

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY  
OF SANTA BARBARA AMENDING THE  
MUNICIPAL CODE BY AMENDING SECTION  
9.95.080 RELATING TO OUTDOOR DINING  
LICENSES

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS  
FOLLOWS:

SECTION 1. Section 9.95.080 of Chapter 9.95 of Title 9 of the Santa Barbara  
Municipal Code is amended to read as follows:

**9.95.080 Issuance of License.**

The City Engineer may issue an outdoor dining license pursuant to administrative  
regulations issued by the Public Works Director and approved by resolution of the City  
Council. At a minimum such regulations shall determine and require the following:

- A. The approval and execution of a standard license agreement in a form  
acceptable to the City Attorney;
- B. Proof of insurance naming the City as an additional insured acceptable to  
the Risk Manager;
- C. Special site conditions as needed or desirable;
- D. Whether the design for seating and signage meets the minimum standards  
of the established administrative regulations;
- E. Such other conditions as are necessary for public safety or to protect public  
improvements, such as the posting of appropriate security to guarantee the restoration of  
the right-of-way upon termination of the license;

F. Conditions necessary to restore the appearance of the sidewalk or right-of-way on termination of use;

G. Compliance with the applicable City building, zoning and design review requirements, particularly those requirements with respect to automobile parking.

H. ~~Some form of fair market rent as compensation to the public~~Payment of an annual license fee for use of the sidewalk or right-of-way in an amount established by resolution of the City Council;

I. The payment of an appropriate license application fee in an amount established by resolution of the City Council;

J. Adequate setback and clearances for all expected pedestrian uses of the sidewalks, as well as for unusual or occasional public uses that can be anticipated.