



Rochester Hills

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Master

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File Name: Request to consider a temporary resolution for outdoor use regulations to provide temporary relief to businesses due to COVID-19

Final Action:

Title label: Request to consider a temporary resolution for outdoor use regulations that will allow City administration more flexibility in helping businesses recover from the extended COVID-19 shutdown

Notes:

Sponsors:

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Attachments:

Enactment Number:

Contact:

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Drafter:

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Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File 2020-0212

Title

Request to consider a temporary resolution for outdoor use regulations that will allow City administration more flexibility in helping businesses recover from the extended COVID-19 shutdown

Body

Whereas, in order to facilitate and promote restoration of economic activity and to assist local businesses adversely impacted by the Covid-19 pandemic and its associated business reduction and closures to reopen and resume operation while containing the spread of Covid-19 and observing applicable social distancing guidelines and requirements, the City of Rochester Hills intends to temporarily relax and suspend strict enforcement of certain City ordinances and regulations concerning outdoor business operations and uses.

Therefore, the Rochester Hills City Council Resolves that effective on June __, 2020, and continuing through December 31, 2020 (unless sooner modified or terminated by further City Council resolution), all commercial and industrial business establishments lawfully in existence in the City will be temporarily permitted to shift portions

of their operations outdoors to accommodate social distancing guidelines in accordance with requirements, criteria, limits, standards, and conditions to be established by the City Administration, and further subject to the following:

1. Establishments may provide a waiting area or host, concierge or other point of sale services to patrons from a temporary station or location immediately adjacent to and outside of their establishment, as space permits;
2. Establishments may place temporary fixtures and furnishings immediately adjacent to and outside of their establishment for the purpose of displaying or offering goods or services for sale to the public, as space permits;
3. Temporary outdoor operations and uses must not encroach into or obstruct fire lanes and hydrants; handicap parking spaces; public rights-of-way and alleys; pedestrian and bicycle paths and sidewalks, or barrier-free access and ramps;
4. Appropriate noise and exterior lighting control measures must be implemented to prevent the temporary outdoor operation or use from becoming a nuisance to nearby residents and businesses;
5. Any establishments seeking to temporarily shift business operations or uses to outdoors in accordance with this resolution must submit a Special Event Permit application for approval to the City's Building Department, and include a plan for the temporary outdoor use, showing all existing elements (such as trees, parking meters, street lights etc.), as well as all proposed temporary fixtures and furnishings, including dimensions clearly marked to show pedestrian pathways and to demonstrate compliance with social distancing guidelines.
6. Temporary outdoor operations and uses shall be designed and laid out to meet applicable social distancing guidelines and shall include (i) Temporary signs to encourage compliance with social distancing guidelines; (ii) Hand sanitizing station(s) in the outdoor use area; and (iii) Trash receptacle(s) and disinfecting wipes or other supplies for the cleaning of fixtures and furnishings and other high touch points in the outdoor area.

It Is Further Resolved that review and permit fees for temporary outdoor operations and uses shall be waived.

It Is Further Resolved that except to the extent temporarily relaxed or suspended herein and as necessary to give full effect to this resolution and to the special event permit approvals to be granted hereunder, all City ordinances shall remain in full force and effect. Failure to comply with applicable ordinances, this Resolution, and any requirements or conditions attached to any permit approval may result in enforcement action and termination of permission to have temporary outdoor dining/seating.

It Is Further Resolved that City Council reserves the authority to modify, shorten, or lengthen the term and provisions of this Resolution as the Council deems reasonable and appropriate under the circumstances.