



Legislation Details (With Text)

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Attachments: 1. AntiqueShop - 06.25.18, 2. Hideaway chairs 400 block of Division

Date	Ver.	Action By	Action	Result
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DATE: July 12, 2018

TO: Members of the Northfield Heritage Preservation Commission

FROM: Scott Tempel, City Planner

Update on potential changes to downtown sidewalk policies

ACTION REQUESTED:

The HPC is requested to provide input on the idea of limiting space for display of goods on downtown sidewalks.

SUMMARY:

City staff have been made aware of safety and blight issues regarding placement of goods and signs on downtown sidewalks. Several business regularly place goods for sale on the sidewalk in front of their store. While this may be good for the business and contribute to the liveliness of the downtown, it can create safety hazards which expose the City to liability. Staff is suggesting changes to ordinance language to address the issue through a permitting process.

ANALYSIS:

Sidewalk menu board signs are currently allowed in the C1 Downtown district, as well as the C2 Highway Commercial. The only location restriction on these signs is that "the sign shall be placed only in front of the business without significantly limiting the normal pedestrian use of the sidewalk." The HPC is currently reviewing signage regulations downtown. It is suggested that this revision include more specific locational requirements for the menu boards, allowing them only within three feet of the curb.

The City also has laws on the books regulating the use of City property such as sidewalks.

Sec. 14-1. - License required to operate business on city property

- ○ ○ ○ (a) It is unlawful for any person to operate a business on any property owned or controlled by the city without a license issued by the city council.

Failure to enforce this ordinance opens the City to liability. If someone were to get injured tripping on a sidewalk obstruction, the City could be liable instead of the business because we are not actively enforcing existing regulations.

The City also has an ordinance allowing business to temporarily use public walkways for sale of food and beverages as an extension of their business.

Sec. 14-190. - Outdoor food and beverage service.

- ○ ○ ○ ○ (a) *Purpose.* The purpose of this section is to allow retail establishments which sell and serve food and beverages on their own premises to temporarily expand the sale and service of food and beverages to adjacent property outdoors, including certain public walkways or other public property abutting the regular premises, as may be specifically approved by the city and on such terms and conditions as may be prescribed by the city.
- (b) *Application.* Application for a permit to use public property for the sale and service of food and beverages shall be made as set forth in [section 6-70](#)
https://library.municode.com/mn/northfield/codes/code_of_ordinances?
of this Code and such permit shall be subject to the same requirements, review process, fees, and conditions as set forth in that section, except to the extent that section applies only to the sale and service of liquor, and except that an application for a permit for outdoor sales and service which does not include the sale of alcoholic beverages shall be reviewed and approved or denied by the city administrator. If an application is denied by the city administrator, the applicant may request that the city council hear an appeal from the denial. The council shall have discretion whether or not to hear such an appeal.

RECOMMENDATION:

Staff is recommending amending the outdoor food and beverage service to include the sale of goods and merchandise. Each business that wishes to use the public sidewalk for sales of goods would need to obtain a permit from the City. This permit will include adding the City of Northfield as a named insured to their insurance policy. The permit would also restrict display of goods for sale or seating for food and beverages to the three foot strip directly in front of the building, leaving a four foot wide unobstructed pedestrian walkway in the middle of the sidewalk.

Businesses with a liquor license would need to follow the existing process to expand their licensed premises outside of the building.