

**AN ORDINANCE AUTHORIZING THE EXTENSION OF TEMPORARY
OUTDOOR DINING AS AMENDED BY ORDINANCE NO. 20-22 AND SET TO
EXPIRE ON NOVEMBER 1, 2020**

WHEREAS, on March 9, 2020, Illinois Governor J.B. Pritzker issued a Gubernatorial Disaster Proclamation declaring that all counties in the State of Illinois, including Cook County, are disaster areas due to the Novel Coronavirus; and

WHEREAS, on March 17, 2020, Joe Gallo, as Mayor of the City of Rolling Meadows ("City") issued a Declaration of a Local State of Emergency for the City to address the impact of COVID-19 on the City and its residents and businesses and property owners ("Emergency Declaration"); and

WHEREAS, the Illinois Governor has established a five-phase plan, Restore Illinois, dated May 5, 2020, for the reopening of the State; and

WHEREAS, though the threat from COVID-19 to the public health, safety and welfare continues, the Restore Illinois Plan acknowledges the need to allow local and State economies to begin to recover economically to minimize and reverse the adverse economic, social and psychological effects of Phases 1 (Rapid Spread) and 2 (Flattening the Curve) of the Plan; and

WHEREAS, all regions of the Restore Illinois Plan, including the Northeast Region in which the City is located, advanced to Phase 3 on May 29, 2020 which allowed outdoor dining to reopen with social distancing and safety measures in place; and

WHEREAS, pursuant to the City of Rolling Meadows City Council's approval of Ordinance 20-22 on June 3, 2020, which amended Chapter 22, "Business" of the City Code to add Article V, allowing for the issuance of permits for temporary outdoor dining areas; and

WHEREAS, Region 10, in which the City is located, advanced to Phase 4 on June 26, 2020, which has allowed indoor dining, amongst other businesses, to resume operations with social distancing and safety measures in place; and

WHEREAS, permits for temporary outdoor dining areas issued under the approval of Ordinance 20-22 expanding the Temporary Outdoor Dining Program are set to expire on November 1, 2020; and

WHEREAS, suspension and relaxation of the local zoning and other ordinances and rules to encourage and expand the ability of restaurants and bars to offer the outdoor consumption of food and drinks during the period of recovery would be in the best interests of the City; and

WHEREAS, the City Council finds it reasonably necessary to continue and extend the Temporary Outdoor Dining - to allow restaurants additional outdoor dining space to compensate for reduced indoor capacity and recovery from the past months of reduced operations and income.

SECTION ONE: The recitals set forth above are hereby incorporated herein as though set forth herein, verbatim.

SECTION TWO: Paragraph 15, of Section 22-1901, of Chapter 22, "Business" is hereby deleted, and replaced in its entirety as follows:

"15. Outdoor seating areas shall be permitted until such time as the State of Illinois moves Region 10 into Phase 5 of the Restore Illinois Plan."

SECTION THREE: Section 22 of Chapter 22, "Business" is hereby amended by appending the following paragraph to the end:

"Section 22-1904. Additional Regulations for Operation between November 1 and April 30.

1. Temporary outdoor shelters must be capable of withstanding average snow and wind loads through December for the region as calculated by the National Weather Service, Chicago. Any structure that is incapable, must be removed after the first 2" snow fall and not reinstalled until permitted to do so in May.
2. Outdoor dining furniture may remain on site after November 1 may be used during the months of November through April as weather conditions permit.
3. When not in use between November 1, 2020 and April 30, 2021, furniture must be securely anchored and may not interfere with snow removal operations.
4. Establishments shall comply with protocols or guidelines issued by the Illinois Department of Public Health, Centers for Disease Control or other official authority.
5. If outdoor lighting is provided, the outdoor dining area shall close no later than as permitted under the Applicant's current liquor license in conjunction with indoor dining and drinking, as issued by the City.
6. Establishments may not expand outdoor dining in front of neighboring businesses without written permission from the neighboring business/property owner.
7. No permanent plumbing, electrical and lighting fixtures shall be installed.
8. Any temporary lighting shall be directed in a manner to not impair visibility on nearby streets and not shine onto adjacent properties.
9. Tent canopies and enclosed tents are permitted, but any existing or proposed tent that is either:
 - A) Over 400 square feet in size, or

B) Includes tent side walls

Shall require a separate tent permit to be submitted and approved by the City. For existing tents, permits shall be obtained, or the tent shall be removed, by November 1, 2020. Unless otherwise determined by the Illinois Department of Public Health, tent canopies with 50% or more of side walls down shall be considered enclosed for indoor dining and their use shall be subject to the Department of Health Regulations for indoor dining. If the Illinois Department of Public Health implements mitigation efforts, reverts the Region back to Phase 3, or takes any other action which prohibits indoor dining, then use of enclosed tents shall be prohibited.

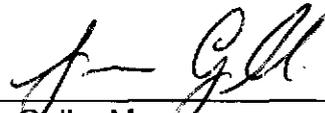
10. Any accessory heaters or heating equipment must be installed and used according to the manufactures specifications and the NEC 2009 and IFC 2009 Editions.

YEAS: O'Brien, Vinezeano, Bisesi, D'Astice, Sanoica, Cannon, Budmats

NAYS: 0

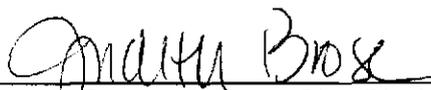
ABSENT: 0

Passed and approved this 13th day of October, 2020.



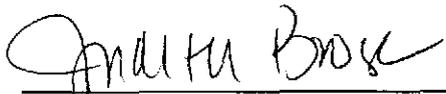
Joe Gallo, Mayor

ATTEST:



Judith Brose, Deputy City Clerk

Published this 14th day of October, 2020.



Judith Brose, Deputy City Clerk