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CITY OF OTTAWA

DANIEL F. AUSSEM
Mayor

City Commissioners

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May 22, 2020

Dear Liquor License Holder,

Due to Governor's recent announcement regarding the ability for restaurants and bars to resume operations with outdoor seating only, I would like to inform you the City is willing to assist restaurants and bars in expanding their outdoor seating areas by using public lots, parking spaces, or possible street closures. Please refer to the attached Executive Order regulating the expansion of outdoor seating. If you are considering using public property to expand your outdoor dining areas, I recommend submitting a plan and contacting me as soon as possible to begin discussions to ensure your outdoor dining area is ready on May 29, 2020.

Additionally, the State of Illinois has not yet released their rules and regulations for the operation of outdoor seating for restaurants and bars. Once these rules and regulations are released, we will upload them to the City of Ottawa website. Please be advised, the City will be enforcing all State rules and regulations for outdoors seating to ensure the spread of COVID-19 is minimized in our community.

Thank you for your cooperation in these changing times.

Very truly yours,

Daniel F. Aussem

Mayor/Liquor Commissioner

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**COVID-19
EMERGENCY ORDER 20-5
EXPANSION OF OUTDOOR DINING AREAS AND PERMITTING THE OFF-SITE
CONSUMPTION OF FOOD AND ALCOHOL IN AN OUTDOOR AREA ADJACENT TO A
LICENSED PREMISES**

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, State of Illinois Governor JP Pritzker issued a disaster proclamation on March 9, 2020 and April 1, 2020, declaring all counties in the State of Illinois a disaster area under the Illinois Emergency Management Agency Act, 20 ILCS 3305/7; and

WHEREAS, on March 20, 2020 Governor Pritzker issued a state-wide Stay at Home Order and on April 1, 2020 Governor Pritzker extended the Stay at Home Order through April 30, 2020, and on April 23, 2020 Governor Pritzker again extended the Stay at Home Order to May 30, 2020; and,

WHEREAS, on March 20, 2020, pursuant to Ordinance No. 13-2020, I, Mayor of the City of Ottawa declared a Declaration of Emergency in the City of Ottawa; and

WHEREAS, on April 7, 2020, the Council of the City of Ottawa passed Resolution No. 50-2020 extending the Declaration of Emergency and the Mayor's extraordinary powers and authority regarding COVID-19 to April 30, 2020, and on April 28, 2020, the Council passed Resolution No. 76 -2020 again extending the Declaration of Emergency and the Mayor's extraordinary powers and authority regarding COVID-19 to May 30, 2020; and

WHEREAS, on May 20, 2020, Governor Pritzker announced effective May 29, 2020, bars and restaurants could resume operations for outdoor seating only; and

WHEREAS, I find in the best interest of the City that Class B, Class D, and Class R liquor license holders be permitted to sell beer, wine, or mixed alcoholic drink to be consumed off-premises in an outdoor area adjacent or near the establishment; and


WHEREAS, in the best interest of the health and safety of the citizens of Ottawa, the bars and restaurants will be required to following additional protocols to help prevent the spread of COVID-19.

Therefore, the Mayor, pursuant to Ordinance No. 13-2020, the Declaration of Emergency, Resolution Nos. 50-2020 and 76-2020, and the Illinois Emergency Management Agency Act (20 ILCS 3305/11), hereby orders as follows:

1. **Expansion of Outdoor Seating.** Restaurants and bars will be permitted to temporarily expand their outdoor dining area for food and alcohol consumption by the possible use of public lots, public parking spots, or street closures near their establishment with permission and authorization of the City of Ottawa. All bars and restaurants wishing to use public property to expand its outdoor dining area must prepare a sketch of their plan and submit the plan to the City of Ottawa. The City and owner of the bar or restaurant are to discuss the plan to ensure the safety of customers and citizens, and the plan will require approval by the City prior to the bar or restaurant expanding their outdoor seating. The City will work with each bar and restaurant to try to obtain an option for expanding its outdoor dining area while still maintaining the safety of all customers and citizens and to limit interruptions to vehicular traffic.
2. **Tables.** All public seating and eating areas must be spaced so there is a minimum of 6-foot separation between each table or eating area.
3. **Patrons.** No more than ten (10) patrons, including children, will be permitted to sit at one table. The number of patrons allowed at a single table will be limited to a household unit or patrons who have requested to be seated together. Patrons in the same party seated at the same table do not need to be six feet apart.
4. **Alcohol.** All establishments with a B liquor license, D liquor license, or R liquor license will be permitted to sell and serve alcoholic beverages in the expanded outdoor dining area adjacent to their license premises. Alcoholic beverages may not be removed from the expanded outdoor area.
5. **Temporary Barriers.** All bars or restaurants that have expanded outdoor dining areas adjacent to a street open to vehicle traffic will be required to install a temporary barrier between the dining area and the street. All bars or restaurants with expanded outdoor dining areas in parking lots will be required to install a temporary barrier between the outdoor dining area and the rest of the parking lot.
6. **Indoor Premises.** Except for restroom visits and take-out orders, the indoor premises of restaurants and bars are to remain closed for public use.
7. **Insurance.** All bars or restaurants with expanded outdoor dining areas in public lots, public parking spots or the public right-of-way will be required to obtain insurance that covers the expanded outdoor dining area and must name the City of Ottawa as an additional insured on that policy. The restaurant or bar will be required to provide the City with proof of insurance upon submission of its sketch and request for an expanded outdoor dining area on public property.
8. **Permits.** Restaurants seeking to temporarily add or expand outdoor dining areas by using public lots, public parking spaces or public rights-of-way do not need to submit any permit applications or fees as long as they abide by this executive order. Additionally, sidewalk

café permits will not be required for any temporary expanded outdoor dining areas. Any liquor license holders that currently have a sidewalk café permit, do not need to renew their permit until restaurants and bars are permitted to resume indoor dining operations.

9. **Accessibility.** The temporary expanded dining area must be accessible to the disabled and must comply with all applicable federal, state, and City laws, ordinances, regulations concerning accessibility and nondiscrimination in the providing of services.
10. **State Regulations.** Any and all regulations regarding the outdoor operations of restaurants and bars issued by the State to help combat the spread of COVID-19 must be followed by all bars and restaurants. If the State issues any mandate or injunction regarding the use of expanded outdoor seating, then the restaurant and bars use of expanded outdoor seating must cease or be modified for compliance.
11. **Violations.** Any violation of this order may result in the issuance of an ordinance violation and subject to the penalties provided for in Section 1-11 of the Municipal Code of the City of Ottawa and the possibility of suspension or revocation of an establishment's liquor license.
12. **Effective Date.** This Order will be effective on May 29, 2020 and will remain in effect until July 7, 2020 unless otherwise terminated or modified.
13. **Intent of this Executive Order.** The intent of this Emergency Order is begin allowing restaurants and bars to begin serving customers again while maintaining social distancing recommendations to help prevent the spread of COVID-19 in the community while still protecting the health and safety of the citizens of Ottawa.
14. **Governor's Authority.** Nothing in this Order will be deemed to supersede the authority of the Governor and any orders that may be issued by the Governor.


Daniel F. Aussem,
Mayor of the City of Ottawa

Attest:


Shelly L. Munks, City Clerk

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