

RESOLUTION NO. 46-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING A SCHEDULE OF FEES FOR THE ESTABLISHMENT AND RENEWAL OF A SIDEWALK CAFE PERMIT PURSUANT TO RECENTLY REVISED SECTION 6.3.3. SIDEWALK CAFE. OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

WHEREAS, the City Commission ("Commission") of the City of Delray Beach ("City"), pursuant to section Sec. 6.3.3(B). Permit and Fees. of the Land Development Regulations ("LDRs") of the City is authorized to set fees associated with Sidewalk cafe permits by resolution in accordance with newly adopted Ordinance No. 17-17; and

WHEREAS, the Commission desires to set Sidewalk Cafe permit fees by resolution pursuant to the LDRs which will include an initial application fee, a City annual permit fee, and an additional leasing fee to cover the leasing costs of the Florida Department of Transportation (FDOT) Lease as set forth in the most recent executed lease agreement between the City and FDOT for those right-of-way areas locate adjacent to Sidewalk Cafes which are located along E. Atlantic Avenue and along S. Ocean Boulevard.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are true and accurate, and are incorporated herein

Section 2. The City of Delray Beach hereby adopts the following fees for the establishment and/or renewal of a sidewalk cafe permit:

|   |                |
|---|----------------|
| Application Fee.....  | \$150          |
| City Annual Permit Fee (based on square footage of space) ..... | \$4.75/sq. ft. |
| FDOT Lease Fee along East Atlantic Avenue .....                 | \$3.50/sq. ft. |
| FDOT Lease Fee along S Ocean Boulevard.....                     | \$4.00/sq. ft  |

Section 3. One copy of the Fee Schedule as set forth herein shall be identified as an official copy and shall be kept on file with the City Clerk for public use, inspection and examination.

Section 4. This Resolution shall become effective immediately upon adoption. All resolutions or parts of resolutions in conflict with this resolution are to the extent of such conflict hereby repealed.

PASSED AND ADOPTED by the City Commission of the City of Delray Beach this \_\_\_\_ day of June, 2017.

\_\_\_\_\_  
Cary D. Glickstein, Mayor

ATTEST:

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Katerri Johnson, CMC., City Clerk