A RESOLUTION
Auxiliary Outdoor Restaurant Seating Permitted until October 15, 2020

WHEREAS, the City of Evanston, Cook County, Illinois ("City"), is a home rule unit of government and, pursuant to the provisions of Section 6(a) of Article VII of the Illinois Constitution, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency concerning the Novel Coronavirus Disease ("COVID-19") outbreak; and

WHEREAS, on March 9, 2020, the Governor of Illinois issued a disaster proclamation for the State of Illinois concerning the COVID-19 outbreak that was to last 30 days; and

WHEREAS, on March 15, 2020, the Mayor declared a state of emergency due to the COVID-19 outbreak pursuant to Section 9-9-3 of the City Code; and

WHEREAS, the City Council found it appropriate extend the declared state of emergency until June 8 2020; and

WHEREAS, on May 20, 2020, the Governor of Illinois issued amendments to an Executive Order declaring that the State will go to Phase III in transition from the previously-issued stay at home order ("Restore Illinois Plan");

WHEREAS, Phase III allows restaurants to serve patrons with outdoor seating, subject to certain requirements;
WHEREAS, the City Council finds it appropriate to relax certain ordinances, permits and licenses so that Evanston’s restaurant community may participate in serving patrons outdoors, and to further halt any economic devastation resulting from COVID-19;

NOW BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT:

SECTION 1: Businesses currently classified under Evanston Municipal Code §7-2-6, upon application with the City of Evanston, may be issued a temporary permit to provide outdoor seating as long as the subject business meets the requirements proscribed by the Evanston Department of Health and Human Services in the “Guidelines for Restaurants / Bars During Phase 3 of the State’s Recovery Plan.”

SECTION 2: The following criterion required under Evanston Municipal Code §7-2-6 will not be required for the purposes of the auxiliary outdoor seating:

(a) Previously collected permit fees for outdoor restaurant seating shall be returned to businesses for 2020, and businesses applying for a permit under this code section shall have permit fees waived;

(b) Detailed or “to scale” drawings and plat of survey under Section 7-2-6(3)(b) shall not be required; however, City reserves the right to require a drawing from applicant;

(c) Other requirements of 7-2-6 may be enforced, and the City of Evanston shall have discretion to require table placement and location in issuance of the permit;
SECTION 3: The Evanston Liquor Commissioner will extend businesses’ existing liquor licenses to include outdoor seating as prescribed herein. Alcohol in open containers must remain within City-approved fenced or barricaded table areas and signage must be posted instructing patrons that they may not remove open containers of alcohol from said fenced or barricaded table area.

SECTION 4: Nothing in this Resolution shall absolve a business owner under Section 1 herein from complying with requirements under Evanston’s liquor and business code and / or licensing requirements.

SECTION 5: This Resolution __-R-20 will be in full force and effect from and after the date of its passage and approval in the manner provided by law until October 15, 2020.

________________________________________
Stephen H. Hagerty, Mayor

Attest: Approved as to form:

________________________________________
Devon Reid, City Clerk Kelley A. Gandurski, Corporation Counsel

Adopted: __________________, 2020
GUIDELINES FOR RESTAURANTS/BARS DURING PHASE 3 OF THE STATE’S RECOVERY PLAN.

SARS-CoV-2 is a novel coronavirus that has emerged and caused coronavirus disease (abbreviated as COVID-19). We continue to learn about SARS-CoV-2, but based on current data and similar coronaviruses, spread from person-to-person happens most frequently among close contacts (those within about six feet) via respiratory droplets.

PART OF PHASE 3 OF RESTORE ILLINOIS PLAN APPLICABLE TO EACH REGION UPON TRANSITION TO PHASE III | ISSUED ON MAY 24, 2020 is to reopen businesses including food establishments to a certain capacity. The Recovery Phase of the Restore Illinois public health approach to reopening the Illinois economy also includes returning people to work and allowing gatherings of 10 or fewer. We must all continue to social distance, frequently wash our hands and cover our faces with face coverings to maintain progress in overcoming COVID-19.

This document provides guidance for dine-in restaurants, bars and other food establishments with full operational kitchens and bars. It is of utmost importance that all necessary steps be taken to ensure the safety of workers and the public while reopening. Only outdoor dining is allowed for restaurants and bars during this Phase, which is Phase 3.

Key prevention practices include:

- Physical distancing of at least 6 feet.
- Use of face coverings by employees where it is impractical to maintain a 6’ feet distance between customers/clients. While eating, customers are allowed to remove their face coverings but customers must be mindful of keeping the maximum possible between customers.
- Frequent handwashing and regular cleaning and disinfection of surfaces.
- Training employees on these and other elements of the COVID-19 prevention plan. In addition, it will be critical to have in place appropriate processes to screen and identify symptoms and new cases of illness in workplaces. When identified, the person(s) must leave the work premises and work with the Evanston Health and Human Services Department to reduce the spread of the virus.
- Conduct an internal analysis to determine other steps that are imperative to ensure the employee and customer safety.

To assist the City of Evanston plan for outdoor dining, please indicate by filling this form provided here regarding your interest in outdoor dining. We understand the challenges of meeting the guidelines set forth for outdoor dining and that is why the City wants to plan accordingly to support Evanston food establishments and bars. Restaurant owners that are not interested in outdoor dining are still allowed to continue with carry-out, curbside pickup and delivery services. Only food establishments licensed by the Health and Human Services Department are allowed to participate in outdoor dining. Unlicensed food establishments are not permitted to sell or provide food to the public.

Guidelines for Outdoor Dining Layout:

- Restaurants shall comply with protocols or guidelines issued by the City of Evanston Public Health Department, the Illinois Department of Public Health and Centers for Disease Control.
- Indicate your interest for outdoor dining by submitting the form located here. You are also required to submit a layout of your outdoor dining area.
• Only outdoor dining/and or drinking is allowed at this time.
• Only parties of 6 or fewer including children are allowed at any given time
• Outdoor dining shall only open from 10am – 8pm daily ??
• Only parking lots or streets designated for outdoor dining will be allowed including the following:
  - Rooftops of a building that is part or within a licensed food establishment( the roof should remain open during operation hours)
  - Indoor space where 50% or more of a wall can be removed via opening windows, doors or panels, provided that dining tables are within 6’ feet from such opening.
• Parking lots or street designated for outdoor dining areas shall be open (e.g., no side walls)
• Restaurant owners should display signage at the entry with face covering requirements, social distancing guidelines, and cleaning protocols, in multiple languages as needed
• The dining space should be in a layout that allows for at least 6-ft. of distance between tables or other designated customer service areas
• Dividers shall be placed in entryways requiring incoming traffic to walk on only one side of entry, and outgoing on the other side.
• Adequate measures must be put in place for security, crowd control and protection of minors.
• All open congregate areas such as waiting, seating or child play areas must be eliminated
• Smoking is not allowed
• Loud or electronically amplified music is not allowed. The outdoor dining area shall not create a nuisance that will disturb the peace and quiet of the neighbourhood.
• Outdoor trash receptacles must be provided and maintained by each restaurant owner or staff. The receptacles must have a lid and the garbage bin must not overflow.
• Permanent plumbing, electrical and lighting fixtures are not allowed to be installed.
• Dividers or barriers are not allowed to be stuck or in any way damage the streets or parking lots.
• Temporary lighting in the outdoor dining area should not shine in any direction that will impair visibility of neighbours, customers, pedestrians or drivers.
• Except for restroom visits and take-out orders, indoor premises are closed for public use.
• Clean and disinfect restrooms and surfaces touched by multiple people (e.g., entry/exit doorknobs, stair railings) frequently; every half hour recommended for high-traffic areas
• Restaurant owners are responsible for the cleaning and maintaining of the outdoor dining areas during and after dining.

Guidelines in the Outdoor Dining Area:

• Customers who not feel safe at an outdoor dining area must be reminded to avoid it.
• Customers must refrain from entering the dining area or rest rooms if they, or anyone they have been in contact with has COVID-19 or experiencing symptoms of COVID-19
• Restaurants should consider implementing a reservation or call ahead model, if practical. All outdoor dining areas must be staffed to ensure social distancing will be maintained prior to guests being seated
• Customers should wait for services off premises, either outdoors and maintaining social distance of 6-ft with use of recommended face coverings or in their vehicles. Customers should be seated immediately upon entry.
• Customers should wear face coverings over their nose and mouth while on premises, except while eating and drinking at table (exceptions can be made for people with medical conditions or disabilities that prevent them from safely wearing a face covering)
• The outdoor dining area shall be in conjunction with food service.
• Hand sanitizer in outdoor seating area for customers should be provided.
• There must be no self-service food areas (e.g., buffets, bars, salad bars, coffee station).
• Single packet condiments if possible or serve condiments in containers that are easily washable should be used. These containers must be washed and sanitized after each use OR condiment containers should disposed of after use.
• Disposable silverware should be used, if possible. When this is not possible, use easily washable utensils and sanitize after each use.
• Disposable or touchless menus should be used, if practical, or use menus that can be sanitized between each use
• After-meal mints, candies, snacks, or toothpicks should not be left on the tables. Offer them with the check or provide only on request
• All table presents such as menus, napkins, cutleries, condiments, plates and straws should be eliminated.
• Area for take-out customers must allow for at least 6-ft of separation from seated customers
• No animals or dogs are allowed whatsoever except service dogs
• Customers should handle their leftover food to be taken to-go.
• Customers should not be seated if inclement weather is forecasted.
• In case of inclement weather or emergency while customers are outdoor dining, food should be packaged to-go and customers encouraged to leave

**Employer and Employee Guidelines**

• Employers should provide and ensure employees use all required protective equipment, including face coverings and gloves.
• Employees should wear face coverings over their nose and mouth when within 6-ft. of others (cloth masks preferred). Exceptions may be made where accommodations are appropriate
• Employers should arrange seating to provide a minimum of 6-ft between tables. Use of plexiglass between tables is a best practice.
• Employers should provide hand washing capability or sanitizer to employees and customers
• Bar and restaurant employees should wash hands for 20 seconds every 30 minutes, and:
  a. Upon arrival to work
  b. Prior to and during food preparation
  c. When switching between tasks
  d. Before donning gloves to work with food or clean equipment and utensils
  e. After using the restroom
  f. After handling soiled dishes and utensils
  g. When visibly soiled
  h. After coughing, sneezing, using a tissue, touching face,
     i. After eating or drinking
     j. After handling cell phone
• An adequate supply of soap, disinfectant, hand sanitizer, and paper towels must be available
• Gloves should be worn by staff preparing food per pre-COVID food handling protocols, such as handling Ready to Eat (RTE) foods
• Employer should post signage reminding employees of CDC hygiene and safety guidelines.
• Employer should allow and encourage employees to take frequent breaks for handwashing with soap and water for at least 20 seconds or the use of a sanitizer.
• Employers should provide time for workers to implement cleaning practices during their shift.
• Cleaning assignments should be assigned during working hours as part of the employees’ job duties.

**Employee Health Monitoring:**

• Employers must advice employees to stay at home if they are sick.
• Employers should continue to limit all non-essential business travel. If employee must travel, employee should follow CDC considerations to protect themselves and others during trip.
• Employers should make temperature checks available for employees and encourage their use. Employers should post information about the symptoms of COVID-19 in order to allow employees to self-assess whether they have any symptoms and should consider going home.
• All employers should have a wellness screening program. Resources outlining screening program best practices are posted on the DCEO Restore Illinois guidelines website
a. Employer should conduct in-person screening of employees upon entry into workplace and mid-shift screening to verify no presence of COVID-19 symptoms.

- If employee does contract COVID-19, they should remain isolated at home for a minimum of 10 days after symptom onset and can be released after feverless and feeling well (without fever-reducing medication) for at least 72 hours OR has 2 negative COVID-19 tests in a row, with testing done at least 24 hours apart.
- If an employee is identified as being COVID-19 positive by testing, CDC cleaning and disinfecting should be performed as soon after the confirmation of a positive test as practical.
- Where appropriate, notify employees who have been exposed.
- Any employee who has had close contact with co-worker or any other person who is diagnosed with COVID-19 is required to quarantine for 14 days after the last/most recent contact with the infectious individual and should be encouraged to seek a COVID-19 test at a state or local government testing center, healthcare center or other testing locations. All other employees should be on alert for symptoms of fever, cough, or shortness of breath and taking temperature if symptoms develop.

**Cleaning and Disinfecting**

- Cleaning and disinfecting of premises should be conducted in compliance with CDC protocols on a routine basis.
- Clean and disinfect common areas (e.g., restrooms, cafeterias) and surfaces which are touched by multiple people (e.g., entry/exit doorknobs, stair railings) frequently; every half hour recommended for high-traffic areas.
- Sanitization of multi-use items (e.g., menus, if reuse, special cards, pens, check presenters, etc.) should be completed after each use.
- Disinfect tables and chairs between parties and again at closing time (see EPA approved list of disinfectants). Discard any single-use or paper articles (e.g., paper menus) after each use.

If there are any questions regarding these guidelines, please contact the Health and Human Services Department at 847-448-4311 or email at Health@cityofevanston.org.