

RESOLUTION NO. 3363

INTRODUCED BY COUNCIL

A RESOLUTION WAIVING ANNUAL FEES ASSOCIATED WITH OUTDOOR DINING AND ENCROACHMENT PERMITS DURING FISCAL YEAR 2021 AND PROVIDING FOR MATTERS PROPERLY RELATING THERETO.

WHEREAS, Chapter 5.77 of the Sparks Municipal Code allows the use of sidewalks and public right-of-way for outdoor cafés subject to certain standards and restrictions; and

WHEREAS, a permit is required for an outdoor café and permit holders are required to pay the City for the use of City sidewalks; and

WHEREAS, City Council may issue a permit upon such terms, conditions and fees as it deems appropriate; and

WHEREAS, the COVID-19 pandemic has severely impacted many Victorian Square businesses that hold permits for outdoor cafés; and

WHEREAS, it is in the interest of furthering the City's redevelopment goals to retain Victorian Square businesses with outdoor cafés.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPARKS:

Section 1. Permit Fees are Waived for Fiscal Year 2021

The City Council hereby waives fees associated with outdoor dining and encroachment permits issued pursuant to Chapter 5.77 of the Sparks Municipal Code for Fiscal Year 2021.

Section 2. All Other Provisions of SMC Chapter 5.77 Remain in Effect

Holders of outdoor dining and encroachment permits must comply with all other requirements of Chapter 5.77 of the Sparks Municipal Code.

Section 3. General Provisions

This Resolution is effective upon passage and approval. The officers of the City are hereby authorized and directed to take all action necessary to effectuate the provisions of this Resolution. The provisions of this Resolution shall be enforced only to the extent permitted by law and, within that limitation, shall be liberally construed to effectively carry out its purposes. In the event that any provision of this Resolution is deemed void, invalid, or unenforceable by a court of competent jurisdiction, then such offending

provision shall be severed from this Resolution and all remaining provisions shall remain in full force and effect.

PASSED AND ADOPTED on this _____ day of _____, 2020, by the following vote of the City Council:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

APPROVED this _____ day of _____, 2020, by:

RONALD E. SMITH
Mayor

Attest:

LISA HUNDERMAN
City Clerk

APPROVED AS TO FORM

CHESTER H. ADAMS
City Attorney