

ORDINANCE NO. 2014-07

AN ORDINANCE OF THE CITY COUNCIL OF FLAGSTAFF, ARIZONA, AMENDING TITLE 8 OF THE FLAGSTAFF MUNICIPAL CODE BY DELETING IN ITS ENTIRETY DIVISION 8-03-002, *NORTH DOWNTOWN BUSINESS DISTRICT ENCROACHMENT POLICY*; AND ADOPTING THAT CERTAIN DOCUMENT ENTITLED “*DIVISION 8-03-002, SIDEWALK CAFES, SIDEWALK VENDING CARTS AND OTHER PERMITTED ENCROACHMENTS*”

RECITALS:

WHEREAS, Division 8-03-002, North Downtown Business District Encroachment Policy, of the Flagstaff City Code currently provides authority for City staff to issue permits allowing sidewalk cafes, sidewalk vending carts and other permitted encroachments within the right-of-way in the City's North Downtown Business District; and

WHEREAS, the City Council desires to amend Division 8-03-002 in order to open the benefits of this Division to businesses located outside the Downtown area, clarify existing regulations related to sidewalk encroachments, further encourage sidewalk cafes by eliminating confusing or unnecessary regulations, adequately protect pedestrian access to the public sidewalk, impose conditions that ensure the City is fairly compensated for private use of public rights-of-way, and otherwise improve the City's existing laws in this regard;

ENACTMENTS:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FLAGSTAFF AS FOLLOWS:

SECTION 1. Division 8-03-002, North Downtown Business District Encroachment Policy, is hereby deleted in its entirety.

SECTION 2. “*Division 8-03-002, Sidewalk Cafes, Sidewalk Vending Carts and Other Permitted Encroachments,*” which document was made a public record through previous Resolution No. 2014-10 of the City Council, is hereby adopted.

SECTION 3. That the City Clerk be authorized to correct typographical and grammatical errors, as well as errors of wording, spelling, and punctuation, as necessary; and that the City Clerk be authorized to make formatting changes needed for purposes of clarity and form, if required, to be consistent with Flagstaff City Code.

PASSED AND ADOPTED by the City Council and approved by the Mayor of the City of Flagstaff this 1st day of April, 2014.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY