

GENERAL ORDINANCE No. 8, 2018

General Ordinance No. 8, 2018, is an ordinance that amends Chapter 73 of the Code of Ordinances for the City of Beech Grove concerning seasonal outdoor seating and business displays on Main Street from Emerson Avenue, east to 8th Avenue.

WHEREAS, Main Street has been reconstructed and is now conducive for outdoor seating and other displays for business customers; and

WHEREAS, the city encourages local businesses to offer outdoor seating and displays for local dining and other specialty businesses; and

WHEREAS, more and more speciality businesses are deciding to locate on Main Street and outdoor activities is an attractive component; and

WHEREAS, the city oversees the sidewalks and must protect itself from liability with outdoor seating and other displays.

NOW THEREFORE BE IT AFFIRMED that the Common Council would like to amend Chapter 73 of the Code of Ordinances for the City of Beech Grove concerning pedestrians.

NOW THEREFORE BE IT FURTHER AFFIRMED that the Common Council desires the following amendments be placed in the Code of Ordinances for the City of Beech Grove.

DELETE SECTION §73.09 "SOLICITING RIDES, BUSINESS" IN ITS ENTIRETY AND REPLACE WITH THE FOLLOWING:

Section 73.09: OUTDOOR SIDEWALK SEATING AND DISPLAYS ON MAIN STREET

- (A) Outdoor sidewalk seating and other displays are allowed on Main Street from Emerson Avenue to 8th Avenue provided the following conditions are met:
- 1) A written request is submitted and approved by the Board of Public Works and Safety. The Board of Public Works and Safety may request further information including a drawing of the proposed area. A business shall only be required to submit a letter of request one time, at the initial time of request.
 - 2) The applicant shall provide a Certificate of Insurance to the City of Beech Grove and list the City of Beech Grove as additionally insured. This documentation with the same conditions must be supplied to the City of Beech Grove on an annual

basis should an individual business desire to continue outdoor seating and /or business displays year to year.

- 3) The individual business requesting approval of outdoor seating or displays is responsible for lighting, each table, chair, aisle separation egress, horizontal exiting through seating areas and travel exiting and any other accessories that may be included with the seating.
- 4) The City of Beech Grove through its Board of Public Works and Safety has the right to withdraw approval for any participation in outdoor seating or displays without cause. Should the Board of Public Works and Safety decide to withdraw it's approval for any outdoor seating or display location, the Board of Public Works and Safety shall notify the individual business owner by mail of its intent.

NOW THEREFORE BE IT AFFIRMED that the Common Council desires to amend Chapter 73 of the Code of Ordinances for the City of Beech Grove.

NOW THEREFORE BE IT FURTHER AFFIRMED that this ordinance only applies to Chapter 73 of the Code of Ordinances and no other Chapter.

NOW THEREFORE BE IT FURTHER AFFIRMED that this ordinance shall go into effect thirty (30) days after passage by the Common Council, signed by the Council President Pro-Tem, attested by the Clerk Treasurer, and signed by the Mayor.