

ORDINANCE NO. 4574

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON RELATING TO THE USE OF CITY SIDEWALKS FOR THE SERVICE OF FOOD AND BEVERAGE AND AMENDING CHAPTER 4.14 OF THE ELLENSBURG MUNICIPAL CODE BY ADDING A SECTION ENTITLED “4.14.170 SIDEWALK USE PERMIT.”

WHEREAS, the City has received a request from a local business for permission to place tables and chairs on the public sidewalk outside the business for the purpose of serving food and beverage, including alcoholic beverages, and

WHEREAS, the City does not presently have a permit process allowing the use of city sidewalks for such a purpose, and

WHEREAS, the City Council finds that limited portions of City of Ellensburg sidewalk areas can be appropriate locations for the service of food and beverage, including alcoholic beverages when authorized by applicable state liquor laws, as an extension of an adjacent business fronting directly upon the sidewalk, subject to reasonable terms and conditions of a sidewalk use permit to be issued by the City’s Community Development Director,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON DO ORDAIN AS FOLLOWS:


Section 1. A new section 4.14.170 entitled “Sidewalk Use Permit” is hereby added to the Ellensburg Municipal Code to read as follows:

The community development director is authorized to issue sidewalk use permits for the purpose of allowing the use of city sidewalk areas for the service of food and beverage, including alcoholic beverages when authorized by applicable state liquor laws, as an extension of a permittee’s adjacent business fronting directly upon the sidewalk, and the city council shall establish the terms and conditions upon which such permits may be issued.

Section 2. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after its passage, approval and publication.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on October 4, 2010.



BRUCE TABB, MAYOR

Attest: 

CITY CLERK

Approved as to form:



CITY ATTORNEY

Publish: October 7, 2010

I, Coreen M. Reno, City Clerk of said City, do hereby certify that Ordinance No. 4574 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, that Ordinance No. 4574 was published as required by law.



COREEN M. RENO, CMC