



## CITY OF PARK RIDGE

505 BUTLER PLACE  
PARK RIDGE, IL 60068  
TEL: 847/318-5226  
FAX: 847/318-5300  
TDD: 847/318-5252  
www.parkridge.us

OFFICE OF THE MAYOR

### **CITY OF PARK RIDGE MAYOR EXECUTIVE ORDER 2020-02**

**Issue Date: May 27, 2020**

#### **Order Instituting Temporary Regulatory Relief For Bars and Restaurants Due to the COVID-19 Public Health Emergency**

#### **I. Findings.**

A. COVID-19 (*a.k.a.*, Novel Coronavirus) is a severe respiratory illness caused by the SARS-CoV-2 virus, a new strain of coronavirus that is spread from person to person, posing a threat to the health and safety of the residents of the City of Park Ridge.

B. No drug or vaccine is currently available to treat or prevent COVID-19.

C. On January 27, 2020, United States Department of Health and Human Services Secretary Alex Azar declared a national public health emergency due to COVID-19.

D. 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.

E. On March 11, 2020, the World Health Organization ("**WHO**") declared COVID-19 to be a global pandemic.

F. On March 13, 2020, President of the United States Donald Trump issued a declaration of a national emergency due to the growing COVID-19 crisis in the United States, and on March 26, 2020, President Trump issued a major disaster declaration for the State of Illinois due to the COVID-19 crisis.

G. On March 20, 2020, Governor Pritzker issued an Executive Order requiring all non-essential persons to stay at home with limited exceptions and non-essential businesses to cease operations with limited exceptions, which order was effective March 21, 2020 through April 7, 2020, and has been extended to April 30, 2020 ("**Stay at Home Order**").

*Our Mission:*

THE CITY OF PARK RIDGE IS COMMITTED TO PROVIDING EXCELLENCE IN CITY SERVICES IN ORDER TO UPHOLD A HIGH QUALITY OF LIFE, SO OUR COMMUNITY REMAINS A WONDERFUL PLACE TO LIVE AND WORK.

H. On March 18, 2020, Mayor Marty Maloney issued a Declaration of a Local State of Emergency for the City of Park Ridge to address the impact of COVID-19 on the City of Park Ridge and its residents and business and property owners, which Declaration was approved and extended by the Park Ridge City Council by Resolution No. 2020-22, and further extended by the City Council from time to time (“*Emergency Declaration*”).

I. On May 5, 2020, Governor Pritzker released the Restore Illinois Plan, a 5 phase plan designed to adopt a public health approach to reopening the State’s economy based on the medical data presented by the Illinois Department of Public Health.

J. On May 20, 2020, Governor Pritzker announced a revision to Phase 3 of the Restore Illinois Plan to permit greater operating opportunities for bars and restaurants, subject to adherence to public health regulations and safeguards recommended by the Illinois Department of Public Health.

K. Governor Pritzker’s announcement of the amendment to Phase 3 of the Restore Illinois Plan expressed municipalities are encouraged to help restaurants and bars expand their outdoor seating options.

## **II. Order.**

Pursuant to the authority vested in the Office of Mayor by the Illinois Municipal Code (65 ILCS 5/11-1-6), the Illinois Emergency Management Agency Act (20 ILCS 3305/11), Article 3, Chapter 1, Section 8 of the City of Park Ridge City Code, the Emergency Declaration issued on March 18, 2020, as it may be extended or amended from time-to-time, and the findings set forth above, I, Marty Maloney, the Mayor of the City of Park Ridge, in an effort to promote the most favorable operating conditions for the local bars and restaurants which have suffered lost business opportunities during Phase 1 and Phase 2 of the Restore Illinois Plan, do hereby order the following:

A. Outdoor dining: The regulations of Article 5, Chapter 3.1, entitled “Outdoor Cafes,” are hereby temporarily amended and/or suspended in the manner described below for the purpose of allowing local bars and restaurants to exercise the authority granted in Phase 3 of the Restore Illinois Plan:

1. Section 5-3.1-5(A), Requirements for All Outdoor Cafés – General Standards, is hereby temporarily amended as follows:

14. In no event shall the operation of the Outdoor Café interfere with the passage of pedestrian or vehicular traffic, or reduce the open portion of the public sidewalk to less than five feet, clear of all obstructions, measured from edge of the sidewalk closest to the curb, lamppost or parking meter. ~~In addition, no seating or other equipment shall be closer than five feet to any tree, trellis, tree wall or government sign.~~

15. In no event shall the operation of, or placement of equipment or furnishings for, the Outdoor Café obstruct access to any taxi stand, bus stop,

crosswalk, mailbox, curb cut, parking space or any other public property. A licensee may convert non-disabled parking spaces exclusively dedicated for their business (with consent from the property owner or the City) to temporary dining spaces. The furnishings or equipment shall not obstruct access to any fire hydrant, fire escape or fire door, or obstruct the clear view of any traffic signal, regulatory sign or street sign. Whether the placement of equipment or furnishings obstructs access to any of the foregoing shall be the sole determination of the City Manager or his designee.

2. Section 5-3.1-6(A), Additional Requirements for Sidewalk Cafés, is temporarily suspended.
3. The fee for an Outdoor Café license shall be waived for any business which exercises the authority to operate an outdoor café or sidewalk café only during the term of this Executive Order.

B. Package Liquor Sales: Under my authority as the Local Liquor Commissioner, I hereby declare that any bar or restaurant which violates the Governor's Executive Order shall be subject to an immediate suspension of their liquor license for a period of one week. Furthermore, all liquor licenses which are normally limited to on-site consumption are hereby temporarily amended to permit the sale of alcoholic beverages in the unopened, original retail package for off-site consumption, provided such sale occurs in relation to the service of whole meals. Without limiting the generality of the foregoing, businesses with on-premises retail licenses are allowed to sell a "cocktail kit," which would consist of a non-alcoholic cocktail mix, and an alcoholic beverage in the sealed original manufacturer's container. The sale of pre-mixed cocktails not in their original container is not allowed.

C. Temporary Directional and Parking Signage: Bars and restaurants operating an outdoor café will be permitted to erect temporary directional signage to facilitate ingress, egress, and flow of traffic that may otherwise be impacted by parking stall reductions or overflow of business operations onto sidewalks and parking areas. Temporary parking signage shall also be permitted that identifies dedicated curbside, pick-up, or third-party delivery services. A temporary sign permit application is required, but no fees shall be collected. All temporary signs must be kept in a safe and well-maintained manner. The Director of the Community Preservation and Development Department shall have the authority to re-orient and/or dismantle such signage if it jeopardizes the health, safety, and welfare of the public, or impedes the operations of, or causes traffic conflicts with, neighboring businesses.

D. Banner Signs: For bars and restaurants operating an outdoor café the restrictions on the location and duration of banner signs shall be suspended, provided that the signs comply with the applicable size, quantity and maintenance regulations, and do not obstruct the clear view of any traffic signal, regulatory sign, street sign or the vision triangle. A temporary sign permit application is required, but no fees shall be collected. All temporary signs must be kept in a safe and well-maintained manner. The Director of the Community Preservation and Development Department shall have the authority to re-orient and/or dismantle such signage if it jeopardizes the health, safety, and welfare of the public, or impedes the operations of neighboring businesses.

E. Outdoor Storage: Restrictions on outdoor storage shall be waived for bars and restaurants operating an outdoor café, provided that the applicant can demonstrate the outdoor storage is incidental to the outdoor dining uses permitted in this Executive Order. The Director of the Community Preservation and Development Department shall have the authority to modify the location of outdoor storage if it jeopardizes the health, safety, and welfare of the public, or impedes the operations of neighboring businesses.

F. Utilities: Additional, temporary utilities corresponding with outdoor cafés must comply with regulations set forth within Article 15 (Building Regulations) of the Park Ridge City Code. A temporary use permit application is required, but no fees shall be collected. The Director of the Community Preservation and Development Department shall have the authority to modify the use of these spaces and corresponding utilities if they jeopardize the health, safety, and welfare of the public, or impedes the operations of, or causes traffic conflicts with, neighboring businesses.

G. Enforcement. The City of Park Ridge Police Department and Community Preservation and Development Department are authorized to implement, administer and enforce the City Code consistent with this Executive Order pursuant to Section 3-1-8(G) of the City of Park Ridge City Code.

This Executive Order does not supersede or relieve any person from complying with the requirements set forth in the Governor's Executive Orders. This Executive Order is not intended to be interpreted or applied in a manner that is less restrictive than the Governor's Executive Orders.

This Executive Order will be effective as of June 1, 2020, at 12:00 p.m., or when the territory of the City of Park Ridge is designated to be in Phase 3 of the Restore Illinois Plan, and will expire at the conclusion of the Emergency Declaration, as amended or extended. The Executive Order will be filed with the City Clerk as soon as practicable.



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Marty Maloney  
Mayor  
City of Park Ridge, Cook County, Illinois