

ORDINANCE #06-05-17

**AN ORDINANCE TO AMEND CHAPTER 74 – STREETS, SIDEWALKS
AND OTHER PUBLIC PLACES; ARTICLE VI – SIDEWALK CAFES
AND OUTDOOR SEATING
CITY OF NORTHVILLE CODE OF ORDINANCES**

Section 1. The City of Northville Ordains:

Chapter 74 – Streets, Sidewalks and Other Public Places, Article VI – Sidewalk Cafes and Outdoor Seating, is hereby amended.

Section 2. Amend Article VI – Sidewalk Cafes and Outdoor Seating, Section 74-175 Operating Restrictions

Sec. 74-175. - Operating restrictions.

(a) All sidewalk cafes serving alcoholic beverages shall be allowed to operate during the hours of 10:00 a.m. until 1:00 a.m., Monday through Saturday (Saturday defined as 1:00 a.m. Sunday morning), and Sunday during the hours of 10:00 am until 10:00 p.m. Monday through Saturday sales and service shall cease by 12:30 a.m. and all areas shall be vacated by 1:00 a.m. Sunday sales and service shall cease by 9:30 p.m. and all areas shall be vacated by 10:00 p.m.

(b) All alcoholic beverages to be served at a sidewalk cafe shall be prepared within the existing restaurant, and alcoholic beverages shall only be served to patrons seated at tables. The consumption of alcoholic beverages at a sidewalk cafe within the confines of the sidewalk cafe area shall not be construed as a violation of any ordinance controlling open containers in a public area. The operator of the sidewalk cafe shall take all necessary action to procure the appropriate license or permit from the M.L.C.C. to serve alcoholic beverages in the sidewalk cafe and shall comply with all other laws and regulations concerning the serving of alcoholic beverages in the state.

(c) All food to be served at a sidewalk cafe or outdoor seating shall be prepared within the existing establishment unless approved by the city council as part of a special event application request.

(d) The restaurant shall not serve food or beverages to a patron at a sidewalk cafe unless that patron is seated at a table.

(e) The sidewalk cafe or outdoor seating permit issued in accordance with this article shall be prominently displayed within the existing establishment along with other required permits and licenses.

(f) During the off-season, chairs, railings, posts, planters, table umbrellas, and other items shall be removed and shall not be stored outside. It shall be the responsibility of the establishment to secure adequate storage of these items.

(g) The maintenance of a sidewalk cafe or outdoor seating area shall be the responsibility of the establishment including but not limited to, surface treatment and cleaning, litter control, sweeping, and snow and ice removal. The sidewalk and public property shall be kept neat and clean at all times and free from any substance that may cause damage to the sidewalk or public property or cause pedestrian injury.

(h) Advertising on table umbrellas or railings is prohibited.

(i) An increase in lighting is prohibited, unless otherwise required through the review process.
(Ord. No. 2-20-01, 3-19-01)

Section 3. Rights and Duties:

Rights and duties which have matured, penalties which have incurred, proceeding which have begun and prosecution for violations of law occurring before the effective date of this ordinance are not affected or abated by this ordinance.

Section 4. Severability:

The various parts, sections, and clauses of this ordinance are hereby declared to be severable. If any part, clause, sentence, paragraph, or section is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

Section 5. Effective Date:

This ordinance shall be published per the requirements set forth in Chapter 7 of the City Charter, that being published by the tenth day following adoption and effective on the day following publication.

The foregoing ordinance amendment is a true and correct copy of the ordinance adopted at the regular meeting of the City Council of the City of Northville held on June 19, 2017 at 7:00 p.m. in the City of Northville Municipal Building, 215 W. Main Street, Northville, Michigan 48167, Counties of Oakland and Wayne.

Ken Roth, Mayor
City of Northville

Dianne Massa, City Clerk
City of Northville

The undersigned certifies foregoing ordinance was:

Introduced: 06-05-17
Adopted: 06-19-17 By a vote of: 5:0
Published: 06-29-17
Effective: 06-30-17

Dianne Massa, City Clerk
City of Northville