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Councilmember Mary M. Cheh

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Councilmember Jack Evans

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Councilmember Robert White, Jr.

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3 A PROPOSED RESOLUTION  
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7 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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12 To declare the existence of an emergency with respect to the need to amend the District of  
13 Columbia Public Space Rental Act to authorize the use of certain public space by a  
14 legitimate theater as a sidewalk café; and to amend Chapter 3 of Title 24 of the District of  
15 Columbia Municipal Regulations allow a legitimate theater to operate a sidewalk café.

16 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this  
17 resolution may be cited as the “Legitimate Theater Sidewalk Café Authorization Emergency  
18 Declaration Resolution of 2019”.  
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20 Sec. 2. (a) Bars, restaurants, grocery stores, breweries, wineries, and distilleries are  
21 authorized to apply to the District Department of Transportation for a permit to operate a  
22 sidewalk café in public space adjacent to their premises, while legitimate theaters, which are  
23 venues for live plays and other forms of live dramatic performance, currently are not. This  
24 inadvertent oversight leaves them at a disadvantage in competing with establishments that have  
25 outdoor cafés.

26 (b) Legitimate theaters have advocated that they be authorized to operate sidewalk cafes.  
27 And the Director of the District Department of Transportation has testified that he has no  
28 objections to licensing sidewalk cafés for legitimate theaters.

29           (c) The high season for a legitimate theater to be able to compete for this additional  
30 revenue stream, and the District to accrue increased sales tax revenue, is now. Emergency  
31 legislation is necessary so that a legitimate theater may expeditiously be authorized to apply for a  
32 permit to operate a sidewalk café this summer season.

33           Sec. 3. The Council of the District of Columbia determines that the circumstances  
34 enumerated in section 2 constitute emergency circumstances making it necessary that the  
35 Legitimate Theater Sidewalk Café Authorization Emergency Amendment Act of 2019 be  
36 adopted after a single reading.

37           Sec. 4. This resolution shall take effect immediately.