

**RESOLUTION NO. \_\_\_\_ August 8, 2022**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE HUDSON BUSINESS COALITION, INC.**

**WHEREAS**, due to the continuing COVID-19 pandemic the City of Hudson plans to institute a Hudson City Streets Seasonal Use program from July 12, 2022 to October 2, 2022; and

**WHEREAS**, similar to previous years the City requires additional support to manage the administration and delivery of such a program in 2022; and

**WHEREAS**, the Hudson Business Coalition, Inc. (hereinafter “HBCi”), represented by Alexandre Petraglia, has come forward as a partner organization to oversee the management of this program; and

**WHEREAS**, the Tourism and Events Committee of the Common Council previously reviewed plans for the 2022 Seasonal Use program and delivered recommended changes to the Mayor for consideration; and

**WHEREAS** in furtherance thereof, HBCi has provided a Memorandum of Understanding, a copy of which is an exhibit attached hereto;

**NOW THEREFORE BE IT RESOLVED**, that the Common Council hereby authorizes the Mayor to execute a Memorandum of Understanding with the Hudson Business Coalition, Inc. regarding the implementation and management of Hudson City Streets Seasonal Use in 2022.

Introduced: \_\_\_\_\_

Seconded: \_\_\_\_\_

Approved: \_\_\_\_\_  
Mayor Kamal Johnson

## Hudson City Streets Seasonal Use 2022— MOU with City of Hudson and Hudson Business Coalition [HBCi]

The following prepared memorandum of understanding (MOU) between City of Hudson and Hudson Business Coalition [HBCi] is for the purpose of outlining the details of this year's 'Hudson City Streets Seasonal Use' program (previously known as 'Shared Streets').

Hudson Business Coalition, a 501(c)6 operating within the City of Hudson with the express purpose of stimulating a vibrant business community within the City, has set forth its intention to manage and facilitate the implementation of this year's program, designed to allow food and beverage businesses operating within City of Hudson to operate outdoors in designated spaces for purposes of increasing economic activity within the City of Hudson during the agreed upon program period.

### City of Hudson shall:

- Help facilitate the implementation, enforcement, and ultimate conclusion of the program by making available the necessary resources, including City-owned concrete barriers and planters, as well as the equipment and labor force of the City's agencies including Hudson Department of Public Works, Hudson Police Department, and any other relevant City agencies
- Allow businesses to operate outdoor seating areas for their customers on both the sidewalk in front of their businesses and within designated street spaces, including parking spaces and inactive no parking zones,

### Hudson Business Coalition shall:

- Provide and communicate all program details, both at the onset of the program, and over its duration, to all participating businesses (see attached agreement sheet for the program regulations businesses must adhere to)
- Be responsible for filing all paperwork and paying any associated permitting fees with relevant City agencies, including Hudson Police Department
- Remunerate City of Hudson for "lost" parking revenue for the usage of each *metered* parking space on the following basis:
  - For every metered space in use on a Monday, Tuesday, Wednesday, \$0 per-day
  - For every metered space in use on a Thursday and Friday, \$0.80 per-day
  - For every metered space in use on a Saturday, \$4 per-day

*The undersigned individuals, being qualified representatives for their respective bodies, willingly enter into this arrangement for the program duration:*

### City of Hudson

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

### Hudson Business Coalition

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

## Hudson City Streets Seasonal Use 2022— Regulations Agreement

**Hudson City Streets Seasonal Use 2022** involves the City of Hudson allowing food and beverage establishments within the City of Hudson to expand into parking spaces in front of their businesses to increase safe dining from late June through early October, 2022.

### The City of Hudson will:

- Provide and place city approved concrete barriers to be used in the safety setup.
- Provide (in instances where businesses do not already own) and place city approved planters and plants to be used in the safety setup.
- **Enforce all regulations** with the following protocol:
  - **First Violation— Written Warning:** In the event that a business fails to adhere to any of the following regulations a written warning stating that further failure to adhere will result in permit revocation.
  - **Second Violation— Permit Revoked:** In the event a business fails to adhere to any of the regulations listed below a second time, their permit will be revoked by the Hudson Police Department and not reinstated for the remainder of the season. The participating business will have their set up removed by Hudson DPW and be subject to a \$250 fee payable to City of Hudson.

### The following are the regulations that must be agreed to by any business wishing to participate in Hudson City Streets Seasonal Use 2022.

1. Businesses are required to provide the following :
  - a. A signed copy of this regulations agreement sheet.
  - b. Certificate of Insurance naming City of Hudson, 520 Warren Street, Hudson NY 12534 as co-insured with their permit application.
  - c. Businesses who serve alcohol must submit a copy of their SLA permit and Liquor Legal Liability Insurance with their permit application.
2. There must, **without exception**, be 4 feet (48”) of clear sidewalk space from the curb for pedestrians, Businesses must also maintain compliance with [the City of Hudson code](#) and [ADA accessibility standards](#).
3. Businesses are asked to make all reasonable accommodations to provide at least one ADA compliant table set up, which includes accessibility and height requirements. The ADA-designated table can be situated on the sidewalk, rather than in the ‘street space,’ for ease of access.
4. Fire hydrants, active fire lanes, and ADA parking spots **will not be blocked under any circumstance**.
5. Businesses will provide their own trash receptacles within the confines of their safety setup and **remove the trash at the close of business each day**.
6. Businesses are responsible to maintain the cleanliness of their own space.
7. Businesses will adhere to the city’s commercial noise ordinance which states, in part, that 65 dB(A) will be allowed between 7AM and 10PM and 55 dB(A) between 10PM and 7AM seven days a week.
8. Businesses are **required to water and maintain the plants in the planters**. Plants shall not be swapped out or replaced.
9. No permanent or semi-permanent structures or tents will be allowed. Umbrellas and umbrella stands may be used, but should be closed/stored at the end of each day.
10. The barriers and planters are the property of the City of Hudson and cannot be augmented (painted, decorated, etc.) without prior written approval.
11. All participants will be **expected to be respectful** of their business and residential neighbors. Businesses are permitted to occupy their designated street spaces, and the sidewalks in front of their own businesses, but **not on the sidewalk in front of neighboring commercial or residential properties**. If an issue arises that cannot be amicably resolved through respectful communication and mutual agreement, Hudson Business Coalition will be called **immediately** to mediate and resolve any issues or enforce any lack of regulation adherence under the supervision of the Mayor’s office.

I, \_\_\_\_\_ the proprietor (or other authorized representative) of the

business \_\_\_\_\_ located at \_\_\_\_\_ Hudson, NY 12534

acknowledge that I have read, understand, and agree to adhere to the regulations for Hudson City Streets Seasonal Use 2022 listed above. Further, I understand that failure to do so will result in revocation of my permit to participate in Hudson City Streets Seasonal Use 2022 in accordance with the enforcement process outlined above.

Sign: \_\_\_\_\_

Date: \_\_\_\_\_