

**RESOLUTION NO. 35-2022**

Introduced by Matt Grieves

**A RESOLUTION ESTABLISHING TEMPORARY OUTDOOR PATIO DINING AREAS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, during the current COVID-19 crisis, City of Huron dining establishments have endured the hardship of being temporarily closed, restrictions on indoor dining capacities, and other operational constraints; and

**WHEREAS**, to provide dining options that best suit the individual needs of patrons, the City desires to establish a temporary program permitting outdoor patio dining areas; and

**WHEREAS**, the administration has prepared guidelines for the establishment of temporary outdoor dining areas that offer streamlined flexibility to Huron restaurants, while also ensuring the safety of its patrons; and

**WHEREAS**, the administration acknowledges that one or more Huron restaurants have previously entered into lease agreement(s) with the City for the use of City-owned property for outdoor patio dining; and

**WHEREAS**, the City of Huron desires to waive any rental payments due to the City by lessees using City-owned property for outdoor dining activities through September ; and

**WHEREAS**, it is the desire of Council to establish criteria and to temporarily authorize outdoor patio dining areas.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**

**SECTION 1.** That the Outdoor Patio Dining Areas criteria, as set forth on the attached Exhibit A, are hereby incorporated as though re-written herein and, further, are hereby adopted as a policy in the City of Huron.

**SECTION 2.** That this Resolution is hereby declared an emergency measure immediately necessary for the preservation of the public health, safety and welfare and for the further reason that it will assist Huron restaurant owners who have endured financial hardship while being temporarily closed during the COVID-19 crisis; and further provided that it receives the affirmative vote of two-thirds of all members of Council, it shall take effect and be in force immediately upon passage and approval by the Mayor.

**SECTION 3.** That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

**SECTION 5.** That this Resolution shall be in full force and effect from and immediately after its adoption.

ATTEST: Jerri Welkenen  
Clerk of Council

Monty Tapp  
Monty Tapp, Vice-Mayor

ADOPTED: 22 MAR 2022





### **Guidelines for Outdoor Patio Dining Activities**

Effective: March 23, 2022

Due to federal, state, and local restrictions pertaining to the COVID-19 pandemic, food service operations that currently have only indoor seating, such as restaurants and bars, may desire to create outdoor dining areas. The City has developed the following guidelines which govern how outdoor dining areas may be used from the effective date of these guidelines until October 31, 2022.

- The operator must provide a drawing of the proposed area and seating, specifically indicating the area to be used for the outdoor patio dining area and any other proposed temporary fences, vehicular protections or other temporary improvements.
- The operator must provide written approval from the property owner for the proposed temporary outdoor patio dining area.
- Temporary patios shall only be permitted to operate during normal business hours.
- Music generated by a live band, DJ or other amplification device is not permitted on temporary patios within 200 feet of residential property between the hours of 9:00 pm and 7:30 am.
- The temporary improvements may not block any required means of egress, access to adjacent tenants or uses, or accessible path for the site or building.
- Parking areas may be used but suitable barricades or protections shall be provided to protect pedestrians and diners.
- Alcohol may only be served in accordance with County Health Department and State of Ohio Liquor Control rules, restrictions and requirements. The operator bears the responsibility to make itself familiar and comply with all applicable rules.
- New or additional lighting will require plan review and permits for installation.
- The operator shall ensure that the property is maintained free of trash and debris.
- The maintenance of any required social distancing or other operational requirements imposed by the State due to the COVID-19 epidemic is the responsibility of the operator.
- Operation of the outdoor patio dining area must be maintained in accordance with the approval of the City Administration.
- Rental payments for property owners using City-owned property for outdoor dining activities pursuant to a Lease Agreement currently in effect shall be waived through December 31, 2022. This waiver of rental payments shall only be granted if such property owned submits an acceptable Application for Outdoor Dining and pays the applicable application fee.