWBP goal is most impacted by this legislation? Public Safety (Press tab after selecting.)						
3.	Which objectives are impacted by this legislation (select all that apply):						
		Engage the community and community partners to rein of public safety with a focus on evidence-based approaprevention, treatment of mental health, emergency responsible system.	ches for crir conse time,	ne and the			
	\boxtimes	Focus on violence prevention among all age groups, plon youth.	acing an em	phasis			
		Increase fairness, justice, and responsiveness of our mu justice system to support the best possible outcome for victims of crime.					
		Reduce recidivism through prevention, deterrence, incl and re-entry services.	uding deter	ition,			
		Enhance employee recruitment, succession planning, a police and fire departments with a continued emphasis					

Prior Legislation

N/A

Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

Other Impacts

- What will be the potential health impacts to any affected groups?
 N/A
- 2. How have those groups been engaged and involved in the development of this ordinance? N/A
- How does this legislation contribute to a sustainable Kansas City?N/A
- 4. Does this legislation create or preserve new housing units? No (Press tab after selecting)

Click or tap here to enter text. Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting) Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

 Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)? No(Press tab after selecting)



Kansas City

414 E. 12th Street Kansas City, MO 64106

Legislation Text

File #: 250713

ORDINANCE NO. 250713

Sponsor: Councilperson Crispin Rea

Authorizing the City Manager to enter into a Cooperative Agreement with the Kansas City EDC Loan Corporation (the "EDCLC") to provide funding for a multifamily project at 9th and Central; estimating City Surplus Tax Increment Financing (TIF) revenue in the amount of \$2,800,000.00 in the General Fund; appropriating \$2,800,000.00 from the Unappropriated Fund Balance of the General Fund; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

WHEREAS, EDC Loan Corporation ("EDCLC") is a nonprofit corporation specializing in the origination and underwriting loans for development projects in Kansas City; and

WHEREAS, the City is supportive of the mixed-use development including mixed-income housing and renovation of historic properties in the downtown loop; and

WHEREAS, 9th and Central, LLC ("Developer") is working to redevelop two vacant historic office buildings at 9th and Central to create 192 units with 49% of units being committed to serve residents at 30%-80% area median income, amenity space, and non-profit commercial office space ("Project"); and

WHEREAS, the Project serves a public purpose through its creation of affordable mixed-income housing, renovation of historic buildings, and non-profit commercial office space; and

WHEREAS, the Developer is requesting a 15-year loan of \$2,800,000.00 to secure the property and complete the Project; and

WHEREAS, the EDLC is uniquely positioned to provide much needed gap financing to unlock this impactful Project;

WHEREAS, the City Council desires to use City Surplus Tax Increment Financing (TIF) revenue pursuant to Section 2-1972, Code of Ordinances, to provide assistance to the Project; and

WHEREAS, the 1200 Main TIF Plan (Projects 4, 5, and 6) has been approved for termination by the TIF Commission but is pending City Council approval; and

WHEREAS, the Chouteau TIF Plan (Projects 3 and 4) has been noticed for termination by the TIF Commission and is subject to City Council approval of the termination; and

WHEREAS, receipt of City Surplus TIF Revenue is dependent upon the aforementioned actions by the TIF Commission and City Council; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to execute a cooperative agreement with the EDCLC to provide for the funding and administration of the Project. The Agreement in substantial form is attached hereto and on file with the City Manager's Office.

Section 2. That the revenue in the following account of the General Fund, No. 1000, is estimated in the following amount:

26-1000-120000-480560-10_9THCENTRAL	Contr TIF District –	
	Midtown	\$ 323,891.20
26-1000-120000-480560-10_9THCENTRAL	Contr TIF District –	
	Summit	302,742.33
26-1000-120000-480560-10_9THCENTRAL	Contr TIF District –	
	1200 Main	1,684,066.47
26-1000-120000-480560-10_9THCENTRAL	Contr TIF District –	
	Chouteau	489,300.00
	TOTAL	\$2,800,000.00

Section 3. That the sum of \$ 2,800,000.00 is hereby appropriated from the Unappropriated Fund Balance of the General Fund to the following account:

26-1000-105013-B-10_9THCENTRAL 9th and Central \$2,800,000.00

Section 4. That the City Manager is designated as the requisitioning authority for Account No. 26-1000-105013-B-10_9THCENTRAL.

Section 5. That this Ordinance is recognized as an ordinance with an accelerated effective date as provided by Section 503 (a)(3)(C) of the City Charter in that it appropriates money and shall take effect in accordance with that section.

end				

I hereby certify that there is a balance, otherwise unencumbered, to the credit of the appropriation to which the foregoing expenditure is to be charged, and a cash balance otherwise unencumbered, in the treasury, to the credit of the fund from which payment is to be made, each sufficient to meet the obligation hereby incurred.

Kansas City Page 2 of 3

William Choi Interim Director of Finance

Approved as to form:

Emalea Kohler Associate City Attorney

Kansas City Page 3 of 3

No Docket memo Provided for Ordinance 250713



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250713 Submitted Department/Preparer: Mayor/Council's Office Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in <u>Administrative Regulation (AR) 4-1</u>.

Executive Summary

Authorizing the City Manager to execute the First Amendment to the Revolving Loan Fund Agreement with the Kansas City EDC Loan Corporation (the "EDCLC") to provide \$400,000.00 in funding for a multifamily project at 9th and Central; estimating City Surplus Tax Increment Financing (TIF) revenue in the amount of \$2,400,000.00 in the General Fund and appropriating same; authorizing the City Manager to enter into a Cooperative Agreement with EDCLC to provide funding to the Project in the amount of \$2,400,000.00; designating requisitioning authority; and recognizing this ordinance as having an accelerated effective date.

Discussion

EDC Loan Corporation ("EDCLC") is a nonprofit corporation specializing in the origination and underwriting loans for development projects in Kansas City. The City is supportive of the mixed-use development including mixed-income housing and renovation of historic properties in the downtown loop. 9th and Central, LLC ("Developer") is working to redevelop two vacant historic office buildings at 9th and Central to create 192 units with 49% of units being committed to serve residents at 30%-80% area median income, amenity space, and non-profit commercial office space ("Project").

The Project serves a public purpose through its creation of affordable mixed-income housing, renovation of historic buildings, and non-profit commercial office space. The Developer is requesting a 15-year loan of \$2,800,000.00 to secure the property and complete the Project. The City entered into a Revolving Loan Fund Agreement with EDLC for the purposes of providing funds for certain development and redevelopment activities and the City Council desires to authorize an amendmen to the agreement to provide for assistance to the Project in the amount of \$400,000.00. The EDLC is uniquely positioned to provide much needed gap financing to unlock this impactful Project. The City Council desires to use City Surplus Tax Increment Financing (TIF) revenue pursuant to Section 2-1972, Code of Ordinances, to provide assistance to the Project.

The 1200 Main TIF Plan (Projects 4, 5, and 6) has been approved for termination by the TIF Commission but is pending City Council approval. The Judicial Square TIF Plan (Project 1) has been has been terminated and all funds on deposit in the TIF Special Allocation Fund declared surplus. Surplus funds are pending distribution by the TIF Commission. Receipt of City Surplus TIF Revenue is dependent upon the aforementioned actions by the TIF Commission and City Council.

	Fisc	cal Impact		
1.	Is this legislation included in the	e adopted budget?	☐ Yes	⊠ No
2.	What is the funding source? General Fund			
26-10 26-10 26-10	Revenue: 000-120000-480560-10_9THCEN 000-120000-480560-10_9THCEN 000-120000-480560-10_9THCEN 000-120000-480560-10_9THCEN re 37,916.47	TRAL Contr TIF District - Summ TRAL Contr TIF District -1200 N	nit 302, Main1,735	,742.33
Jqua	C <u>37,710.47</u>	TOTAL	\$2,400	,000.00
26-10	Expense: 000-105013-B-10_9THCENTRAL	9th and Central	\$2,400,	,000.00
3.	How does the legislation affect to This legislation estimates \$2,400 the purpose of executing an agr	0,000 in revenue and appropri	ates the s	ame for
4.	Does the legislation have a fisca difference between one-time ar There is no direct fiscal impact of	nd recurring costs.	Please no	tate the
5.	Does the legislation generate return on investment? Yes, this ordinance proposes the	· ·	ng, or del	liver a
	e of Management and Budget I S Staff will complete this section.)	Review		
1.	This legislation is supported by	the general fund.	⊠ Yes	□ No

2.	This fund has a structural imbalance.	⊠ Yes	□No
3.	Account string has been verified/confirmed.	⊠ Yes	□No
This o	cional Discussion (if needed) rdinance estimates revenue and appropriates the same amount ecuting an agreement with EDCLC.	t for the p	urpose
	Citywide Business Plan (CWBP) Impac	:t	
1.	View the Adopted 2025-2029 Citywide Business Plan		
2.	Which CWBP goal is most impacted by this legislation? Housing and Healthy Communities (Press tab after selecting.)		
3.	Which objectives are impacted by this legislation (select all tha	t apply):	
	 Utilize planning approaches in neighborhoods to reduce to sustainable housing, and improve resident wellbeing and to Maintain and increase affordable housing supply to meet to a diverse population. Address the various needs of the City's most vulnerable poworking to reduce disparities. Foster an inclusive environment and regional approach to solutions to housing challenges. Ensure all residents have safe, accessible, quality housing barriers. Protect and promote healthy, active amenities such as park spaces, and green spaces. 	cultural d the demand opulation spur inno	iversity. nds of by vative
	Prior Legislation		
23088	39, 250596		
	Service Level Impacts		
The p	roject will create 192 new units.		
	Other Impacts		

- 1. What will be the potential health impacts to any affected groups? Click or tap here to enter text.
- 2. How have those groups been engaged and involved in the development of this ordinance?

Click or tap here to enter text.

- 3. How does this legislation contribute to a sustainable Kansas City? Click or tap here to enter text.
- Does this legislation create or preserve new housing units?
 Please Select (Press tab after selecting)

Click or tap here to enter text. Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Please Select (Press tab after selecting)

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)



Kansas City

414 E. 12th Street Kansas City, MO 64106

Legislation Text

File #: 250553

RESOLUTION NO. 250553

Sponsor: Mayor Quinton Lucas

RESOLUTION - Expressing the need for and desire to implement a software grant management system.

WHEREAS, the City actively seeks and manages multiple federal, state, and private grants to support municipal operations and community programs; and

WHEREAS, the use of dedicated grant management software systems is recognized as a best practice by municipal governments and grant-making organizations to ensure efficient and compliant grant administration; and

WHEREAS, effective grant management is essential for maximizing funding opportunities, ensuring compliance with grant requirements, and maintaining proper documentation and reporting; and

WHEREAS, the current manual grant management processes are time-intensive and may not provide optimal tracking, reporting, and compliance capabilities; and

WHEREAS, the current political climate has created uncertainty regarding federal funding priorities and grant program stability, necessitating improved local capacity for strategic grant management and diversified funding approaches; and

WHEREAS, a comprehensive software grant management system would enhance the City's ability to:

- Identify and pursue relevant grant opportunities
- Streamline the grant application process
- Monitor grant compliance and reporting requirements
- Track grant expenditures and budgets
- Generate required reports for grantors
- Maintain comprehensive grant records and documentation; and

WHEREAS, the City has access to a National Cooperative Agreement with Omnia Carahsoft, which is the owner of the eCivis grant management platform; and

WHEREAS, staff has identified the eCivis platform as a comprehensive software solution that could significantly improve the City's grant management capabilities; and

WHEREAS, implementing such a system would improve operational efficiency, reduce administrative burden, and potentially increase the City's success in securing grant funding; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Section 1. The City Council hereby acknowledges the need for and expresses its desire to implement a comprehensive software grant management system to enhance the City's grant-seeking and management capabilities.

Section 2. The City Council directs the City Manager to:

- A. Evaluate the eCivis grant management platform available through the National Cooperative Agreement with Omnia Carahsoft.
- B. Analyze costs, benefits, and implementation requirements for the eCivis platform.
- C. Collaborate with the Grants Strategy Officer in the Mayor's office on migration and implementation of the eCivis program.

Section 3. The City Council authorizes staff to utilize the National Cooperative Agreement with Omnia Carahsoft to purchase the eCivis grant management system without requiring a separate procurement process, subject to final Council approval of any contractual agreements and associated budget appropriations.

end				

Kansas City Page 2 of 2

No Docket Memo Provided for Resolution No.

250553



Kansas City

414 E. 12th Street Kansas City, MO 64106

Legislation Text

File #: 250673

ORDINANCE NO. 250673

Sponsor: Mayor Quinton Lucas and Councilmember Wes Rogers

Amending Chapter 64, Article V, by adding new subsections to Sections 64-168, 64-170, and 64-171 of the Code of Ordinances for the purpose of establishing a temporary moratorium on annual permit fees for sidewalk cafes, parklets, and street cafes; and directing the City Manager to provide an annual report to the Council related to the program.

WHEREAS, the City of Kansas City recognizes the vital contribution of small businesses - particularly in the food and beverage sector - to the city's economic strength, neighborhood character, and cultural diversity; and

WHEREAS, access to outdoor dining spaces is essential for many restaurants seeking to expand their operations, improve customer experience, and increase revenue; and

WHEREAS, the current combined annual permit fees for Street Cafés, Sidewalk Cafés, and Parklets, totaling eight hundred fifty dollars (\$850.00), can present a financial barrier for small businesses, particularly those in historically under-resourced or lower-income districts; and

WHEREAS, the City has successfully funded two rounds of the Outdoor Dining Enhancements grant program, investing \$300,000.00 and supporting 32 restaurants citywide, demonstrating both the need for and benefit of expanded outdoor dining options; and

WHEREAS, this temporary fee elimination is consistent with the City's economic development goals and represents a targeted investment in small business recovery and growth that will generate increased economic activity and tax revenue; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Chapter 64, Article V, is hereby amended by repealing Section 64-168 and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 64-168. Sidewalk café permit.

(a) Permit authorized. Unless otherwise authorized under the Code of Ordinances, no person shall place tables or chairs or any other device for the sale or consumption of food or beverage upon any public sidewalk or footway without first obtaining an annual sidewalk café

permit. The director is authorized to issue annual sidewalk café permits for the limited purpose of temporarily placing tables and chairs for customers in connection with the sale and consumption of food and beverages in or upon any public sidewalk or footway only if all of the following conditions are met:

- (1) A sidewalk café permit can only be issued for areas in the city zoned for business and for sidewalks that will allow a clear unobstructed passage not less than five feet in width following the placement of the tables and chairs.
- (2) A sidewalk café permit may only be issued for a business that has a nonalcohol city business license or a conventions and tourism food certificate for the sale and consumption of food and beverages on the premises, provided that the permit may be issued only if such business is located immediately in front of the sidewalk and the permit shall not be issued for another business, if any, located in the same building.
- (3) A sidewalk café permit issued under this article may not be assigned.
- (4) The sidewalk café permit shall specify the location of the permit area by address.
- (5) The applicant for a sidewalk café permit obtains approval from the board of parks and recreation commissioners if the sidewalk is on a parkway or boulevard under the jurisdiction of that board.
- (6) The applicant for a sidewalk café permit meets all of the other permit requirements contained in the Code of Ordinances, including but not limited to the requirements of chapter 10 of the Code, if applicable and as required.
 - Exception: If the applicant for a sidewalk café permit holds both a license as a restaurant-bar under chapter 10 of the Code and a sidewalk café permit for the location, and wishes to apply for a license as a restaurant-bar in the sidewalk café, requirements of section 10-214 shall not apply.
- (7) The individual or business applying for a sidewalk café permit shall mail written notification of an application for a license under this section to either the registered property owner or tenant of a property wholly within or intersected by a radius of 250 feet from the property owner or business requesting the sidewalk café permit. The notification shall be in a form prescribed by the director, include a 30-day feedback period, and shall invite objections from recipients of the notification. Any objections must be submitted in writing to the director within 30 calendar days of the permit applicant's notification being sent out. The director shall take any such objections into account when determining whether to issue a sidewalk café permit. The individual or business must provide certified

Kansas City Page 2 of 16

mail receipts of the notification via the city's permitting system prior to receiving a street café permit.

- (b) Status of permit. A sidewalk café permit is a privilege and not a right, and the city shall at all times have the right to restrict the scope, time and manner of the placement of tables and chairs on the sidewalk at any time and for any reason by ordinance or regulation of the director.
 - (c) Application for sidewalk café permits.
 - (1) All applications for a sidewalk café permit shall be filed with the director in a form approved by the director.
 - (2) As a condition for the issuance of a sidewalk café permit, the applicant shall furnish to the director an indemnity agreement in the form approved by the director binding the applicant to defend, indemnify, and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or resulting from any acts or omissions in connection with the operations of the applicant caused in whole or in part by the applicant, its employees, agents, or subcontractors, customers or caused by others for whom the applicant is liable, regardless of whether caused in part by any act or omission of city, its agencies, officials, officers, or employees.
 - (3) As a condition for the issuance of a sidewalk café permit, the applicant shall furnish the city a certificate of insurance from a company approved by the director of finance evidencing that the applicant has a comprehensive general liability and property damage policy meeting the following conditions:
 - a. Liability insurance with either a combined single-limit policy of not less than \$2,000,000.00, or a split-limit policy of \$300,000.00/\$300,000.00 bodily injury and \$100,000.00 property damage.
 - b. The city shall be added as an additional insured to such policy by separate endorsement.
 - c. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of the policy at least ten days prior thereto.

The applicant's failure to obtain or maintain the required insurance in effect for the duration of the permit shall immediately render the permit void. Notwithstanding the foregoing, the applicant shall remain obligated to indemnify and hold harmless the city and any of its agencies, officials, officers, or employees to the full extent required by the indemnity agreement required by this section.

Kansas City Page 3 of 16

- (d) Conduct of sidewalk café permit holder. A person holding a sidewalk café permit (permittee) shall comply with all of the following conditions in connection with the placement of tables and chairs on a sidewalk:
 - (1) Sidewalk cafés must at all times adhere to the city's design standards which shall be provided by the director upon request. If design standards are amended, the director shall have discretion to decide whether an existing sidewalk café must be updated to conform with the new standards.
 - (2) Sidewalk café permits shall be conspicuously displayed at all times at the business for the permit area and shall be available for inspection by the director, other city employees, and the public. Sidewalk cafés may only be open during the times that the business operating the street café is open.
 - (3) No street or alley shall be blocked by tables and chairs placed pursuant to a sidewalk café permit issued under this section.
 - (4) The permittee shall comply with all applicable laws, including the Americans with Disabilities Act.
 - (5) Tables and chairs shall be securely placed so that they will not endanger the public, or fall or protrude into any street or alley.
 - (6) Tables and chairs shall not be placed in a manner that creates or causes a nuisance, a fire hazard, or interferes with ingress to or from any building.
 - (7) Only tables and chairs for customer use may be placed and allowed to remain within the permit area. The permit area may not be used for the storage of other items.
 - (8) Tables and chairs shall only be placed in front of the business holding a sidewalk café permit and shall not extend to sidewalks abutting and adjacent to other properties. Notwithstanding the foregoing, the tables and chairs may be placed in front of a property immediately abutting and immediately adjacent to the business holding the sidewalk café permit if the owner of record of the affected property consents in writing in a form approved by the director; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the sidewalk café permit by a street or alley.
 - (9) The tables and chairs shall not be placed in the street.
 - (10) The permittee shall not be permitted to use or operate any public address system, or amplified music before 9:00 a.m. and after 10:00 p.m. At all times, the permittee shall operate the sidewalk café in a manner consistent with the indoor noise decibel restrictions of section 46-4 of the Code of Ordinances unless the permittee obtains a permit which otherwise allows for higher decibel levels.

Kansas City Page 4 of 16

- (11) Tables and chairs for customers shall be placed no less than five feet back from the front of the curb of the abutting street, or other appurtenances.
- (e) Renewal, Sidewalk café permits shall be granted on an annual basis. All sidewalk café permits may be renewed upon request by the permittee and upon approval by the director 30 days prior to the expiration of the permit. The term for the renewal shall also be one year. Upon a request for renewal, the permittee shall demonstrate that they have adhered to the provisions of this section. The director may inspect the sidewalk café at any time.
- (f) Fees. The director shall have the authority to set fees to defray the various costs incurred by the city in establishing and regulating sidewalk cafés. Those fees shall include an application fee and an annual license fee. The fees shall be determined annually by the director, and shall be made available to any permittee seeking to establish a sidewalk café. The fees shall be based on the costs of administering sidewalk café permits. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary street café permits and may waive any fees or other requirements otherwise necessary to receive a sidewalk café permit.
 - (1) Annual Fee Moratorium. Notwithstanding subsection (f) above, annual license fees for sidewalk café permits are suspended for a period of three (3) years from the effective date of this ordinance (September 1, 2025 September 1, 2028). Application fees may still be charged during this moratorium period.
- (g) Revocation. Any permit issued hereunder may be suspended or revoked for any reason that would justify a refusal to issue the permit originally or by reason of any failure by the permittee to comply with the provisions of this code, or any condition imposed by the director upon the issuance of the permit. The sidewalk café permit may also be suspended if the location of the sidewalk is necessary for city use, including for use by a utility with the right to access the city's right-of-way. Unless there is an emergency as defined by city ordinance or need for access from a utility utilizing city right-of-way, the permittee is entitled to a minimum of one week's advance notice of the city's intent to temporarily suspend, or a minimum of 30 days' advance notice to revoke a sidewalk café permit. The cost of removing the sidewalk café will be borne solely by the permittee. Should the permittee fail to remove the sidewalk café, the director may remove the sidewalk café and assess cost of the removal to the permittee.
- (h) *Penalties*. A permittee operating a sidewalk café who violates or fails to comply with any of the provisions of this section shall be subject to a fine of triple the amount of the application fee for every day of noncompliance.

Section 2. Chapter 64, Article V, is hereby amended by repealing Section 64-170 and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 64-170. Parklet permit.

Kansas City Page 5 of 16

- (a) *Definition*. A parklet is defined as an outdoor facility located within city right-of-way—either within the sidewalk, on-street parking areas, or other unutilized spaces within the public right-of-way—which is permitted by the city to be managed by the adjacent property owner as public space.
- (b) Parklet permit established. The director of public works is authorized to issue annual parklet permits for the purpose of creating public gathering spaces. The director shall have authority to establish reasonable regulations for the issuance, use, revocation, and denial of parklet permits. Upon issuance of a parklet permit, permittees shall perform all obligations, duties and responsibilities as set forth by the director. Issuance of a parklet permit is a privilege and not a right, and the director shall have the right to modify the scope, time and manner of the parklet permit for any reason. The director of public works may seek the opinion of other city officials in review of a parklet permit application.

When the applicant for a parklet permit requests a parklet permit adjacent to or within a parkway or boulevard, the applicant must obtain approval from the board of parks and recreation commissioners. In such circumstances, any authority delegated within this section to the director of public works shall instead be delegated to the director of parks and recreation.

- (c) *Permit conditions*. A parklet permit may be issued only if all of the following conditions are met:
 - (1) A parklet permit may be issued to any individual, business or organization for an area within city right-of-way—either within the sidewalk, on-street parking areas, or other unutilized spaces within the public right-of-way upon request by the owner or tenant of property adjacent to the parklet.
 - (2) A parklet permit may be issued in any area in the city in which the adjacent street or roadway has a posted speed limit not in excess of 30 miles per hour.
 - (3) A parklet may not be located within parking spaces designated for the exclusive use of vehicles which display a distinguishing license plate or placard issued to physically disabled or handicapped persons.
 - (4) The applicant for a parklet permit meets all applicable requirements contained within the city's Code of Ordinances.
 - (5) The individual or business applying for a parklet permit shall mail written notification of an application for a license under this section to either the registered property owner or tenant of a property wholly within or intersected by a radius of 250 feet from the property owner or business requesting the parklet permit. The notification shall be in a form prescribed by the director, include a 30-day feedback period, and shall invite objections from recipients of the notification. Any objections must be submitted in writing to the director within 30 calendar days of the permit applicant's notification being sent out. The director shall take any such objections into account when determining whether to issue a

Kansas City Page 6 of 16

parklet permit. The individual or business must provide certified mail receipts of the notification via the city's permitting system prior to receiving a parklet permit.

- (d) Application for parklet permits.
- (1) All applications for a parklet permit shall be filed with the director of public works in a form approved by the director. Parklet permits may not be transferred or assigned. All applications shall include the following:
 - a. An indemnity agreement in the form approved by the director binding the applicant to defend, indemnify, and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or resulting from any acts or omissions in connection with the operations of the applicant caused in whole or in part by the applicant, its employees, agents, or subcontractors, customers or caused by others for whom the applicant is liable, regardless of whether caused in part by any act or omission of city, its agencies, officials, officers, or employees. The permittee shall specifically indemnify and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorney's fees, arising out of or resulting from the city's snow removal operations.
 - b. A certificate of insurance from a company approved by the director of finance evidencing that the applicant has a comprehensive general liability and property damage policy meeting the following conditions:
 - i. Liability insurance with either a combined single-limit policy of not less than \$2,000,000.00, or a split-limit policy of \$300,000.00/\$300,000.00 bodily injury and \$100,000.00 property damage.
 - ii. The city shall be added as an additional insured to such policy by separate endorsement.
 - iii. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of the policy at least ten days prior thereto.

The applicant's failure to obtain or maintain the required insurance in effect for the duration of the permit shall immediately render the permit void. Notwithstanding the foregoing, the applicant shall remain obligated to indemnify and hold harmless the city and any of its agencies, officials, officers, or employees to the full extent required by the indemnity agreement required by this section.

Kansas City Page 7 of 16

- c. A design of the parklet which adheres to the city's design standards shall be provided by the director of public works to any permittee seeking to establish a parklet. The applicant shall include a layout, drawn to scale, which accurately depicts the dimensions of the existing area to be utilized as a parklet and adjacent private property, the proposed location of the parklet, size and number of tables, chairs, steps, planters, and umbrellas, location of doorways, trees, existing parking meters, sidewalk benches, trash receptacles, light poles, and any other sidewalk obstructions, either existing or proposed, within the pedestrian area. This layout shall be submitted on eight and one-half-inch by eleven-inch paper, suitable for reproduction. Also, photographs, drawings, or manufacturer's brochures fully describing the appearance and dimensions of all proposed tables, chairs, weighted umbrellas, free-standing barriers or other objects to be used in the parklet.
- (e) Conduct of parklet permit holder. Parklet permittees shall comply with all of the following conditions:
 - (1) Parklets must at all times adhere to the city's design standards which shall be provided by the director upon request. If the city's design standards are amended, the director shall have discretion to decide whether an existing parklet must be updated to conform with the new standards.
 - (2) The permittee shall properly supervise and maintain the parklet in a clean, orderly, and safe condition and in such a manner as to protect the public health and safety. The permittee shall prevent the accumulation, blowing and scattering of trash, garbage, or any other such debris caused by use of the parklet and shall maintain its own trash containers upon the parklet for disposal of any debris. All tables, chairs, umbrellas, and any other furnishings utilized in the parklet shall be maintained with a clean and attractive appearance and shall be in good repair at all times.
 - (3) Parklet permits shall be conspicuously displayed at all times at the business for the permit area and shall be available for inspection by the director of public works, other city employees, and the public. Parklets may only be open during the times that the business operating the street café is open.
 - (4) Parklets must remain publicly accessible and must include signage posted on-site to this effect, stating hours reserved for public use.
 - (5) Permittee shall ensure that the parklet and its furnishings in no way interfere with pedestrian, bicycle, or automobile traffic within the sidewalk, street, or bicycle facilities including the parking of vehicles in adjacent parking spaces.
 - (6) No smoking shall be allowed in the parklet. Alcohol shall not be consumed within the parklet without proper licensure.

Kansas City Page 8 of 16

- (7) Permittee shall not erect, attach, or affix any permanent fixture upon the public right-of-way, even within the parklet.
- (8) No furnishings or any parts of the parklet shall be attached, chained, or in any manner affixed to any tree, post, signs, sidewalk, streetlight, fire hydrant, or other public fixture within or near the parklet.
- (9) The permittee shall not be permitted to use or operate any public address system, or amplified music before 9:00 a.m. and after 10:00 p.m. At all times, the permittee shall operate the parklet in a manner consistent with the indoor noise decibel restrictions of section 46-4 of the Code of Ordinances unless the permittee obtains a permit which otherwise allows for higher decibel levels.
- (10) The permittee shall comply with all applicable laws, including the Americans with Disabilities Act.
- (11) The parklet permit may not be used for the storage of any items other than seating, furnishing, landscaping, signs, or lighting.
- (12) The parklet shall not extend to public right-of-way abutting and adjacent to other properties. Notwithstanding the foregoing, the parklet may extend in front of a property immediately abutting and immediately adjacent to the business holding the parklet permit if the owner of record of the affected property consents in writing in a form approved by the director of public works; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the parklet permit by a street or alley.
- (f) Renewal, Parklet permits shall be granted on an annual basis. All parklet permits may be renewed upon request by the permittee and upon approval by the director 30 days' prior to the expiration of the permit. The term for renewal shall also be one year. Upon a request for renewal, the permittee shall demonstrate that they have adhered to the provisions of this section. The director may inspect the parklet at any time.
- (g) Fees. The director shall have the authority to set fees to defray the various costs incurred by the city in establishing and regulating parklets. Those fees shall include an application fee and an annual renewal fee. The fees shall be determined annually by the director, and shall be made available to any permittee seeking to establish a parklet. The fees shall be based on the costs of administering parklet permits. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary parklet permits and may waive any fees or other requirements otherwise necessary to receive a parklet permit.
 - (1) Annual Fee Moratorium. Notwithstanding subsection (g) above, annual license fees for parklet permits are suspended for a period of three (3) years from the

Kansas City Page 9 of 16

effective date of this ordinance (September 1, 2025 – September 1, 2028). Application fees may still be charged during this moratorium period.

- (h) Revocation. Any permit issued hereunder may be suspended or revoked for any reason that would justify a refusal to issue the permit originally or by reason of any failure by the permittee to comply with the provisions of this code, or any condition imposed by the director upon the issuance of the permit. The parklet permit may also be suspended if the location of the parklet is necessary for city use, including for use by a utility with the right to access the city's right-of-way. Unless there is an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility utilizing city right-of-way, the permittee is entitled to a minimum of one week's advance notice of the city's intent to temporarily suspend, or a minimum of 30 days' advance notice to revoke a parklet permit. No advance warning is required in the case of an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility. The cost of removing the parklet will be borne solely by the permittee. Should the permittee fail to remove the parklet within the timeframes outlined above, the director of public works may remove the parklet and assess cost of the removal to the permittee.
- (i) *Penalties*. A permittee operating a parklet who violates or fails to comply with any of the provisions of this section shall be subject to a fine of triple the amount of the application fee for every day of noncompliance.

Section 3. Chapter 64, Article V, is hereby amended by repealing Section 64-171 and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 64-171. Street café permit.

- (a) *Definition*. A street café is defined as an outdoor dining facility located within areas used for on-street parking which is permitted by the city to be utilized by the immediately adjacent property owner or tenant for outdoor dining as an extension of the owner's or tenant's operations.
- (b) Street café permit established. The director of public works is authorized to issue annual street café permits for the limited purpose of placing tables and chairs for customers in connection with the sale and consumption of food and beverages in or upon any on-street parking spaces. The director shall have the authority to establish reasonable regulations for the issuance, use, revocation, and denial of street café permits. Upon issuance of a street café permit, permittees shall perform all obligations, duties and responsibilities as set forth by the director, issuance of a street café permit is a privilege and not a right, and the director shall have the right to modify the scope, time and manner of the street café permit for any reason. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary street café permits and may waive any fees or other requirements otherwise necessary to receive a street café permit.

When the applicant for a street café permit requests a street café permit adjacent to a parkway or boulevard, the applicant must obtain approval from the board of parks and recreation

Kansas City Page 10 of 16

commissioners. In such circumstances, any authority delegated within this section to the director of public works shall instead be delegated to the director of parks and recreation.

- (c) *Permit conditions*. A street café permit may be issued only if all of the following conditions are met:
 - (1) A street café permit may be issued to any individual, business or organization within on-street parking areas or other unutilized spaces within the public right-of-way immediately adjacent to property owned or leased by the individual, business or organization.
 - (2) A street café permit may be issued adjacent to streets or roadways which have a posted speed limit not in excess of 30 miles per hour.
 - (3) A street café permit can only be issued for areas in the city zoned for business and which allow a clear unobstructed passage not less than five feet in width within the street café following the placement of the tables and chairs in the street café.
 - (4) A street café permit may only be issued for a business that has a nonalcohol city business license or a conventions and tourism food certificate for the sale and consumption of food and beverages on the premises provided that the permit may be issued only if such business is located immediately in front of the business and the permit shall not be issued for another business, if any, located in the same building.
 - (5) A street café permit may not be located within parking spaces designated for the exclusive use of vehicles which display a distinguishing license plate or placard issued to physically disabled or handicapped persons.
 - (6) The individual or business applying for a street café permit shall mail written notification of an application for a license under this section to either the registered property owner or tenant of a property wholly within or intersected by a radius of 250 feet from the property owner or business requesting the street café permit. The notification shall be in a form prescribed by the director, include a 30-day feedback period, and shall invite objections from recipients of the notification. Any objections must be submitted in writing to the director within 30 calendar days of the permit applicant's notification being sent out. The director shall take any such objections into account when determining whether to issue a street café permit. The individual or business must provide certified mail receipts of the notification via the city's permitting system prior to receiving a street café permit.
 - (d) Application for street café permits.
 - (1) All applications for a street café permit shall be filed with the director of public works in a form approved by the director. Street café permits may not be

Kansas City Page 11 of 16

transferred or assigned. All applications for a street café permit shall include the following:

- a. An indemnity agreement in the form approved by the director binding the applicant to defend, indemnify, and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or resulting from any acts or omissions in connection with the operations of the applicant caused in whole or in part by the applicant, its employees, agents, or subcontractors, customers or caused by others for whom the applicant is liable, regardless of whether caused in part by any act or omission of city, its agencies, officials, officers, or employees. The permittee shall specifically indemnify and hold harmless the city and any of its agencies, officials, officers, or employees from and against all claims, damages, liability, losses, costs, and expenses, including reasonable attorney's fees, arising out of or resulting from the city's snow removal operations.
- b. A certificate of insurance from a company approved by the director of finance evidencing that the applicant has a comprehensive general liability and property damage policy meeting the following conditions:
 - 1. Liability insurance with either a combined single-limit policy of not less than \$2,000,000.00, or a split-limit policy of \$300,000.00/\$300,000.00 bodily injury and \$100,000.00 property damage.
 - 2. The city shall be added as an additional insured to such policy by separate endorsement.
 - 3. The policy shall contain a separate endorsement requiring the insurance company to notify the city in writing of any change in or cancellation of the policy at least ten days prior thereto.

The applicant's failure to obtain or maintain the required insurance in effect for the duration of the permit shall immediately render the permit void. Notwithstanding the foregoing, the applicant shall remain obligated to indemnify and hold harmless the city and any of its agencies, officials, officers, or employees to the full extent required by the indemnity agreement required by this section.

c. A design of the street café which adheres to design guidelines provided by the director of public works which shall be available to any permittee seeking to establish a street café. The applicant shall include a layout, drawn to scale, which accurately depicts the dimensions of the existing area to be utilized as a street café and adjacent private property, the proposed location of the street café, size and number of tables, chairs,

Kansas City Page 12 of 16

steps, planters, and umbrellas, location of doorways, trees, existing parking meters, sidewalk benches, trash receptacles, light poles, and any other sidewalk obstructions, either existing or proposed, within the pedestrian area. This layout shall be submitted on 8½-inch by 11-inch paper, suitable for reproduction. Also, photographs, drawings, or manufacturer's brochures fully describing the appearance and dimensions of all proposed tables, chairs, weighted umbrellas, freestanding barriers or other objects to be used in the street café.

- (e) Conduct of street café permit holder. Street café permittees shall comply with all of the following conditions;
 - (1) Street cafés must at all times adhere to the city's parklet and street café design standards which shall be provided by the director upon request. If the city's design standards are amended, the director shall have discretion to decide whether an existing street café must be updated to conform with the new standards.
 - (2) The permittee shall properly supervise and maintain the street café in a clean, orderly, and safe condition and in such a manner as to protect the public health and safety. The permittee shall prevent the accumulation, blowing, and scattering, of trash, garbage, or any other such debris caused by use of the street café and shall maintain its own trash containers upon the street café for disposal of any debris. All tables, chairs, umbrellas, and any other objects utilized in the street café shall be maintained with a clean and attractive appearance and shall be in good repair at all times. Street cafés may only be open during the times that the business operating the street café is open.
 - (3) Street café permits shall be conspicuously displayed at all times at the business for the permit area and shall be available for inspection by the director of public works, other city employees, and the public.
 - (4) The permittee shall designate with signage the hours during which the street café is to be operated. At all other times, the street café shall be made available for public use.
 - (5) Permittee shall ensure the street café and its furnishings in no way interfere with pedestrian, bicycle, or automobile traffic within the sidewalk, street, or bicycle facilities including the parking of vehicles in adjacent parking spaces.
 - (6) No smoking shall be allowed in the street café. Alcohol or liquor shall not be consumed within the street café without proper licensure. The hours of outdoor liquor sales shall be allowed as authorized in chapter 10 of the Code.
 - (7) Permittee shall not erect, attach, or affix any permanent fixture upon the public right-of-way, even within the street café.

Kansas City Page 13 of 16

- (8) No furnishings or any parts of the street café shall be attached, chained, or in any manner affixed to any tree, post, signs, sidewalk, streetlight, fire hydrant, or other public fixture within or near the street café.
- (9) The permittee shall not be permitted to use or operate any public address system, or amplified music before 9:00 a.m. and after 10:00 p.m. At all times, the permittee shall operate the street café in a manner consistent with the indoor noise decibel restrictions of Section 46-4 of the Code of Ordinances unless the permittee obtains a permit which otherwise allows for higher decibel levels.
- (10) The permittee shall comply with all applicable laws, including the Americans with Disabilities Act.
- (11) The permit area may not be used for the storage of any items other than seating, landscaping, signs, or lighting.
- (12) The street café and any furnishings shall only be placed in front of the business holding a street café permit and shall not extend to public right-of-way abutting and adjacent to other properties. Notwithstanding the foregoing, the street café and its furnishings may be placed in front of a property immediately abutting and immediately adjacent to the business holding the street café permit if the owner of record of the affected property consents in writing in a form approved by the director of public works; a property shall not be deemed to be immediately abutting and immediately adjacent if separated from the business holding the street café permit by a street or alley.
- (f) Renewal. Street café permits shall be granted on an annual basis. All street café permits may be renewed upon request by the permittee and upon approval by the director 30 days prior to the expiration of the permit. The term for the renewal shall also be one year. Upon a request for renewal, the permittee shall demonstrate that they have adhered to the provisions of this section as well as the city's design standards. The director may inspect the street café at any time.
- (g) Fees. The director shall have the authority to set fees to defray the various costs incurred by the city in establishing and regulating street cafés, including loss of value to the city in utilizing such spaces for on-street parking. Those fees shall include an application fee and an annual license fee. The fees shall be determined annually by the director, and shall be made available to any permittee seeking to establish a street café. The fees shall be based on the costs of administering street cat permits. In situations where building capacity is decreased due to a city proclamation of emergency, or if it is otherwise in the best interests of the city, the director is authorized to issue temporary street café permits and may waive any fees or other requirements otherwise necessary to receive a street café permit.
 - (1) Annual Fee Moratorium. Notwithstanding subsection (g) above, annual license fees for street café permits are suspended for a period of three (3) years from the

Kansas City Page 14 of 16

<u>effective date of this ordinance (September 1, 2025 – September 1, 2028).</u> Application fees may still be charged during this moratorium period.

- (h) Revocation. Any permit issued hereunder may be suspended or revoked for any reason that would justify a refusal to issue the permit originally or by reason of any failure by the permittee to comply with the provisions of this code, or any condition imposed by the director upon the issuance of the permit. The street café permit may also be suspended if the location of the street café is necessary for city use, including for use by a utility with the right to access the city's right-of-way. Unless there is an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility utilizing city right-of-way, the permittee is entitled to a minimum of one week's advance notice of the city's intent to temporarily suspend, or a minimum of 30 days' advance notice to revoke a street café permit. The cost of removing the street café will be borne solely by the permittee. No advance warning is required in the case of an emergency which threatens the health and safety of city residents and visitors or a need for access from a utility. Should the permittee fail to remove the street café, the director of public works may remove the street café and assess cost of the removal to the permittee.
- (i) *Penalties*. A permittee operating a street café who violates or fails to comply with any of the provisions of this section shall be subject to a fine of triple the amount of the application fee for every day of noncompliance.
- Section 4. All other provisions of Sections 64-168, 64-170, and 64-171 shall remain in full force and effect.

Section 5. That the City Manager shall report to the City Council annually during the three-year fee waiver period on:

- A. Program participation rates by Council District;
- B. Total number of permits issued under this moratorium;
- C. Economic impact assessment including estimated revenue generated by participating businesses;
- D. Any barriers to participation identified;
- E. Compliance rates and enforcement actions; and
- F. Recommended improvements or modifications to the policy.

The final report shall include recommendations regarding continuation, modification, or termination of the fee moratorium.

end			

Kansas City Page 15 of 16

Approved as to form:	
Dustin E. Johnson	_

Kansas City Page 16 of 16



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250673 Submitted Department/Preparer: Public Works Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in <u>Administrative Regulation (AR) 4-1</u>.

Executive Summary

Amending Chapter 64, Article V, by adding new subsections to Sections 64-168, 64-170, and 64-171 of the Code of Ordinances for the purpose of establishing a temporary moratorium on annual permit fees for sidewalk cafes, parklets, and street cafes; and directing the City Manager to provide an annual report to the Council related to the program.

Discussion

The City of Kansas City recognizes the vital contribution of small businesses - particularly in the food and beverage sector - to the city's economic strength, neighborhood character, and cultural diversity. Access to outdoor dining spaces is essential for many restaurants seeking to expand their operations, improve customer experience, and increase revenue. The current combined annual permit fees for Street Cafés, Sidewalk Cafés, and Parklets, totaling eight hundred fifty dollars (\$850.00), can present a financial barrier for small businesses, particularly those in historically under-resourced or lower-income districts.

The City has successfully funded two rounds of the Outdoor Dining Enhancements grant program, investing \$300,000.00 and supporting 32 restaurants citywide, demonstrating both the need for and benefit of expanded outdoor dining options. This temporary fee elimination is consistent with the City's economic development goals and represents a targeted investment in small business recovery and growth that will generate increased economic activity and tax revenue.

Fiscal Impact

Is this legislation included in the adopted budget?
 ☐ Yes ☑ No
 What is the funding source?
 Street Maintenance Fund 2060-892080-455090 \$64,069.00

- 3. How does the legislation affect the current fiscal year?
 The ordinance stops charging annual permit fees for sidewalk cafés, parklets, and street cafés beginning September 1, 2025
- 4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs. This legislation will stop the collection of permit fees for sidewalk cafes, parklets, and street cafés for for three years
- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?
 No

Office of Management and Budget Review

(OMB Staff will complete this section.)

1.	This legislation is supported by the general fund.	☐ Yes	⊠ No
2.	This fund has a structural imbalance.	⊠ Yes	□ No
3.	Account string has been verified/confirmed.	⊠ Yes	□ No

Additional Discussion (if needed)

Based on the last three years of revenue from Sidewalk Café permits there is an anticipated loss of an average of \$45,000 in revenue for the Street Maintenance Fund per year.

Citywide Business Plan (CWBP) Impact

- 1. View the Adopted 2025-2029 Citywide Business Plan
- 2. Which CWBP goal is most impacted by this legislation? Inclusive Growth and Development (Press tab after selecting.)
- 3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.

\boxtimes	Increase and support local workforce development and minority, women,
	and locally owned businesses.
\boxtimes	Create a solutions-oriented culture to foster a more welcoming business
	environment.
	Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
П	

Prior Legislation

Click or tap here to list prior, related ordinances/resolutions.

Service Level Impacts

Improve the experience for the resident via uutdoor dining

Other Impacts

- 1. What will be the potential health impacts to any affected groups? Promote improve quality of life
- 2. How have those groups been engaged and involved in the development of this ordinance?
 - Small businesses have been involved during the development of the Ordinance
- How does this legislation contribute to a sustainable Kansas City?
 Long term maintenance of this infrastructure could promote more walking and outdoor dining.
- 4. Does this legislation create or preserve new housing units? No (Press tab after selecting)

Click or tap here to enter text. Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting) Please provide reasoning why not:

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)





Ordinance #250673

Amending Chapter 64, Article V, by adding new subsections to Sections 64-168, 64-170, and 64-171 of the Code of Ordinances for the purpose of establishing a temporary moratorium on annual permit fees for sidewalk cafes, parklets, and street cafes; and directing the City Manager to provide an annual report to the Council related to the program.



PUBLIC WORKS 1





Ordinance #250673

Amending Chapter 64, Article V, by adding new subsections to Sections 64-168, 64-170, and 64-171 of the Code of Ordinances for the purpose of establishing a temporary moratorium on annual permit fees for sidewalk cafes, parklets, and street cafes; and directing the City Manager to provide an annual report to the Council related to the program.





Kansas City

414 E. 12th Street Kansas City, MO 64106

Legislation Text

File #: 250682

ORDINANCE NO. 250682

Sponsor: Councilmember Nathan Willett

Approving the First Amendment to the Metro North Mall General Development Plan to amend the Estimated Completion Time to twenty years from passage of this Ordinance and affirming the findings of the City Council made when approving the Plan.

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri ("PIEA") prepared and approved the Metro North Mall General Development Plan (the "Plan"); and

WHEREAS, the City Council approved the Plan on May 20, 2010, with Committee Substitute for Ordinance No. 100283; and

WHEREAS, although the Plan to redevelop the site of the demolished Metro North Mall was never fully completed, Metro North Crossing, LLC, has completed several residential and commercial projects, including a mixed-use project with a 249-unit apartment complex and 30,000 square feet of retail space on the ground floor, a 52,000 square foot golf entertainment venue, three pad site restaurants, and the Furniture Mall of Missouri plans to open in the former Macy's store building later this year; and

WHEREAS, the Planning Area, as defined in the Plan, still includes various examples of continuing need of industrial development in Section 100.310, RSMo, as there are approximately 40 acres of remaining undeveloped land within the Planning Area and additional time is necessary to allow the developer to continue its redevelopment efforts as market conditions dictate; and

WHEREAS, each industrial developer within the Planning Area has consented to the amendment of the Plan in accordance Section 100.400.1(10), RSMo; and

WHEREAS, the PIEA by Resolution No. 2364 dated July 17, 2025, recommended an amendment of the Plan to provide for an Estimated Completion Time of twenty (20) years from the passage of this Ordinance by the City Council; and

WHEREAS, the City Council has reviewed PIEA Resolution No. 2364 and has reviewed the Plan and desires to amend the Plan to provide for an Estimated Completion Time of twenty (20) years from the passage of this Ordinance; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the findings made in Sections 1, 2 and 3 of Committee Substitute for Ordinance No. 100283 are hereby affirmed.

Section 2. That the First Amendment to the General Development Plan for the Metro North Mall PIEA Planning Area is hereby approved such that the Estimated Completion Time shall be twenty (20) years from the passage of this Ordinance. A copy of the Plan as amended is attached hereto and on file with the Office of the City Clerk.

Section 3. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, are hereby extended to the Planning Area, as defined in the Plan, to the extent and in the manner as provided for in the Plan as modified by the First Amendment.

.ena		
	Approved as to form:	
	Emalea Kohler Associate City Attorney	

Kansas City Page 2 of 2



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 250682

Submitted Department/Preparer: City Manager's Office

Revised 6/10/24

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in Administrative Regulation (AR) 4-1.

Executive Summary

Approving the First Amendment to the Metro North Mall General Development Plan to amend the Estimated Completion Time to twenty years from passage of this Ordinance and affirming the findings of the City Council made when approving the Plan..

Discussion

This ordinance amends the Metro North Mall General Development Plan to give developers 20 more years to develop approximately 40 acres of remaining undeveloped land within the Planning Area.

	Fiscal Impact		
1.	Is this legislation included in the adopted budget?	□ Yes	⊠ No
2.	What is the funding source? n/a		
3.	How does the legislation affect the current fiscal year? n/a		
4.	Does the legislation have a fiscal impact in future fiscal years? I difference between one-time and recurring costs. n/a	Please not	ate the
5.	Does the legislation generate revenue, leverage outside funding return on investment? n/a	g, or delive	⊧r a
	e of Management and Budget Review Staff will complete this section.)		
1.	This legislation is supported by the general fund.	☐ Yes	⊠ No

2.	This fund has a structural imbalance.	☐ Yes	⊠ No
3.	Account string has been verified/confirmed.	☐ Yes	⊠ No
	ional Discussion (if needed) ordinance has no direct fiscal impact.		
	Citywide Business Plan (CWBP) Im	pact	
2.	 View the Adopted 2025-2029 Citywide Business Plan Which CWBP goal is most impacted by this legislation? Inclusive Growth and Development (Press tab after selection) Which objectives are impacted by this legislation (select all) □ Align the City's economic development strategies with the City Council to ensure attention on areas traditionally useconomic development and redevelopment efforts. □ Ensure quality, lasting development of new growth. □ Increase and support local workforce development and locally owned businesses. □ Create a solutions-oriented culture to foster a more well environment. □ Leverage existing institutional assets to maintain and goosition as an economic hub in the Central United State 	that apply): he objectives nderserved by minority, wom coming busine	nen, and
	Prior Legislation		
Ordin	ance 100283		
	Service Level Impacts		
	or tap here to provide a description of how this ordinance will List any related key performance indicators and impact.	impact service	e

1. What will be the potential health impacts to any affected groups? Click or tap here to enter text.

Other Impacts

2. How have those groups been engaged and involved in the development of this ordinance?

Click or tap here to enter text.

3. How does this legislation contribute to a sustainable Kansas City? Click or tap here to enter text.

4. Does this legislation create or preserve new housing units? Please Select (Press tab after selecting)

Click or tap here to enter text. Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

Please Select (Press tab after selecting)

Click or tap here to enter text.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

 Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)? No(Press tab after selecting)