

**ORDINANCE 01-14**

**TO AMEND TITLE 12 ENTITLED STREETS, SIDEWALKS AND STORM SEWERS  
AND TITLE 2 ENTITLED ADMINISTRATION AND PERSONNEL  
(Encroachments of the Public Right of Way for Sidewalk Seating and Merchandising by  
Adjacent Businesses)**

WHEREAS, outdoor seating for restaurants and cafes in Bloomington makes a positive contribution to community character and is to be encouraged; and

WHEREAS, the City has a responsibility to maintain the safe and orderly use of its public right of way;

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

SECTION 1. All existing permissions from the Board of Public Works to encroach upon City sidewalks for purposes of outdoor seating or merchandising shall be repealed as of March 1, 2002 and shall be in effect, with the conditions and stipulations that were part of granting and receiving that permission, until that time. Any business which currently has a permitted encroachment for sidewalk seating or merchandising which it wants to continue after March 1, 2002 shall make an application for approval to the Department of Public Works under the provisions of the Bloomington Municipal Code as established by this ordinance after January 2, 2002 and at least sixty (60) days prior to the date the applicant wishes the new encroachment to begin.

SECTION 2. Upon passage of this ordinance Sections 14, 15, 16 and 17 of the ordinance apply to approved provisions and conditions of existing sidewalk seating and merchandising encroachments.

SECTION 3. Any business seeking permission to encroach upon City sidewalks for purposes of outdoor seating or merchandising that does not currently have such permission shall apply for permission to encroach under the provisions of the Bloomington Municipal Code as established by this ordinance.

SECTION 4. Title 12 of the Bloomington Municipal Code shall be amended to add Chapter 12.06 entitled "Sidewalk Seating and Merchandising Encroachments" with said chapter beginning as follows:

**Chapter 12.06 Sidewalk Seating and Merchandising Encroachments**

**Chapter 12.06: Sidewalk Seating and Merchandising Encroachments:**

- 12.06.010 Purpose of Chapter
- 12.06.020 Definitions
- 12.06.030 Standards for Encroachment
- 12.06.040 Applications for Encroachments
- 12.06.050 Permit Issuance and Conditions
- 12.06.060 Revocation of a Permit
- 12.06.070 Permit Renewal
- 12.06.080 Duty to Maintain
- 12.06.090 Application Fees
- 12.06.100 Enforcement Procedures
- 12.06.110 Authorized Remedies and Penalties for Violations
- 12.06.120 Appeal of Citation and Fines

SECTION 5. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.010 as follows:

12.06.010 Purpose of Chapter. The purpose of this chapter is to maintain aesthetically pleasing, accessible and vibrant sidewalks, and — through responsible encroachment practices — to balance the needs of citizens to use sidewalks with opportunities for businesses. It is

further intended to assist with the enhancement of economic vitality of the City and to encourage the safe and orderly use of public property within the City. This chapter pertains specifically to the use of sidewalks by adjacent businesses for outdoor seating, merchandising and related purposes and does not remove from the Board of Public Works its authority to regulate other sorts of encroachments on the public right of way.

SECTION 6. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.020 as follows:

12.06.020 Definitions. Whenever the following words are used in this chapter they shall be interpreted with the ascribed meaning:

“Block” means the distance between two cross streets on one side of the street. Alleys are specifically not considered cross streets.

“Board” means the Board of Public Works of the City of Bloomington.

“Clear straight pathway” or “clear zone” means an unobstructed straight walkway with a minimum width of 54 inches except where noted in this chapter.

“Department” means the Department of Public Works of the City of Bloomington.

“Encroachment” means any private or public temporary or long-term use of a sidewalk for purposes other than movement of pedestrians and other ambulatory citizens or other use by the City of Bloomington in conducting its business.

“Merchandising” means any outdoor display of items intended for sale and/or decorative items including, but not limited to, flowers and plants, by the merchant whose business is located immediately adjacent to the sidewalk on which the items are being displayed.

“Obstruction” means any fixed object on the sidewalk including, but not limited to, street lights and their bases, sign posts, trees, tree and garden plots, tree grates, landscaping, fire hydrants and street furniture.

“Outdoor Seating” means seating outside of an established place of business whose primary or secondary business is the sale of food, or whose business desires to place outdoor seating for the convenience of their customers and the general public use and whose business location is immediately adjacent to the sidewalk space requested for use for said outdoor seating.

“Permittee” means the person or entity that receives a permit to encroach under the terms of this chapter.

“Sidewalk” means any walkway or pedestrian corridor within the City of Bloomington’s legally platted right-of-way.

“Staff” means the Director of the Department of Public Works and/or his/her designees.

SECTION 7. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.030 as follows:

12.06.030 Standards for Encroachment. Sidewalk encroachments must be in full compliance with the following standards:

- (a) A clear straight pathway at least 54 inches wide must be maintained along blocks with the following exception: the north side of the 200 block of West Kirkwood Avenue, where a clear straight pathway at least 40 inches wide must be maintained. If and when there is a redesign and renovation of the sidewalk or streetscape on this side of this block, any encroachments will be required to accommodate at 54-inch straight clear path at that time.
- (b) The outermost (street side) edge of the clear straight pathway shall be at least one foot from the edge of the adjacent curb and shall be a straight line parallel to the curb and tangent to the innermost (building side) edge or point of the obstruction that is closest to its adjacent building anywhere on the same block as the requested encroachment. If there are no obstructions on the block, or if all obstructions on the block are within one foot of the edge of the curb, the outermost (street side) edge of the clear straight path shall be a line parallel to the curb at a distance one foot from the curb.
- (c) The following are exceptions to 12.06.030(b)

- (1) For purposes of this chapter the City's tree/plant plots on the corners of the intersections at 6<sup>th</sup> and Walnut, and 6<sup>th</sup> and College, and Kirkwood and College, shall not be considered obstructions for the purposes of the determining the clear straight pathway.
  - (2) On the east side of the 100 block of South College Avenue, the provisions of 12.06.030 (b) shall not apply and encroachments shall extend no further west than parallel to the western edge of the wall that runs along the building side of the sidewalk just south of Kirkwood Avenue on the northern half of that block.
  - (3) On the west side of the 100 block of South Grant Street, the provisions of 12.06.030 (b) shall not apply and encroachments shall extend no further east than parallel to the eastern edge of the wall that runs along the building side of the sidewalk just south of Kirkwood Avenue on the northern half of that block.
  - (4) On the east side of the 200 block of South Grant Street, the provisions of 12.06.030 (b) shall not apply and encroachments shall extend no further west than parallel to the western edge of the wall that runs along the building side of the sidewalk just south of Fourth Street on the northern half of that block.
  - (5) On the north side of the 200 block of West Kirkwood Avenue, the poles supporting the railroad crossing signal on the northeast corner of the intersection of Kirkwood Avenue and Morton Street shall not be considered obstructions for purposes of this chapter.
  - (6) On the north side of the 200 block of West Kirkwood Avenue, the pole supporting the traffic signal on the northwest corner of the intersection of Kirkwood and College Avenues, and the traffic control box just to the west of that pole, shall not be considered obstructions for purposes of this chapter.
  - (7) On the west side of the 100 block of North College Avenue (west side of the Courthouse square,) a line parallel to the street and tangent to the innermost (building side) edge of the tree grate in front of 125 North College Avenue shall serve as outermost (building side) edge of the clear straight pathway.
  - (8) On the east side of the 100 block on North Walnut Street (east side of the Courthouse square,) a line parallel to the street and tangent to the innermost (building side) edge of the tree grate in front of 102 and 106 North Walnut Street shall serve as outermost (building side) edge of the clear straight pathway.
- (d) Encroachment must be a minimum of 54 inches, or the distance indicated for a specific location in 12.06.030(a), from the innermost edge (building side) of street lights and their bases, sign posts, trees, tree and garden plots, tree grates, street furniture or any other fixed sidewalk obstruction.
  - (e) If an encroachment has fencing adjacent to the clear straight pathway, and an object or fixture, including but not limited to a flower box, is attached to the fencing, such objects or fixtures shall be considered part of the encroachment and included in the measurements pertinent to this chapter.
  - (f) The streetside edge of an encroachment shall include any item or object that extends at any height into the right of way even if the base or surface level of the item or object is closer to the building side of the encroachment.
  - (g) If a newsbox or movable bicycle rack, encroaches into what would otherwise be the clear straight path, the permittee may, with the written permission of the Department, relocate the object to a location specified by the Department.
  - (h) Subject to the other requirements of this chapter, the encroachment may extend a maximum of 8 feet into sidewalk from building face or property line.
  - (i) Encroachment may only extend along sidewalk directly adjacent to permittee's business (may not extend in front of any other property) unless agreed upon by all parties involved, with proof of agreement presented to the Department, and with approval of the Department.
  - (j) Objects or items within the encroachment area shall not be placed in such a way that obstructs access to utility meters.
  - (k) If a business is required by any other law, statute or regulation — such as, but not limited to, the rules of the Alcoholic Beverage Commission — to enclose or separate the encroachment from the rest of the public right of way, then the method of enclosure or separation, such as a fence, shall be fixed and attached to the right of way in a manner prescribed by the Department.

- (l) If the fencing or partition that is part of an encroachment is solid or imporous or impermeable, then that fencing or partition shall be no greater than 36 inches in height from the ground. If the fencing or partition that is part of an encroachment is porous then that fencing or partition shall be no greater than 46 inches except at the corners of the encroachment and the entryway to the adjacent business.
- (m) Persons using seating within an encroachment granted for those purposes shall be visible at all times from the street and sidewalk adjacent on all sides of the encroachment.
- (n) As an exception to 12.06.030(m), that provision does not apply to the awning and the support poles for the awning at the business at 125 N College Avenue which may remain up year around, although the partitions between the support poles must be removed by the third Monday of November.
- (o) Any fencing or partition that is part of the encroachment shall not include a gate that swings out of the encroachment.
- (p) If an encroachment is to utilize the right-of-way on more than one side of a building, then the portion of the encroachment, if any, connecting the two sides the building — such as around the corner of the building — must do so at an angle to the street as depicted in Figure 1, and not parallel to the street, as depicted in Figure 2.

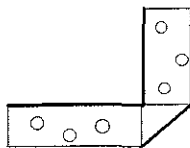


Figure 1 – Permitted

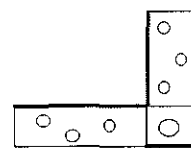


Figure 2 – Prohibited

- (q) Materials including, but not limited to, outdoor carpeting shall not be affixed to the surface of the public right-of-way.

SECTION 8. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.040 as follows:

12.06.040 Applications for Encroachments. No business may encroach onto the public right-of-way for purposes of seating or merchandizing without a permit granted through the provisions of this chapter. Encroachment for these purposes without a valid permit is a violation of the provisions of this chapter subject to authorized remedies and penalties described later in the chapter. Applications for encroachment shall be submitted to the Department using the prescribed form no sooner than ninety (90) days before the expiration of an existing permit and at least sixty (60) days prior to the date the applicant wishes the encroachment to begin. Applications approved by staff shall be submitted to the Board for final authorization.

- (a) Eligible sidewalks shall be all sidewalks where a minimum of 54 inches of clear straight pathway can be maintained.
- (b) Businesses eligible for outdoor seating encroachment permits shall be all businesses who sell retail food items as a primary or secondary part of their daily operations or whose business desires to place outdoor seating for the convenience of their customer and the general public use and whose businesses are housed adjacent to the area of sidewalk requested for outdoor seating use.
- (c) Businesses eligible for a merchandising encroachment permit shall be all businesses conducting retail sales as the major part of their daily operations and whose businesses are housed immediately adjacent to the area of sidewalk requested for merchandising use.
- (d) All requests for encroachments, accompanied by the appropriate application fee as provided in 12.06.090, shall be submitted to the Department of Public Works on a form prescribed by the Department and shall for all applicants include the following information:
  - (1) Name, street address and phone number of applicant.
  - (2) Street address of the property where encroachment is requested.
  - (3) A drawing to scale of the proposed encroachment.
  - (4) Length of time requested for the encroachment.

- (5) Name and street address of property owner if property owner is not applicant.
- (e) Applications requesting outdoor seating permits should be submitted to the Department at least sixty (60) days prior to the date the applicant wishes the encroachment to begin but no earlier than ninety (90) days prior to the expiration of an existing permit to encroach at the same location.
  - (1) The proposed use, materials, colors and design;
  - (2) Relationship of the outdoor seating to the adjacent existing building with identified uses and entrances;
  - (3) Spatial relationship of the proposed outdoor seating to the existing sidewalk and to any existing public improvements, including, but not limited to, benches, lights, light poles, telephone/power poles, fire hydrants, planters, tree plots, tree grates, landscaping, sign posts, newspaper boxes, etc.;
  - (4) The exact dimensions and total square footage and of the proposed outdoor seating area;
  - (5) The existing and proposed circulation pattern for pedestrians and other ambulatory citizens with exact dimensions of the clear straight pathway;
  - (6) Evidence that abutting property owners and/or lessees have been notified of the proposed encroachment; and,
  - (7) Plans for the operation of the outdoor seating, including, but not limited to, hours of operation, services to be provided, maintenance and cleaning.
- (f) Applications requesting outdoor seating permits should be submitted to the Department at least sixty (60) days prior to the date the applicant wishes the encroachment to begin but no earlier than ninety (90) days prior to the expiration of an existing permit to encroach at the same location. In addition to the information required in section 12.06.040(d), the applicant is required to submit a detailed site plan including, but not limited to, the following
  - (1) The proposed use and items to be displayed;
  - (2) Relationship of display to the adjacent existing building with identified uses and entrances;
  - (3) Spatial relationship of the proposed encroachment to existing sidewalk and to any existing public improvements including, but not limited to, benches, lights, light poles, telephone/power poles, fire hydrants, planters, tree plots, tree grates, landscaping, sign posts, newspaper boxes, etc.;
  - (4) The exact dimensions and total square footage and of the proposed encroachment;
  - (5) The existing and proposed circulation pattern for pedestrians and other ambulatory citizens with exact dimensions of the clear straight pathway;
  - (6) Evidence that abutting property owners and/or lessees have been notified of the proposed encroachment; and,
  - (7) Plans for the operation of the encroachment, including, but not limited to, hours of operation, services to be provided, maintenance and cleaning.
- (e) The Department may require any other information as part of the application that it deems useful in evaluating the application.

SECTION 9. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.050 as follows:

- 12.05.050. Permit Issuance and Conditions Once an application has been reviewed and approved by the Department, and payment of the application fee required by section 12.06.090 has been confirmed, a permit shall be issued conditioned on the following:
- (a) The Permittee has furnished the Department with a certificate of insurance establishing proof of a comprehensive general liability policy naming the City of Bloomington as one of the 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.
  - (b) Each permit shall be effective for one year of its date of issuance.
  - (c) The permit issued is personal to the permittee only and is not transferable. Specifically, transfer of ownership of the business adjacent to the encroachment requires application for a new permit.
  - (d) The Board or Department may require the removal, temporary or permanent, of the outdoor seating or merchandising encroachment when redevelopment

- of the street or sidewalk or utility repairs necessitates such action, or when the permittee fails to comply with any provisions of this chapter or section.
- (e) The permittee shall be responsible for expenses incurred in removing the outdoor seating or merchandising encroachment;
  - (f) The City's officers and employees may immediately remove without notice all or parts of the outdoor seating or merchandising encroachments in an emergency situation. The City, its officers and employees, shall not be responsible for outdoor seating or merchandising components relocated or damaged during emergencies.
  - (g) The permit covers only the area specifically described in the application.
  - (h) All signage must be in compliance with the Bloomington Municipal Code.
  - (i) Permittee acknowledges that seating and tables are not for the exclusive use of permittee's customers, but may be used by the general public.
  - (j) The outdoor seating and merchandising area must be maintained and kept clean.
  - (k) Any other conditions of approval which the Department deems appropriate.
  - (l) The permit does not give the permittee a right to keep the boundaries of the outdoor seating and merchandising encroachment or maintain structures within such encroachment in the event there is a change in local, state, or federal law or regulation that would require a wider path along or other alteration of the City's right of way.

SECTION 10. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.060 as follows:

12.06.060. Revocation of a Permit:

- (a) The Department may revoke a permit at any time for any outdoor seating or merchandising encroachment if:
  - (1) Changing conditions of pedestrian or vehicular traffic necessitate the removal of the outdoor seating or merchandising encroachment;
  - (2) Proposed public improvements necessitate the removal of the outdoor seating or merchandising encroachment; or
  - (3) Outdoor seating or merchandising encroachment no longer serves the public interest.
  - (4) Staff determines that a permittee's receipt of repeated notice of violations for failure to comply with the provisions of this chapter and/or the permit granted for encroachment indicates a general unwillingness to comply with the provisions of this chapter and/or the permit.
- (b) Upon determining that cause exists for revocation of a permit, the Department shall give written notice of such action to the permittee stating the action taken and the reason.
- (c) Upon official revocation by the Department, the permittee shall have fourteen (14) days to remove the outdoor seating or merchandising encroachment and make any repairs to the sidewalk, if necessary, unless otherwise granted by the Department. Failure to remove the encroachment in the time allowed by the Department will result in removal of the encroachment by the Department under the terms set forth in section 12.06.110 below.

SECTION 11. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.070 as follows:

12.06.070. Permit Renewal: The permittee may file an application for permit renewal, accompanied by the appropriate renewal fee set forth in 12.06.090, no later than least sixty (60) days prior to the date the applicant wishes the renewed encroachment to begin but no earlier than ninety (90) days prior to the expiration of an existing permit. The application for permit renewal shall be reviewed and processed by Department staff. If a permittee should have a record of failure to comply with the provisions of this chapter, this record shall be considered by staff in the its decision to approve or deny renewal of the permit.

SECTION 12. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.080 as follows:

12.06.080 Duty to Maintain. Permittee agrees to operate and maintain outdoor seating or merchandising encroachment in a safe, secure and sanitary manner, and in full compliance with the provisions of this chapter and any conditions of approval set by the Department.

SECTION 13. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.090 as follows:

12.06.090 Application Fees.

- (a) The fee to process an initial application for an outdoor seating or merchandising encroachment permit at a specific location shall be \$100.00.
- (b) The fee to process a renewal of an outdoor seating or merchandising permit shall be \$100.00. However, a permittee may renew its permit at a fee of \$50.00 if it agrees, as a provision or condition of the permit, that the permit will be valid only for the period beginning March 1 and ending the third Monday of November of the year for which the permit is issued. If the permittee agrees to this limited permit but encroaches at any time before March 1 or after the third Monday in November, the permittee must remit the additional \$50.00 to the Department before encroaching in the period excluded from the original permit, or be subject to the provisions of Bloomington Municipal Code 12.06.110 in addition to being required to pay the additional \$50.00.
- (c) No fee shall be charged for processing applications for encroachments that will be limited to four days or less in a calendar year.
- (d) No refund shall be made where a permit is revoked or suspended for any reason.

SECTION 14. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.100 as follows:

12.06.100 Enforcement Procedures

- (a) If the Director of Public Works, or his/her designee, collectively referred to as "Staff", find that any provision of this chapter is being, or has been, violated or that any condition of approval of a permit issued pursuant to Chapter 12.06 has not been met, said person shall issue a Notice of Violation (NOV) to the responsible party. For purposes of issuing notice of violation, the following persons shall be considered responsible parties, with liability for fines and responsibility for remedy of the violation: the Permittee(s), the property owner(s); persons with any possessory interest in the property; and/or any persons and/or their agents who have caused the violation.
- (b) This Notice of Violation (NOV) shall be in writing and shall be served on one or more of the responsible parties in one or more of the following manners: delivery in person; by First Class mail; and/or by placement in a conspicuous place on the property where the violation occurs. The notice shall state:
  - (1) the location of the violation;
  - (2) the nature of the violation
  - (3) the period of correction (if any);
  - (4) the daily fine assessed for the violation during the correction period;
  - (5) the increase in fine if violation continues beyond the correction period, if any;
  - (6) that the City may seek additional remedies for violation, if any;
  - (7) that the fine may be paid at the City of Bloomington Department of Public Works;
  - (8) that the fine may be contested in the Monroe County Circuit Courts.
- (c) If Staff determines that the condition of the site causes danger to the health, safety, or welfare of the public, the City may enter upon the site to remedy the dangerous condition without notice to the responsible party or landowner, and the Permittee shall be liable for all costs of removal and disposal of said

encroachment and the City shall incur no liability for damages associated with removal of the encroachment.

SECTION 15. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.110 as follows:

12.06.110 Authorized Remedies and Penalties for Violations

- (a) No fine shall be assessed for a violation of this chapter, or a violation of a condition of approval, that is remedied within 24 hours after issuance of an NOV, provided that no NOV has been issued to the property owner, person with possessory interest, or responsible party within the prior 12-month period. A fine of \$100 per day until remediation shall be assessed for any violation of this chapter that continues after the 24 hour remediation period, or for any violation where an NOV has been issued to the property owner, person with possessory interest or responsible party in the prior 12-month period. Each enumerated item of non-compliance shall be considered to be a separate violation, and each day the violation continues shall be considered to be a separate violation. In addition, Staff may seek, with the assistance of the City Legal Department, one or more of the following remedies:
- (1) Removal of the encroachment at the expense of the Permittee, with Permittee liable for all costs of removal and disposal of said encroachment and no liability on the part of the City for damages associated with removal of the encroachment; and/or
  - (2) A temporary restraining order, preliminary injunction or permanent injunction to restrain a person from violating the provisions of this chapter or a condition of approval, requirement or commitment imposed or made thereunder; and/or
  - (3) An injunction directing a person to perform a condition, requirement or condition imposed or made under this chapter or to remove a structure erected in violation of this chapter; and/or
  - (4) Suspend and withhold other approvals, certificates and/or permits relevant to use of the site on which the violation has occurred; and/or,
  - (5) Revoke the permit that has been violated.
- (b) The purpose of each of the foregoing administrative remedies is to encourage compliance with this chapter and the conditions, terms and provisions of the permit without having to resort to litigation. If used, the Staff shall apply the foregoing remedies in a measured and reasonable fashion to achieve their recognized purpose.
- (c) The remedies provided for in these regulations shall be cumulative, and not exclusive, and shall be in addition to any other remedies provided by law.

SECTION 16. Title 12 of the Bloomington Municipal Code shall be amended to add Section 12.06.120 as follows:

12.06.120 Appeal of Citation and Fines. Citations and fines may be appealed to the Monroe County Circuit Courts.

SECTION 17. Title 2 of the Bloomington Municipal Code entitled "Administration and Personnel" shall be amended by renumbering Subsection 2.27.010(f) as Subsection 2.27.010(g) and by inserting a new 2.27.010(f) which shall read as follows:

2.27.010(f) Department of Public Works: for receipt of penalties for violations of Bloomington Municipal Code chapter 12.06 Sidewalk Seating and Merchandising Encroachments.

SECTION 18. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances 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 provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 19. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.



PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of October, 2001.

*S. Patricia Cole*

PATRICIA COLE, President  
Bloomington Common Council

ATTEST:

*Regina Moore*

REGINA MOORE, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 9th day of October, 2001.

*Regina Moore*

REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 9 day of October, 2001.

*John Fernandez*  
JOHN FERNANDEZ, Mayor  
City of Bloomington

SYNOPSIS

This ordinance adds Chapter 12.06 to the Bloomington Municipal Code to be titled "Sidewalk Seating and Merchandising Encroachments." The chapter establishes standards for such encroachments that, in general, require a clear straight path along the block for the benefit of the traveling public that is 54" in width. The chapter also establishes a permit system for receiving permission to encroach, conditions of the permit, and penalties for violation of the provisions of the chapter. The ordinance also amends Title 2 of the Bloomington Code entitled "Administration and Personnel" to designate the Department of Public Works as the recipient of fines for violations of Chapter 12.06.

Note: The Council adopted Ord 01-14 with six amendments. These amendments were Am 1B, Am 2, Am 7, Am 8, Am 9 & Am 11.

Public Works      LEGAL (5)  
ENGINEERING      BOARD OF PUBLIC WORKS  
Commission for Bloomington Downtown

CONTROLLER      CAFR      BMC  
ENGINEERING      CA/CA  
Council for Community Accessibility  
9      FILE