

AN ORDINANCE  
AMENDING SECTION 765.061 OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS TO  
MODIFY THE LOCATION RULES FOR SIDEWALK CAFES.

WHEREAS, Section 765.06 currently requires sidewalk cafes to provide at least five feet of clearance between any tables, materials, or equipment and street trees, bike racks and other items to ensure safe passage by pedestrians; and

WHEREAS, the Streets Committee has reviewed this provision and recommended that it be amended to provide that a sidewalk café seating area shall extend no more than three feet from the face of the building so that the required café area is the same regardless of the sidewalk width; and

WHEREAS, this Council believes it is in the best interest of the Village to amend Section 765.06 as recommended by the Streets Committee.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That existing Section 765.06, Location Rules and Review Criteria, of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended to read and provide, in its entirety, as follows:

**"765.06 LOCATION RULES AND REVIEW CRITERIA.**

The Administrator shall review the application for its compliance with the following criteria:

(a) The operation of a sidewalk café is limited to structures which are sited within ten feet of a public sidewalk, and which are located in the Retail Business and Central Shopping Districts.

(b) The operation of a sidewalk café shall be located such that ~~there is at least five feet clear and unobstructed passageway between any tables, materials or equipment and street trees, bike racks, lamp posts, sign posts, and any other fixtures or obstructions~~ **the café seating area shall extend no more than three feet from the face of the building.** Building entrances or exits shall not be obstructed. ~~The Administrator may require more than five feet if necessary to protect the public safety.~~

(c) The sidewalk café may only be located in the adjacent sidewalk area to a permitted use, but may extend in front of adjacent businesses with the written consent of both the property owner and the business owner, subject to review and approval of the Administrator.

(d) The sidewalk café shall be located five feet from driveways and alleys, and ten feet from intersections.

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**INTRODUCED BY: MRS. EVANS**

(e) The location of the sidewalk café shall be as approved by the Administrator and shall be exempt from Section 1141.02 requiring off street parking.

(f) The Administrator shall forward all applications for review by the Police Chief for any business which holds a valid liquor license, or in which alcoholic beverages are intended to be served.

(1) The Police Chief upon review of the application will sign the application indicating approval of the permit, or;

(2) Approve the permit with conditions, or;

(3) Deny the permit. If denied, the Police Chief shall transmit in writing the reasons for denial to the applicant.”

SECTION 2. That existing Section 765.06, Location Rules and Review Criteria, of the Codified Ordinances of the Village of Chagrin Falls, and any other ordinance in conflict herewith, be and the same are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance shall take effect and be in force after the earliest period allowed by law.


PASSED: April 28, 2014

  
\_\_\_\_\_  
Council President

Submitted to the Mayor for  
his approval on this  
29 day of April, 2014

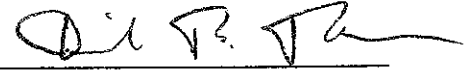
Approved by the Mayor

April 28, 2014

  
\_\_\_\_\_  
Mayor

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**INTRODUCED BY: MRS. EVANS**

I hereby certify that Ordinance No. 2014- 17 was duly enacted on the 28 day of April \_\_\_\_\_, 2014, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council