



Legislation Details (With Text)

**File #:** 09-0305      **Version:** 1      **Name:** 04/20/09 2009 AA Art Fair Street Closing Resolution  
**Type:** Resolution      **Status:** Passed  
**File created:** 4/20/2009      **In control:** City Council  
**On agenda:** 4/20/2009      **Final action:** 4/20/2009  
**Enactment date:** 4/20/2009      **Enactment #:** R-09-141

**Title:** Resolution to Approve Street Closings for the 2009 Ann Arbor Art Fair - July 14, 2009 at 7:00 A.M. Through July 19, 2009 at 12:00 P.M.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. AA Street Fair 2009.pdf, 2. Guild of Artists & Artisans 2009.pdf, 3. Main Street Area Association 2009.pdf, 4. S University Area Association 2009.pdf, 5. State Street Art Fair 2009.pdf

Date	Ver.	Action By	Action	Result
4/20/2009	1	City Council	Approved	Pass

Resolution to Approve Street Closings for the 2009 Ann Arbor Art Fair - July 14, 2009 at 7:00 A.M. Through July 19, 2009 at 12:00 P.M.

The 2009 Ann Arbor Art Fair is scheduled for July 15-18, 2009. This Resolution is for the street closings and related services provided to the sponsors of this annual event. The event is sponsored by six separate organizations, each covering separate but adjacent portions of downtown Ann Arbor. These six areas form the "fair" and are perceived as a single event. The following fees for the 2009 fair for right-of-way rental for each of these six groups are identical to the 2008 fees. Due to the construction of the University of Michigan North Quad Dormitory, Washington Street will again remain open and therefore inaccessible to the Ann Arbor Street Art Fair in 2009. This reduces the street area being used by this group to slightly over 61,000 square feet. That reduction is reflected in the fees assessed to that organization:

Ann Arbor Street Art Fair	\$ 5,494.00
S. University Area Association	9,440.00
State Street Art Fair	18,802.00
Michigan Guild	11,449.00
Main Street Area Association	5,522.00
Washtenaw Non-Profits	<u>300.00</u>
Total	\$51,007.00

The fees were calculated by estimating the cost to the City to handle the event and assessing each group a charge based on their percentage of the total right-of-way being closed.

The extent of street closing and right-of-way rental for 2009 has not increased from the 2008 fairs. The Resolution includes the closings for the relocated Ann Arbor Street Art Fair in accordance with Council Resolution R-512-12-01 of December 3, 2001.

Each organization will be providing insurance in accordance with the City's requirements for use of the public right-of-way.

### **Coordination of the Event**

This event is coordinated through the Mayor's Art Fair Committee so that it will run smoothly and be successful. Attached are communications from the Fair Associations and the Washtenaw Non-Profits requesting the street closings, including maps, and related services. In addition, the Washtenaw Non-Profits are requesting that the right-of-way rental fee be retained at the 1997 fee schedule (\$300) for their organization.

The Art Fair is regulated and addressed in a long list of resolutions and ordinances.

- The City Council established the Mayor's Committee on Street Art Fairs in 1979 by Resolution R-101-3-79 and charged this group with the coordination of the event and with advising Council on matters relating to it. The committee was redefined by Resolution R-47-2-97 on February 3, 1997 and a separate steering committee established for consideration of long-term policies.
- Resolution R-46-2-97 of February 3, 1997 addressed the relationship of the Michigan Guild of Artists and the Main Street Area Association in right-of-way coverage in the Main Street area, with the Guild occupying the street and the Association the sidewalks.
- Resolution R-512-12-01 addressed the relocation of the Ann Arbor Street Art Fair to the area around Burton Tower, and was passed December 3, 2001.

### **Regulation of the Event**

In addition, the following list of resolutions and ordinances apply specifically to the Art Fair, and are either granted each year by Council Resolution or permanently in-place by previous action:

1. Annual Resolution: Street Closings/Temporary Outdoor Sales in R.O.W.  
Designates street closings to allow temporary outdoor sales within the public right-of-way. Resolution required by Chapter 47 (Streets and Sidewalks), Section 4:2(3). Designates restricted parking areas (if any). Waives street occupancy fee for non-profit organizations. This is the resolution before you.  
  
The rate used in charging the Art Fairs for sidewalk and street occupancy is designed each year only to cover the cost of City services provided. This is not a special waiver per se, but is an accommodation to recoup only the direct costs to the City.
2. Annual Resolution: Alcohol Consumption  
Recommends approval of temporary outdoor alcoholic beverage service for the Art Fair for specific businesses as approved by the Police Department. Authority for this resolution comes from Chapter 109 (Liquor), Section 9:75.
3. Permanent Resolution Allowing Temporary Outdoor Sales on Private Property  
This resolution, approved March 21, 1994, and revised May 4, 1998 by resolution R-216-5-98 covers all subsequent Art Fairs. The resolution allows private property areas adjacent to street closing areas in #1 above to be used for temporary outdoor sales. Authority for this resolution comes from Chapter 55 (Zoning), Section 5:10.15(2)(h). The resolution sets

specific standards for emergency access, booth material, etc. on the private property.

4. Off-Street Parking (Chapter 59, Section 5:166)  
Waives restriction against front open space parking during Art Fair upon obtaining a permit from City. Incorporated in the City Code of Ordinances.
5. Permanent Resolution - Solicitors/Peddlers (Chapter 79, Section 7:73)  
Restricts this activity within the Art Fair area and in the general vicinity. Original resolution was passed in 1981 and incorporated into the City Code of Ordinances. An amended version of the resolution was approved by City Council in 2009 (R-09-048) designating the restricted area.
6. Fire Regulations  
Several sections of the Fire Prevention Code are allowed exceptions specifically for Art Fair, including fire lane width, hydrant obstructions, and restrictions on open flame. Authority for these allowances comes from Chapter 111 (Fire Prevention), Section 9:105.
7. Temporary Wiring  
Temporary wiring is permitted under the authority of the National Electrical Code, Chapter 100 (NFPA 70, Section 305) and in accordance with guidelines developed by Planning & Development Services.
8. Permanent Resolution - Sidewalk Occupancy Permits (Chapter 47, Section 4:14)  
City Council may determine by resolution that on certain dates congestion in the City or part of the City will be too great to permit sidewalk occupancy permits and permits shall not be issued for those dates and times. In 2009, City Council approved a resolution (R-09-048) that permanently restricts the issuance of these permits within the designated area during the Art Fair.

It is recommended the Mayor and City Council approve the street closing resolution for the 2009 Art Fairs. The recommendation does not include the waiving of any right-of-way rental fees.

Prepared by: Jeff Ellis, Inspection Supervisor

Reviewed by: Mark Lloyd, Planning & Development Services Manager  
Jayne Miller, Community Services Area Administrator

Whereas, The 2009 Ann Arbor Art Fair dates are July 15 through 18, 2009 and the four Art Fair organizations, the Main Street Area Association and the Washtenaw Non-Profits have requested street closings and related services from the City to permit a successful event;

RESOLVED, That City Council approve the following streets be closed, barricaded, and parking be prohibited from Tuesday, July 14 at 7:00 A.M. through Sunday, July 19 at 12:00 P.M. for the 2009 Ann Arbor Art Fair:

LIBERTY STREET from South State Street to Ashley 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 State Street.

WILLIAM STREET from State Street to Thompson. The barricade at Thompson will be staffed

by Art Fair members at all times.

JEFFERSON from Maynard Street to Thompson. The barricade at Thompson will be staffed by Art Fair members to allow authorized vehicles access to the University of Michigan facilities along Jefferson and Maynard Street.

SOUTH UNIVERSITY from Washtenaw to Tappan. Forest Street will remain open to through traffic.

MAIN STREET from the south side of Huron to the north side of William Street. Huron, Washington, and William Streets will remain open to through traffic.

THOMPSON from Liberty Street to William Street.

MAYNARD STREET from Liberty Street to Jefferson. In regard to this area:

1. The Maynard Street exit/entrance to the parking structure will be closed in order to relieve vehicle congestion in the area and to ensure pedestrian safety.
2. A barricade will be located at the north edge of the parking lot entrance to the Betsey Barber Dormitory and will be staffed by Art Fair members.

SOUTH STATE STREET from Washington to South University. State Street will be closed to general traffic from South University to Madison. However, local traffic as well as service and emergency vehicles will be permitted to enter/exit.

EAST UNIVERSITY from South University to Willard. Booth sections will be stored on the sidewalk at the intersection of East and South University.

CHURCH STREET from Willard Street on the south to the entrance of the University of Michigan parking lot on the north.

THAYER STREET from North University to East Washington Street. The west side of the street will remain open for emergency and delivery vehicle access.

EAST WASHINGTON STREET from Thayer to Fletcher. East Washington Street will be closed to general traffic from South State to Thayer. However, local traffic as well as service and emergency vehicles will be permitted to enter/exit;

RESOLVED, That parking is prohibited on both sides of Tappan between South University and Monroe and on Monroe between Tappan and East University to facilitate AATA shuttle bus service and operations;

RESOLVED, That the City comply with the requests of the Art Fair organizations, the Main Street Area Association, and the Washtenaw Non-Profits as outlined in the communications to the Mayor and City Council; and

RESOLVED, That the City Council reduce the street occupancy fees to \$300.00 for the portion of Liberty Street occupied by the Washtenaw Non-Profits.