Legislation Details (With Text)

File #:	22-0546	**Version:**	1	**Name:**	3/21/22 Resolution to Approve Downtown Street Closures for Restaurant and Retail Use
Type:	Resolution			**Status:**	Passed
File created:	3/21/2022			**In control:**	City Council
On agenda:	3/21/2022			**Final action:**	3/21/2022
Enactment date:	3/21/2022			**Enactment #:**	R-22-082
Title:	Resolution to Approve Downtown Street Closures for Restaurant and Retail Use				
Sponsors:	Erica Briggs, Linh Song, Ali Ramlawi, Kathy Griswold, Christopher Taylor, Travis Radina				
Indexes:					
Code sections:					
Attachments:					

Date	Ver.	Action By	Action	Result
3/21/2022	1	City Council	Approved	Pass

Resolution to Approve Downtown Street Closures for Restaurant and Retail Use
Due to the ongoing COVID-19 pandemic, physical distancing measures have been in place to assure low risk social interaction can still occur. In response to these measures, the City has approved the closure of certain downtown streets to support residents socializing and gathering in the downtown and to support our downtown business. These closures have become popular with residents and many businesses, and the Main Street Area Association has requested that they be instituted in 2022 as in past year.

In prior years, the DDA has provided funding to downtown area associations to cover their cost of installing, removing, and renting barricades for these street closures. This year, City staff will propose to cover the cost of the placement and removal of these barricades in the City's annual budget. The DDA will provide meter bags within these closure areas at no cost.

It is anticipated that upon City Council approval, closures can be instituted as soon as special event permit(s) are received and approved, including Police and Fire review of closures plans to ensure compliance with the Fire Code and public safety needs, AAATA for public transit considerations, and other city staff review.

The actual footprint of street closures has been reduced to exclude the State Street area, Kerrytown, and the South University area, and the closures will only occur this year in the Main Street area.
Prepared by: John Fournier, Assistant City Administrator;
Approved by: Milton Dohoney Jr., Interim City Administrator
Whereas, Due to the COVID-19 pandemic, the City has closed streets in the downtown for each of the last two years in an effort to support physical distancing, and a sociable, robust business environment in our downtown;

Whereas, Certain merchant and business associations in the City are requesting the closure of certain streets so that restaurants and retail businesses adjacent or near to the closed streets are

able to use the street for seating and sales, which will support economic recovery and build a more resilient community, encouraging patronage of downtown businesses, and reinforcing core values of safety, mobility, equity, and downtown vitality;

Whereas, Applications for special event permits that include detailed plans for the streets and public parking lots on those streets that are proposed to be completely or partially closed to create more space for pedestrians and businesses whose seating or sales capacity has been restricted by state mandates will be reviewed by staff;

Whereas, While the special event permitting process will be required for the occupancy of these closed streets, this circumstance should not be considered a special event in the traditional sense because the use of the street is not for a fair, or festival, but for the immediate need to create socially distanced seating and business space in the downtown;

Whereas, Businesses who use the public right of way and other public spaces for their business operations should acknowledge their obligation to follow the requirements of any current or forthcoming emergency orders and declarations for the benefit of public health and the importance of social distancing; and

Whereas, City Council is permitted under Chapter 79, Solicitors and Peddlers, of the Ann Arbor City Code to restrict the issuance of solicitors' and peddlers' licenses during special events, or at times when congestion in the City or a part of the City is too great to allow peddling and soliciting;

RESOLVED, That City Council approve the partial or full closure of the streets identified below subject to the specific restrictions and conditions set forth in this resolution:

- Main Street from William to Washington;
- West Liberty Street from Ashley to Main;
- East Liberty Street from Main to Fourth;
- West Washington Street from Ashley to Main;

RESOLVED, That City Council approve the closing of the streets identified above beginning as early as Thursday, May 5, 2022, and ending as late as October 31, 2022;

RESOLVED, That City Council approve this request for closure of the streets specified and any public parking lots downtown beginning on Thursdays at 4:00 pm and ending on Mondays at 6:00 am, except for the closure West Washington Street which shall be for 24 hours a day and for seven days a week;

RESOLVED, That City Council grants the City Administrator the authority and flexibility to expand or scale down the closure days and times of blocks within each business district within the dates specified above, including scaling the closures down on the days of home University of Michigan football games and other similar events;

RESOLVED, That City Council impose the following restrictions and conditions with which the Merchants Associations must comply:

- As required by City ordinance for special events, each Association shall obtain a special event permit to hold a special event on the streets that it is requesting to be closed;

- Each Association shall obtain a special event permit by submitting an application in advance of an applicable street closing, that provides all information needed for review and approval of the issuance of a permit by the City Administrator or designee and that subsequent special event permits may be submitted to alter or to add to uses within these closed streets at any time during the period of the closure;
- Streets must be barricaded using AAPD-approved barricades and designated locations to insure restriction of traffic;
- During the time the streets are closed parking is prohibited on the closed portion of those streets;
- Annual Sidewalk Occupancy Permits will remain valid within these designated street areas;
- Peddler/Solicitor Permits, including permits for pedicabs, are invalid within these street areas during the time streets are closed;
- Commercial Quadricycle Permits are invalid in areas of street closures;
- Each Association will continuously meet with businesses owners and operators to address the concerns and issues which are associated with the road closures, changes to use of the rights -of-way, and use of on-street parking;

RESOLVED, That each applicant shall provide insurance coverage satisfactory to the City Attorney in connection with the occupancy and use of City public rights of way during the dates of street closures, which insurance shall name the City of Ann Arbor as an additional insured; 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 prohibited operation during the time of street closures.

Sponsored by: Councilmembers Briggs, Song, Ramlawi, Griswold, Radina, and Mayor Taylor