



Legislation Text

File #: 17-0707, **Version:** 1

Resolution to Approve Street Closing July 19-23, 2017, Temporary Outdoors Sales, and Service and Consumption of Alcohol, and Affirm the Standards for Temporary Outdoor Sales on Private Property During the 2017 Ann Arbor Art Fairs (July 20-23, 2017)

The 2017 Ann Arbor Art Fairs are schedule for July 20-23, 2017. The event is sponsored by five separate organizations, each covering separate but adjacent portions of downtown Ann Arbor. Each organization will be providing insurance in accordance with the City's requirements for use of the public right-of-way.

The annual resolution closes streets and allows temporary outdoor liquor sales within the public right-of-way.

In accordance with the Michigan Liquor Control Commission (MLCC) Administrative Rules, temporary outdoor service located on property owned or under the control of the City, requires evidence of approval from the local governing body prior to approval by the local police and the MLCC. All licensed establishments requesting outdoor service in the City right-of-way will be separately reviewed and approved by the Ann Arbor Police Services. The Art Fair sponsoring associations support approval of use of the right-of-way by licensees within specified areas filed with and approved by the Ann Arbor Police Services.

Section 10:222(2) of the Ann Arbor City Code prohibits the operation of Commercial Quadricycles on any date designated or within the boundaries of the Ann Arbor Art Fairs.

In 1998, City Council in response to concerns raised regarding outdoor sales on private property adopted standards for outdoor sales and display areas on private property under Section 5:10.15(2) (h) of the Ann Arbor City Code for the 1998 Arts Fairs and all subsequent fairs.

Approval of the resolution is recommended

Prepared by: Debra Williams, Office Manager

Reviewed by: Mary Joan Fales, Senior Assistant City Attorney
Derek Delacourt, Community Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, Each liquor licensed establishment applying for temporary outdoor service will be reviewed and approved by the Ann Arbor Police Services;

Whereas, Section 10:222(2) of the Ann Arbor City Code prohibits the operation of a Commercial Quadricycle on any date designated or within the boundaries of the Ann Arbor Art Fairs; and

Whereas, City Council has previously established standards for outdoor sales on private property during the Ann Arbor Art Fairs;

RESOLVED, That City Council approve liquor licensed establishment requests for temporary

authorization for outdoor sales, service and consumption of alcoholic beverages during the 2017 Ann Arbor Art Fairs, for the period July 20-23, 2017, within the defined areas in the City's right-of-ways with the boundaries of the Art Fairs reviewed and approved Ann Arbor Police Services;

RESOLVED, That City Council approve the following streets be closed, barricaded, and parking be prohibited July 19-23, 2017 for the 2017 Ann Arbor Art Fair:

- **LIBERTY STREET** from South Ashley to South State Street; Ashley Street, Fourth Avenue, Fifth Avenue and Division Street will remain open to through traffic. The Washtenaw Non-Profits will occupy Liberty Street between Fifth Avenue and 200 feet west of Division Street.
- **NORTH UNIVERSITY** from Fletcher to South State Street.
- **THAYER STREET** from North University, including the North University intersection, to East Washington.
- **EAST WASHINGTON STREET** from South State Street to Fletcher
- **SOUTH MAIN STREET** from the south side of Huron Street to the north side of William Street; Huron, Washington, and William Streets will remain open to traffic.
- **SOUTH STATE STREET** from East Washington Street to Madison
- **SOUTH UNIVERSITY** from State to South Forest
- **EAST UNIVERSITY** from South University Avenue to Willard Street
- **CHURCH STREET** from Willard Street to the entrance of the University of Michigan Church Street parking structure
- **MAYNARD STREET** from Liberty Street to Jefferson
- **JEFFERSON** from Maynard Street to Thompson
- **WILLIAM STREET** from State Street to Thompson. The barricade at Thompson will be staffed by Art Fair members at all times.
- **THOMPSON** from Liberty Street to the parking structure entrance/exit;

RESOLVED, That City Council designates 6:00 a.m., Wednesday, July 19, 2017 - 6:00 a.m., Monday, July 24, 2017 for purposes of Section 10:222(2) of the Ann Arbor as the dates of the Ann Arbor Art Fair and specifically prohibit the operation of Commercial Quadricycles within the boundaries of the Art Fairs for the entire time period stated;

RESOLVED, That City Council adopted R-216-5-98 authorizing the issuance of zoning compliance permits under Section 5:10.15(2)(h) of the Ann Arbor City Code in connection with the Ann Arbor Art Fairs, subject to permittee compliance with the following standards:

- Outdoor sales areas located more than 50 feet from the public right-of-way (sidewalk or alley) require a 10 foot wide emergency access/escape passageway.
- A 6 foot wide pedestrian passage between sales and display booths shall be maintained. The 6 feet shall be measured from the element of the booth projecting furthest horizontally into the required passage. No canopy, awning, overhang or other element shall project into the required pedestrian passage.
- For every 50 lineal feet of booth, a 10 foot wide aisleway shall be provided.
- The maximum length of travel, measured from the most remote point on the private property to the public right-of-way along the natural and unobstructed line of travel shall not exceed 200 feet. The path of travel must be under the control of or available to all person(s) using the

private property.

- Booths and associated pedestrian passageways arranged so as to form a dead-end, or where there is not a connection at both ends of the passageway leading to the public right-of-way, shall be designed so that the length of the dead-end aisle is not more than 22 times the least width of the aisle.
- Booth material shall be made of fire retardant material.
- There shall be no open flames for cooking, demonstration, or entertainment purposes.
- Each private property area shall be equipped with fire extinguishers arranged so that no point of the private property areas shall be more than 75 feet from an extinguisher. The fire extinguishers shall be class 2-A 10-BC
- Wiring for temporary electrical power shall comply with the requirements of the current National Electrical Code.

RESOLVED, That Zoning Compliance Permit applications must be filled out, submitted to, and approved by the City for all proposed areas on private property no later than July 1, 2017;

RESOLVED, That the above standards apply to owners of commercially zoned property fronting on the streets closed by this Resolution;

RESOLVED, That the City Clerk be authorized to provide a certified copy of this Resolution to any applicants for temporary outdoor sales, service and consumption of alcoholic beverages approved by the Ann Arbor Police Services and the MLCC as evidence of City authorization of occupancy of City owned or controlled property for the purpose stated in their application for temporary authorization; and

RESOLVED, That the City Clerk be directed to mail to any current Commercial Quadricycle permit holder a certified copy of this Resolution as notice of the hours of prohibited operation during the Arts Fairs.