

ORDINANCE 2002-Or-____
By Goodman and Schiff

**Amending Title 13, Chapter 265 of the Minneapolis Code of Ordinances
relating to Licenses and Business Regulations: Sidewalk Cafes.**

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Chapter 265.290 of the above-entitled ordinance be amended to read as follows:

- 265.290. Restrictions.** (a) Each permit issued pursuant to this article shall specify the area in which such cafe may be operated; provided that no sale or service shall be permitted in any portion of the street designated for vehicular travel.
- (b) ~~Nor shall such permit authorize~~ Issuance of a permit shall not be construed as authorizing any permanent installation to be placed ~~on or~~ in the public way.
- (c) No such permit shall ~~or permit~~ authorize the placing or leaving on the sidewalk of any tables, chairs, furnishings or other equipment during any periods of time such sidewalk cafe is not open and being operated, except that this subsection shall not apply to any establishment located in the Central Commercial District as defined in section 360.10.
- ~~(e)~~ (d) No such permit shall authorize a sidewalk cafe at any location where the same is prohibited by state law, or this Code of Ordinances, except as herein provided.
- ~~(d)~~ (e) Except as specifically provided herein, the ownership, operation and maintenance of a sidewalk cafe shall be subject to all applicable laws, ordinances and regulations.
- ~~(e)~~ (f) No sidewalk cafe permit shall be issued to any establishment holding an "on sale" liquor, wine, or beer license located within two hundred (200) feet of a residentially zoned district, the measurement to be made from the nearest portion of the sidewalk cafe to the nearest boundary of the residentially zoned district, except that this subsection shall not apply to any such establishment whose gross sales revenue during the preceding fiscal year from the sale of food and beverages not containing alcohol was in an amount of not less than seventy (70) percent of the total gross revenue from the sale of food and beverages.