

RESOLUTION NO. 041115-4

WHEREAS, on May 11, 2015, the Borough Council of the Borough of Gettysburg (hereinafter the "Borough Council") immediately prior to the adoption of this Resolution enacted and ordained Ordinance No. 1429-15 for the purpose of regulating outdoor dining areas on the sidewalks or other public property or access areas of the Borough of Gettysburg (hereinafter the "Outdoor Dining Areas Ordinance"); and

WHEREAS, pursuant to subsection 13-1104.1. of the Outdoor Dining Areas Ordinance, the Borough Council shall establish permit fees to be paid with the filing of applications for the issuance of annual permits pursuant to the said Ordinance in such amounts as to be established from time to time by resolution of the Borough Council; and

WHEREAS, pursuant to subsection 13-1104.3. of the Outdoor Dining Areas Ordinance, as a condition precedent to operating an outdoor dining area on the sidewalks or other public property or access areas of the Borough of Gettysburg, an applicant shall procure and provide proof of general liability insurance in a minimum coverage amount which is to be established and set from time to time by resolution of the Borough Council; and

WHEREAS, the Borough Council desires to adopt a resolution establishing the fees to be paid to the Borough of Gettysburg for the filing of applications requesting the issuance of annual permits pursuant to the Outdoor Dining Areas Ordinance and establishing and setting the minimum amount of general liability insurance coverage for the operation of any such permitted outdoor dining area.

WHEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Gettysburg does hereby adopt the following:

1. The permit fee to be paid to the Borough of Gettysburg for the filing of an application requesting the issuance of an annual permit or renewal thereof pursuant to the terms and provisions of the Outdoor Dining Areas Ordinance shall be the sum of a base permit fee of seventy-five (\$75.00) dollars plus an additional fee of two (\$2.00) dollars for each square foot of outdoor dining area to be permitted by the Borough. Any such application fees are to be paid to the Borough of Gettysburg at the time that an application is submitted to and filed with the Borough.
2. The general liability insurance policy, which provides coverage to the Borough of Gettysburg on a primary and noncontributory basis as an additional insured relative to outdoor dining areas, shall be issued in the minimum coverage amount of one million (\$1,000,000.00) dollars per occurrence.

3. All other resolutions or parts of resolutions inconsistent herewith are hereby amended and revised accordingly by this resolution.

4. The provisions of this resolution may be amended according to law by subsequent resolution duly adopted by the Borough Council.

5. This resolution shall take effect upon adoption.

THIS RESOLUTION DULY ADOPTED according to law on this 11th day of May, 2015 at a duly advertised general monthly business meeting of the Borough Council of the Borough of Gettysburg.

BOROUGH OF GETTYSBURG

By: Michael J. Birkner
Michael J. Birkner
President of Borough Council

Attest:

Sara L. Stull
Sara L. Stull, Secretary