

ORDINANCE NO.: 5151

AN AMENDED ORDINANCE to create Sections 32-106(e), 4-45(b), 4-109(b), 39-11(b)(9), 115-398(g), 40-106(3)(d)(13)(i), 40-108(23) and 2-2(b)(2)(a) of the Code of Ordinance for the City of La Crosse regarding the Outdoor Café Program.

SECTION I: Subsection 32-106(e) is hereby created to read as follows:

- (e) Street privilege permits under this section may be granted in accordance with the terms and conditions approved under the Outdoor Café Program adopted by the Common Council. No permit fee is required as established by resolution.

SECTION II: Subsection 4-45 is hereby numbered as 4-45(a) and 4-45(b) is hereby created to read follows:

- (b) Expansion of licensed premises under this section may be provisionally approved by the City Clerk under the Outdoor Café Program adopted by the Common Council. Said Request shall be forwarded to the Judiciary and Administration Committee and Common Council for consideration no later than the next regularly scheduled meeting. Fencing for expanded licensed premises will be approved in accordance with the Outdoor Café Program Guidelines. No permit fee is required as established by resolution.

SECTION III: Subsection 4-109 is hereby numbered as 4-109(a) and 4-109(b) is hereby created to read as follows:

- (b) Expansion of licensed premises under this section may be provisionally approved by the City Clerk under the Outdoor Café Program adopted by the Common Council. Said Request shall be forwarded to the Judiciary and Administration Committee and Common Council for consideration no later than the next regularly scheduled meeting. Fencing for expanded licensed premises will be approved in accordance with the Outdoor Café Program Guidelines. No permit fee is required as established by resolution.

SECTION IV: Subsection 39-11(b)(9) is hereby created to read as follow:

- (9) Special events pursuant to Section 32-106(e) in accordance with the terms and conditions approved under the Outdoor Café Program adopted by the Common Council.

SECTION V: Subsection 115-398(g) is hereby created to read as follows:

- (g) Fences that are required under the Outdoor Café Program will be approved in accordance with the Outdoor Café Program Guidelines. No permit will be required

from the City of La Crosse Fire Department Division of Community Risk Management.

SECTION VI: Section 40-106(3)(d)(13)(i) is hereby created to read as follows:

- i. Alcohol beverages may be permitted in the outdoor dining area under the Outdoor Café Program adopted by the Common Council. Expansion of the licensed premises must be provisionally approved by the City Clerk pursuant to Section 4-45(b).

SECTION VII: Section 40-108(23) is hereby created to read as follows:

(23)Permits granted under the Outdoor Café Ordinance must follow the requirements and conditions stated in the adopted Outdoor Café Program guidelines. The Board of Public Works may still require any conditions of approval of occupancy stated in this Section.

SECTION VIII: Section 2-2(b)(2)(~~a~~) is hereby numbered as 2-2(b)(2)(a) and 2-2(b)(2)(b) is hereby created to read ~~amended~~ as follows:

- ~~(a)~~ (b) The Board of Public Works may require greater insurance protection under the Outdoor Café Program adopted by the Common Council.

SECTION VIII. This Ordinance shall sunset on November 13, 2020. Any request to extend this date or renew the program must be brought back to the Common Council.

SECTION X: This ordinance shall take effect and be in force from and after its passage and publication.

\_\_\_\_\_/s/\_\_\_\_\_  
Timothy Kabat, Mayor

\_\_\_\_\_/s/\_\_\_\_\_  
Teri Lehrke, City Clerk

Passed: 7-30-20  
Approved: 8-3-20  
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