

BY: Demarest

RESOLUTION NO. 2023-21

A RESOLUTION TO AUTHORIZE THE NON-PERMANENT INSTALLATION OF A SIDEWALK CAFE ON THE PUBLIC SIDEWALK AT 313 EAST BROADWAY IN FRONT OF THE BUSINESS KNOWN AS "HISTORIC BUXTON INN" FOR CALENDAR YEAR 2023, SUBJECT TO RESTRICTIONS

WHEREAS, Robert Schilling, owner of Historic Buxton Inn LLC, has requested Council's permission to install a non-permanent sidewalk cafe on a portion of the public sidewalk in front of his business establishment on East Broadway.

NOW, THEREFORE, be it resolved by the Council of the Village of Granville, Ohio, that:

Section I: Robert Schilling, owner of Historic Buxton Inn LLC, is hereby granted permission to install a sidewalk cafe on a portion of the public sidewalk in front of 313 East Broadway subject to the following restrictions:

- A) **The sidewalk cafe area is to be segregated from the rest of the sidewalk by means of planters and/or rope stanchions, or similar moveable fixtures;**
- B) As shown on Exhibit A attached hereto, the café area so segregated is not to exceed twenty (20) feet wide, fifteen (15) feet deep, measured from either side border of the store premises and its building face, respectively;
- C) No exterior lights are to be installed;
- D) The cafe area shall be staffed during all hours of business operation;
- E) No cooking shall be permitted outside the existing Historic Buxton Inn facilities – the sidewalk cafe may engage only in food service, subject to approval by the Licking County Board of Health;
- F) Historic Buxton Inn and its owners shall at all times be responsible for the cleanliness of the sidewalk cafe area;
- G) **Prior to installation of the sidewalk cafe, Historic Buxton Inn shall provide the Village of Granville with a certificate of insurance in an amount equal to or greater than one-million (\$1,000,000) / two-million (\$2,000,000) dollars, naming the Village of Granville as an additional insured and certificate holder;**
- H) No alcoholic beverages are to be served or imbibed on the public sidewalk;
- I) **When the sidewalk café sales area is in place, any sidewalk sign previously authorized by the Granville Planning Commission for Whit's Frozen Custard shall be displayed within the designated café area as shown on Exhibit A.**
- J) Outside furnishings are not permitted to advertise commercial messages without sign review and approval by the Granville Planning Commission.
- K) No patrons will be permitted in the sidewalk café after 10pm, except during the Bluesfest and Fourth of July festivities.
- L) In the event of breach of any of these conditions, the Village Manager, at his sole discretion, may terminate this permit.

Section II: Historic Buxton Inn and its current owner are hereby granted nonexclusive commercial use of the property described herein beginning March 2, 2023 until October 31, 2023. The sidewalk café, including outdoor furniture and moveable fixtures, shall be removed on or before that date. The Village Manager shall have the discretion, upon written request of the property owner or original applicant, to extend the end date of such use beyond October 31, 2023. Non-compliance with Section II could result in the denial of future approvals of sidewalk cafes.

Section III: This resolution shall take effect immediately upon passage.

Passed this 1st day of March, 2023.

ATTEST


Autumn Klein, Clerk of Council

APPROVED AS TO FORM:


William Mattes, Law Director


Melissa Hartfield, Mayor