

INTRODUCED: November 13, 2018

AN ORDINANCE No. 2018-296

To amend ch. 24, art. II, div. 8 of the City Code by adding therein a new § 24-244.1 for the purpose of providing that no sidewalk café permit applied for by an operator who is not the property owner shall be denied, suspended, or revoked solely because such property owner is delinquent in the payment of any applicable real estate taxes.

Patron – Ms. Gray

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 10 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 24, Article II, Division 8 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** section numbered 24-244.1 as follows:

Sec. 24-244.1 Permit not to be denied, suspended, or revoked solely because owner is delinquent on real estate taxes.

No permit applied for by an operator who is not the owner of the property on which the operator’s food or beverage service establishment is located shall be denied pursuant to Section

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 17 2018 REJECTED: _____ STRICKEN: _____

24-241(f) or suspended or revoked pursuant to Section 24-244(b)(1)(e) solely because such owner (and not such operator) is delinquent in the payment of any applicable real estate taxes.

§ 2. This ordinance shall be in force and effect upon adoption.



Richmond City Council

The Voice of the People

Richmond, Virginia

Lou Brown Ali
Council Chief of Staff

Office of the Council Chief of Staff

Ordinance/Resolution Request

RECEIVED

NOV 10 2018

OFFICE OF CITY ATTORNEY

TO Allen Jackson, City Attorney

THROUGH Lou Brown Ali, Council Chief of Staff *MLB on Behalf of*

FROM Charles M. Jackson, Council Budget Analyst *CS*

COPY Kimberly Gray, 2nd District Council Member
Meghan K. Brown, Deputy Council Chief of Staff *MLB*
Craig Bieber, 2nd District Liaison

DATE November 1, 2018

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TITLE Ordinance Granting Exemptions for Tenants Applying for Sidewalk Café Permits.

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Kimberly Gray

SUGGESTED STANDING COMMITTEE

Government Operations

ORDINANCE/RESOLUTION SUMMARY

The patron requests an ordinance to amend City Code, granting permit exemptions for tenants applying for sidewalk cafes (only) in instances where the property owner is delinquent on real estate taxes.

BACKGROUND

Certain tenants who rent real estate space from property owners are experiencing interruptions in maintaining sidewalk café permits due to property owners becoming delinquent in paying real estate taxes. As such, these tenants experience a loss in sales revenue—which impacts the City's revenue derived from prepared meals.

This ordinance offers a remedy for such tenants by granting a sidewalk café permit exemption (from penalty) in circumstances in which the property owner becomes delinquent in paying real estate taxes for the property. The remedy will only apply to tenants (not property owners or landlords). This remedy is not intended as an exemption for other city permits.

This ordinance becomes effective upon adoption, and will retroactively apply to current business tenants affected by any previous sidewalk cafe permit penalty.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact:

Allowing an exemption may result in increases in prepared meals tax revenue for the City—however no precise estimate is known.

Attachment/s Yes No