



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: RS2021-734 **Name:**

Type: Resolution **Status:** Passed

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On agenda: 2/2/2021 **Final action:** 2/2/2021

Title: A resolution to extend the provisions of Section 13.32.165.E of the Metropolitan Codes of Laws relative to sidewalk cafes.

Sponsors: Sean Parker, Burkley Allen, Angie Henderson, Ginny Welsch, Kyonzte Toombs

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|----------|--------|
| 2/3/2021 | 1 | Mayor | approved | |
| 2/2/2021 | 1 | Metropolitan Council | adopted | |
| 2/2/2021 | 1 | Public Works Committee | approved | |
| 2/2/2021 | 1 | Public Safety, Beer, and Regulated Beverages Committee | approved | |
| 1/26/2021 | 1 | Metropolitan Council | filed | |

A resolution to extend the provisions of Section 13.32.165.E of the Metropolitan Codes of Laws relative to sidewalk cafes.

WHEREAS, in order to assist restaurants in compliance with COVID-19 regulations and to expand outdoor dining options, the Council adopted Second Substitute Ordinance No. BL2020-403 on September 15, 2020; and

WHEREAS, this ordinance created Section 13.32.165.E of the Metropolitan Code of Laws, to extended the availability of a permit for a sidewalk café dining facility outside of downtown Nashville to the entire jurisdiction of the Metropolitan Government, provided that these facilities comply with all applicable requirements for a sidewalk café permit; and

WHEREAS, in addition, this provision allows a sidewalk café facility to sell beer and other alcoholic beverages if the requirements of all applicable laws, rules and regulations for the sale of beer and/or alcoholic beverages have been satisfied; and

WHEREAS, this section is set to terminate on February 15, 2021, unless extended by a resolution adopted by the Metropolitan Council; and

WHEREAS, it is in the best interests of the residents of Metropolitan Nashville and Davidson County that this sidewalk café program be extended for one year.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 13.32.165.E of the Metropolitan Code of Laws is hereby extended until February 15, 2022.

Section 2. This Resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This resolution extends the permissibility of sidewalk cafes throughout Davidson County for an additional year. In September 2020, the Council enacted Second Substitute Ordinance No. BL2020-403 to temporarily allow sidewalk café dining facilities within the public right-of-way throughout the jurisdiction of the Metropolitan Government and to allow bars and restaurants located within a Specific Plan (SP), Planned Unit Development (PUD), or other overlay district where restaurants and bars are permitted to use parking areas for additional seating. The purpose of the ordinance was to provide some relief to restaurants impacted by COVID-19 and the resulting social distancing/seating capacity requirements. Any fees associated with obtaining the sidewalk café permits are waived under the bill. This additional authority was to expire in January 2021 unless extended by resolution of the Council.

This resolution extends the provisions of BL2020-403 through February 15, 2022.

Fiscal Note: The sidewalk café permit fee was \$100 according to the Metro Public Works Department.