



Legislation Details (With Text)

File #: 211092 **Version:** 2 **Name:**

Type: Ordinance **Status:** Passed

File created: 12/9/2021 **In control:** Council

On agenda: 12/16/2021 **Final action:** 12/16/2021

Title: Amending Chapter 64, Code of Ordinances, by repealing Section 64-172, and enacting in lieu thereof a new section of like number and subject matter to extend the temporary sidewalk café, street café, and parklet permit program to April 30, 2022, and directing the City Manager to present to Council a recommended fee schedule and method for neighborhood engagement no later than March 31, 2022.

Sponsors: Eric Bunch, Andrea Bough

Indexes:

Code sections:

Attachments: 1. 211092 No Fact Sheet, 2. 211092 compared version, 3. Authenticated Ordinance 211092

| Date | Ver. | Action By | Action | Result |
|------------|------|---|-------------------------------------|--------|
| 12/16/2021 | 1 | Council | Passed as Substituted | Pass |
| 12/15/2021 | 1 | Transportation, Infrastructure and Operations Committee | Adv and Do Pass as Cmte Sub, Debate | Pass |
| 12/9/2021 | 1 | Council | referred | |

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 211092

Amending Chapter 64, Code of Ordinances, by repealing Section 64-172, and enacting in lieu thereof a new section of like number and subject matter to extend the temporary sidewalk café, street café, and parklet permit program to April 30, 2022, and directing the City Manager to present to Council a recommended fee schedule and method for neighborhood engagement no later than March 31, 2022.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 64, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 64-172, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

Sec. 64-172. Temporary permits for sidewalk cafés, parklets and street cafés.

(a) *Temporary permit authorized.* The director is authorized to issue temporary permits to operate sidewalk cafés, parklets and street cafés to allow businesses to expand seating capacity in unused parking spaces in the city right-of-way pursuant to the following conditions:

- (1) In considering the permit, the reduction in building capacity imposed by then-existing Orders under the Mayor’s COVID-19 related State of Emergency shall be considered.
- (2) Access to the temporary areas shall be accessible to all and shall comply with ADA requirements per the 2010 US Department of Justice ADA standards and PROWAG guidelines including

access up, down and within the area.

- (3) Existing parking spaces, excluding ADA parking spaces, may be considered for temporary use.
- (4) No permanent barriers shall be required, though temporary barriers shall comply with ADA requirements per the 2010 US Department of Justice ADA standards and PROWAG guidelines and provide for the safety of the citizens.
- (5) The temporary permit shall expire on April 30, 2021.
- (6) Fees for the temporary permit shall be waived.
- (7) Applicants shall follow design guidelines provided by the director.
- (8) Temporary sidewalk cafés, parklets and street cafés shall be subject to inspection once installed.
- (9) A certificate of insurance as required in sections 64-168, 64-170 and 64- 171 shall be required for the expanded areas of business.
- (10) Applicants must obtain approval from the board of parks and recreation commissioners if the business is on a parkway or boulevard under jurisdiction of that board.

(b) *Expedited temporary permit processing.* Temporary permits for sidewalk cafés, parklets and street cafés will be added to Compass KC and the processing and approval of applications for temporary permits will be expedited.

Section 2. That the City Manager is directed to present to Council a recommended fee schedule and method for neighborhood engagement no later than March 31, 2022.

Approved as to form and legality:

Dustin E. Johnson
Associate City Attorney