

RESOLUTION 2024-05

A RESOLUTION AUTHORIZING THE 2024 OUTDOOR DINING PROGRAM IN THE DOWNTOWN CORRIDOR

WHEREAS, the Common Council approved an Outdoor Dining Program in Ordinance 22-01, which extended the ability for local restaurants to utilize parklets and enhanced pedestrian and seating space (“Program”); and

WHEREAS, Section 2 of Ordinance 22-01 reserved the right of the Common Council to extend the Program for additional one-year terms through authorizing resolutions; and

WHEREAS, the City desires to continue the Program as applied to parklets in the downtown corridor through 2024 as detailed by the program guidelines that are attached to this ordinance as Exhibit A; and

WHEREAS, the Common Council therefore wishes to extend the Program through proactive measures to assist the Bloomington business community and enhance the city's vibrancy and economic growth;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY INDIANA, THAT:

SECTION 1. The Common Council hereby approves the Program as set forth by the Program Guidelines attached to this resolution as Exhibit A.

SECTION 2. The Program shall operate from April 29, 2024, until November 1, 2024, unless earlier terminated under SECTION 7 of Ordinance 22-01.

SECTION 3. As required by Section 5 of Ordinance 22-01, the Common Council approves the following fees for the Program:


Program	Fee	Condition
Application Fee	\$50	Required of all applicants
Parklet	\$250 per space	Cost may be split between businesses sharing parklet space(s)

SECTION 4. If any section, sentence, or provision of this resolution, Ordinance 22-01, or the application thereof to any person or circumstance, shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid section, sentence, provision or application, and to this end the provisions of this ordinance are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 03 day of April, 2024.



ISABEL PIEDMONT-SMITH, President
Bloomington Common Council

ATTEST:



NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 09 day of April, 2024.



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 9 day of April, 2024.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

Resolution 2024-05 authorizes renewal of the Parklet Outdoor Dining Program in the Downtown. The Program as renewed in this resolution provides for the continued use of parklets from April 29, 2024, through October 31, 2024. As required by Ordinance 22-01, passage of this resolution also explicitly adopts fees for the 2024 Program.

Distributed to: Clerk, Council Attorney, Controller, Mayor, ITS, Economic & Sustainable Development, Parking, Public Works, and Legal

EXHIBIT A: 2024 Outdoor Dining Program Guidelines

Costs:

- All extended outdoor dining will be subject to the \$50 permitting fee to the Engineering Department.
- All fees are due in full by April 26.
- Businesses are responsible for any direct costs associated with utilizing a parklet.
- Cost to businesses will be \$250 per parking space plus the permitting fee for the 2024 season, payable to Parking Services. A two-space parklet will cost \$500 plus the permitting fee, 3 spaces will cost \$750 plus the permitting fee.
- Each participating business must submit a certificate of insurance to the Economic and Sustainable Development Department establishing proof of a comprehensive general liability policy naming the City of Bloomington as additional insured to the extent of at least \$500,000 bodily injury and \$100,000 property damage, which shall be in effect during the term of this authorization.
- Businesses that share a parklet may split the cost.

Logistics:

- Eligibility:
 - Eligibility is limited to any food service establishment adjacent to metered parking in downtown Bloomington.
 - All participating businesses must agree to cease alcohol sales in parklets by midnight.
 - Eligible businesses must complete the application and payment process as outlined in this memo.
- Application process:
 - Application form will go live on the City's webpage on April 4, 2024.
 - Applications are due by April 15, 2024. Businesses may submit applications in advance of the deadline.
 - Fees are payable by check or card to Parking Services by April 26, 2024.
- Implementation:
 - The Parking Services division in the Department of Public Works will install and remove the orange jersey barriers at the beginning and end of the 2024 season.
 - City staff will fill the jersey barriers with water on the installation day. Participating businesses will be required to top off the barriers with water as needed, and the barriers must remain sufficiently full for safety purposes.
 - If the weather in April and early May 2024, is not conducive to outdoor dining, City staff may exercise discretion on the exact dates the parklets are installed.
 - If a parklet is removed, either by request of the business or by determination of City staff, it may not be reinstalled in the same calendar year. Any fees paid by the business will not be refunded
- Requirements for participating businesses:
 - Participating businesses are required to provide their own furniture, decorations, etc.
 - Participating businesses are required to invest in the beautification of parklet spaces through decor that meets safety standards (see Exhibit B)
 - Participating businesses must meet all requirements for their extended outdoor seating, including the Americans with Disabilities Act (ADA), Indiana Alcohol Tobacco Commission (ATC), Monroe County Health Department, safety, and insurance requirements.
 - Tents and heaters are not allowed for use in the Parklet Program.
 - Participating businesses must comply with Indiana Fire Code regulations.
 - Businesses must remove all seating, furniture, decorations, and any other property from the parklet before the end of the program on November 4, 2024, when the water-filled barriers are set to come down or face fines in accordance with Title 12 of the Bloomington Municipal Code.

EXHIBIT B: Beautification Guidelines

Several options are available to parklet program participants for beautification. Examples of parklet beautification may include, but are not limited to, the adornment of art, accessibility alterations, or cosmetic improvements, all per guidelines listed in this “Exhibit B: Beautification Guidelines.” Given the potential costs for professional parklet beautification, it is crucial to employ cost-friendly and easy-to-implement solutions, as businesses will bear the costs.

Beautification Options:

- Additional seating platforms
 - Outside of their uses associated with outdoor dining, parklet installations may include wooden or metal benches, platforms, ramps, or additional forms of seating to compensate for increased customer capacity and general community interactions.
- Adornment of art
 - Parklet program participants are encouraged to use a variety of art sources to beautify parklets.
 - E.g., collaboration with local artists and the utilization of murals
- Parklet greenery
- Additional lighting
- Further cosmetic and logistical improvements
 - More options for cosmetic improvements include the use of budget-friendly space dividers, outdoor rugs/flooring, temporary installations of menu/special boards, spaces dedicated for bike parking, and the inclusion of interactive features
- Businesses should work with City staff to determine appropriate beautification options for the parklets.