



Rochester Hills

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Master

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Controlling Body: City Council
Regular Meeting

File Created Date : 05/27/2020

File Name: Request to consider resolution(s) to provide temporary relief to businesses due to COVID-19

Final Action:

Title label: Request for an extension of a temporary resolution for outdoor dining/seating standards

Notes:

Sponsors:

Enactment Date:

Attachments: 12072020 Agenda Summary.pdf, 06012020 Agenda Summary.pdf, Temp Covid Outdr Ding-Seating Stds.pdf, 06012020 Resolution.pdf, Resolution (Draft).pdf

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Contact:

Hearing Date:

Drafter:

Effective Date:

Related Files:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council Special Meeting	06/01/2020	Adopted by Resolution				Pass

Text of Legislative File 2020-0209

Title

Request for an extension of a temporary resolution for outdoor dining/seating standards

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 Council, at its June 1, 2020 Special Meeting, adopted Resolution 0128-2020 to temporarily relax and suspend strict enforcement of certain City ordinances and regulations concerning outdoor dining and seating; and

Whereas, said resolution continues in effect through the end of this year, and taking into account the ongoing

global pandemic and indoor business occupancy limitations, the City Council desires to extend the terms and conditions of said resolution through June 1, 2121.

Resolved, that the Rochester Hills City Council declares that effective immediately, and continuing through June 1, 2021 (unless sooner modified or terminated by further City Council resolution), all food and drink establishments lawfully in existence in the City will be temporarily permitted to have and to operate outdoor dining/seating areas in accordance with requirements, criteria, limits, standards and conditions to be established by the City Administration and further subject to the following:

1. Food and drink establishments may temporarily add or expand an outdoor dining/seating area with seating up to 75% of their current lawful interior seating capacity, if space permits;
2. Temporarily added or expanded outdoor dining/seating area 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;
3. Appropriate noise and exterior lighting control measures must be implemented to prevent the outdoor dining/seating area from becoming a nuisance to nearby residents and businesses;
4. Temporary outdoor dining/seating areas may include temporary structures, enclosures or covers with or without lighting or heating elements to protect patrons and staff from inclement weather. Such temporary structures and any lighting or heating elements will require permits and inspections to ensure safety;
5. Any establishment seeking to temporarily add or expand outdoor dining/seating areas pursuant to this Council Resolution must electronically submit a Special Event Permit application to the City's Building Department and include a plan for the proposed outdoor dining/seating area depicting the location of the outdoor dining/seating area and all tables, chairs, fixtures and furnishings with dimensions and distances clearly marked for pedestrian paths and between seating.
6. Temporary new or expanded outdoor dining/seating areas 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) adjacent to the outdoor dining area; and (iii) Trash receptacles(s) and disinfecting wipes or other supplies for the cleaning of tables and chairs and high-touch points in the outdoor dining/seating area.

Be It Further Resolved, that review and permit fees for temporarily added or expanded outdoor dining/seating shall be waived.

Be It 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 special event permit may result in enforcement action and termination of permission to have temporary outdoor dining/seating.

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