



Rochester Hills

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Master

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Controlling Body: City Council
Regular Meeting

File Created Date : 05/28/2020

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 for an extension of a temporary resolution for outdoor use regulations

Notes:

Sponsors:

Enactment Date:

Attachments: 12072020 Agenda Summary.pdf, 06012020 Agenda Summary.pdf, Temp Covid Temp Uses.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 2020-0212

Title

Request for an extension of a temporary resolution for outdoor use regulations

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 0129-2020 to temporarily relax and suspend strict enforcement of certain City ordinances and regulations concerning outdoor business operations and uses; 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 and social distancing limitations and guidelines, the City Council desires to extend the terms and conditions of said resolution through June 1, 2020.

Resolved, that the Rochester Hills City Council determines that effective immediately, and continuing through June 1, 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 hose, 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.

Be It Further Resolved, that review and permit fees for temporary outdoor operations and uses 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 permit approval may result in enforcement action and termination of permission to have a temporary outdoor operation and use.

Be It Finally 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.