

# Adams Street Commons Use Policy

City Commission Policy 106  
Adams Street / Gallie Alley Use  
Downtown Vendor and Sidewalk Café Permits

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DEPARTMENT: City Manager  
DATE ADOPTED: May 13, 1992  
DATE OF LAST REVISION: February 14, 2001

## **PART I.** **ADAMS STREET / GALLIE ALLEY USE AND DOWNTOWN VENDOR PERMIT POLICY**

Application for Special Events  
Adams Street Commons/ Gallie's Alley

**106.01 AUTHORITY:** City Commission as approved.

**106.02 SCOPE AND APPLICABILITY:** This policy shall apply to all individuals, organizations and governmental units requesting the use of Adams Street / Gallie Alley area for activities of a general public purpose and permitting vendor carts in certain downtown areas as per Ordinance No. 91-0-0062.

**106.03 POLICY STATEMENT:** It is the intent of the City of Tallahassee to regulate the use of Adams Street / Gallie Alley area for special activities and the location of vendor carts in certain downtown areas through the issuance of special use permits and the establishment of policies and procedures.

### **106.04 DEFINITIONS:**

*Adams Street:* The segment of Adams Street, from building wall to building wall, between Pensacola Street and Tennessee Street.

*Gallie Alley:* The segment of the alley courtyard from building wall to building wall within the block bound by Jefferson, Adams, College and Monroe, except that segment privately owned by the Gallie Alley Partnership.

*West Jefferson Street:* The segment of Jefferson Street, from building wall to building wall, between Adams and Duval Streets.

### **106.05 CRITERIA FOR USAGE:**

Adams Street / Gallie Alley may be used for any general public purpose and permitted vendor carts as long as it is compatible with the existing physical facilities and does not interfere with the health, safety, and welfare of the public. Permits for use will be issued only for events/activities that are open to the general public.

West Jefferson Street may be used for permitted vendor carts, as long as it is compatible with existing physical facilities and does not interfere with the health, safety, and welfare of the public.

### **106.06 PROCEDURES:**

Requests for Usage for Activities: Permits will be issued on a first come, first serve basis. A written application must be submitted to the City Manager or his designee at least two weeks in advance of the requested date(s) for usage. The application must include the following information:

Title of event to be held.

Name of group or person sponsoring the event.

Nature of the event.

Requested date(s) for use.

Length of time needed (including set up and take down).

A list of all materials, equipment, and structures to be brought into the area.

Anticipated attendance.

Requests for Usage for permitted vendor carts: Permits will be issued first come first serve on a month-to-month basis. A written application must be submitted to the City Manager or his designee at least two weeks in advance of the requested date(s) for usage. Not more than two vendors of similar food products will be authorized during each monthly period of use. Vendors will be rotated (monthly and location) to accommodate two or more similar vendors. The City reserves the right to cancel vendors. The application must include the following information: name, address, telephone number of applicant, business address and telephone number of applicant, owner's name, address and telephone number if different than applicant, copy of occupational license, type of vending provided, desired location, duration of use permit, liability release statement and monthly non-refundable permit fee of \$100.00.

**Usage Stipulation:**

The prime sponsor or vendor will be responsible for the cleanup of the area after use.

The user must fully cooperate at all times with the Police and any other City department involved in the event.

The City reserves the right to limit or restrict the area of usage.

The City reserves the right to assess charges for excessive maintenance, cleanup, and damages to the area utilized.

The City reserves the right to limit the length of time the area may be used.

**Closure of Adams Street:**

Adams Street will be closed only when a permit is issued for an event, which necessitates its closure. This will have to be coordinated with the Tallahassee Police Department.

The City Public Works Department will be responsible for closing and opening Adams Street (coordinated with the Tallahassee Police Department).

Whenever Adams Street is closed, there will be an established alternate route for vehicular traffic to follow.

The City Manager or his designee will notify Tallahassee Police and Public Works when a request for closing Adams Street is submitted.

Maintenance: City Parks and Recreation will be responsible for routine maintenance of Adams Street / Gallie Alley area.

Approval of Permits: The permit will be reviewed and given final approval by the Executive Director of the Downtown Improvement Authority, subject to review and approval by appropriate City Departments, including the Traffic Engineering Division of the Public Works Departments, the Parks and Recreation Department, the Risk Management Officer, and the Police Department.

**106.07 ADMINISTRATION:** The City Manager or a designee will be responsible for the receipt and issuance of all requests and permits for the use of Adams Street / Gallie Alley and the location of vendor carts authorized under this policy. The Executive Director of the Downtown Improvement Authority will serve as the City Manager's designee for administration of this policy.

## **PART II.**

### **SIDEWALK CAFÉ PERMIT POLICY FOR TABLE PLACEMENT ONLY OR FOR TABLE PLACEMENT WITH TABLE SERVICE**

**106.08 SCOPE AND APPLICABILITY:** This policy shall apply to all restaurants desiring to use adjacent sidewalks for a sidewalk café (with or without waiter/waitress service) within the area bounded by Gadsden Street, Tennessee Street, Bronough Street, and Pensacola Street.

**106.09 POLICY STATEMENT:** It is the intent of the City of Tallahassee to regulate the use of sidewalks adjacent to restaurants for sidewalk cafes (with or without waiter/waitress service) through the issuance of special use permits and the establishment of policies and procedures.

**106.10 DEFINITIONS:** Sidewalk Café Permit For Table Placement Only: This term applies in those cases where a restaurant desires to use adjacent sidewalks for a sidewalk café with tables only with no waiter/waitress service to the area. A different application form is required for this kind of sidewalk café permit.

Sidewalk Café Permit For Table Placement With Table Service: This term applies in those cases where a restaurant desires to use adjacent sidewalks for a sidewalk café with table service involving waiter/waitress service to the area. This permit is accompanied by a lease agreement that is executed by the city and restaurant. A monthly lease fee of \$100.00 is established and collected under the lease agreement.

#### **106.11 CRITERIA FOR USAGE:**

Sidewalks may be used by restaurants for sidewalk cafes when several criteria are met. These include the following: the sidewalks must be adjacent to the subject restaurant; there must be adequate room to accommodate tables and chairs and still maintain normal pedestrian passage through the area, as well as handicapped accessibility.

The sidewalk café must be open to the general public and the nature of the operation must be such that it is compatible with the existing physical facilities and downtown outdoor setting. The sidewalk café should not interfere with the health, safety, and welfare of the public. The

restaurant must provide proof of adequate liability insurance and business/alcohol licenses for the sidewalk café operation.

**Usage Stipulation:** The approved restaurant manager/owner will be responsible for the clean up of the sidewalk cafe area after use. The user must fully cooperate at all times with the Police and any other City departments. The City reserves the right to limit or restrict the area of usage. The City reserves the right to assess charges for excessive maintenance, clean up, and damages to the area utilized. The City reserves the right to limit the length of time the area may be used.

The City may revoke the permit (and if applicable, cancel the lease agreement) if the operation of the sidewalk café is determined not to be in the public's best interest.

#### **106.12 PROCEDURES:**

For Sidewalk Café with Table Placement Only:

A permit application must be completed and submitted to the City Manager or his designee. The manager or owner of the restaurant must sign the application. The permit will be reviewed and given final approval by the Executive Director of the Downtown Improvement Authority, subject to review and approval by appropriate City Departments, including the Traffic Engineering Division of the Public Works Department, the Land Use and Environmental Services Division of the Growth Management Department, the Risk Management Officer, and the Police Department.

For Sidewalk Café with Table Placement and Table Service:

**Permit Application:** Part I of the permit application must be completed and submitted to the City Manager or his designee. Part I of the application must be signed by the manager or owner of the restaurant. Part I of the application will be reviewed and given final approval by the Executive Director of the Downtown Improvement Authority, subject to review and approval by appropriate City Departments, including the Traffic Engineering Division of the Public Works Department, the Land Use and Environmental Services Division of the Growth Management Department, the Risk Management Officer, and the Police Department.

**Lease Agreement:** After receiving Part I application approval, the Executive Director of the Downtown Improvement Authority will arrange a meeting for the applicant with the City's Real Estate Administrator to complete Part II, the Sidewalk Café Lease Agreement. The proposed sidewalk café lease agreement will then be submitted to the City Manager for approval and execution.

**106.13 ADMINISTRATION:**The City Manager or a designee will be responsible for the receipt and issuance of all permits for sidewalk café table placement (with or without table service). The Executive Director of the Downtown Improvement Authority will serve as the City Manager's designee for administration of this policy.

**106.14 EFFECTIVE DATE:** Revisions adopted by City Commission February 14, 2001.

**106.15 SUNSET REVIEW:** The sunset review date is to occur no later than five years from the effective date.