

RESOLUTION

TEMPORARY COVID-19 OUTDOOR DINING/SEATING STANDARDS

At a _____ meeting of the City Council of the City of Rochester Hills, Oakland County, Michigan (the “City”), held on the ____ day of _____ 2020.

PRESENT:

ABSENT:

The following resolution was offered by _____ and seconded by _____.

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 dining and seating.

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 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. 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.

- 5. 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 receptacle(s) and disinfecting wipes or other supplies for the cleaning of tables and chairs and high-touch points in the outdoor dining/seating area.

IT IS FURTHER RESOLVED that review and permit fees for temporarily added or expanded outdoor dining/seating 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 special event permit 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.

RESOLUTION DECLARED ADOPTED. YEAS: _____

NAYS: _____

ABSTENTIONS: _____

STATE OF MICHIGAN)
) ss
 COUNTY OF OAKLAND)

I, Tina Barton, City Clerk, of the City of Rochester Hills, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted at a _____ meeting of the City Council of the City of Rochester Hills, Oakland County, Michigan, on the ____ day of _____ 2020, the original of which is on file in my office.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this ____ day of _____ 2020.