

VILLAGE OF COAL CITY
Temporary Outdoor Seating Policy for Restaurants and Bars

- **Authority for Use of Public Property for Outdoor Seating:** All food and beverage service establishments who seek to have outdoor seating on Village-owned property, including parking lots, sidewalks, roadways, or other public right-of-way must obtain a permit from the Village, execute (i) an Unconditional Agreement and Consent and (ii) Use of Property and Hold Harmless Agreement, and name the Village as an additional insured for the public area to be used. The Village shall convert those portions of the right-of-way designated in the outdoor seating permit(s) for additional outdoor seating areas for bar and restaurant use. Once Illinois' Northeast Region reaches Phase 4 of the Governor's Restore Illinois Plan, the Village may require, at its sole discretion, removal of temporary outdoor dining areas, or any portion thereof, and that required parking be re-established. Use of outdoor dining in parking spaces will continue to be evaluated by the Village in accordance with the latest State guidance for restaurants. The Village reserves the right to make changes and adjustments to this Policy as necessary and without notice at any time in order to address issues that may arise.

- **Authority for Use of Private Parking Lot Areas for Outdoor Seating:** All food and beverage service establishments who seek to have outdoor seating on privately owned property, including parking lots, must obtain a permit from the Village, and execute an Unconditional Agreement and Consent. Once Illinois' Northeast Region reaches Phase 4 of the Governor's Restore Illinois Plan, the Village may require, at its sole discretion, removal of temporary outdoor dining areas, or any portion thereof, and that required parking be re-established. Use of outdoor dining in parking spaces will continue to be evaluated by the Village in accordance with the latest State guidance for restaurants, and regulations concerning off-street parking area use are subject to change. The Village reserves the right to make changes and adjustments to this Policy as necessary and without notice at any time in order to address issues that may arise.

- **Hours of Operation:** Unless otherwise marked on an individual outdoor seating permit, the permissible hours of outdoor operation shall be 6:00 a.m. - 1100 p.m.

- **Definition of Parking Areas:** A parking area includes public and private parking lots adjoining the bar or restaurant and closed parking spots and lanes in front of bars or restaurants that allow dining where a vehicle would have otherwise be parked.

- **Utilization of Parking Lot:** Restaurants and bars may utilize up to 50% of their private parking lot for designated outdoor consumption of food and alcohol. Expanded dining areas in parking areas shall be separated by a temporary physical barrier from the rest of the parking lot.

- **Restrictions on Use of Parking Areas:** ADA parking spaces are required and access to/from those spaces shall not be impeded. Driveways, drive aisles, drive thrus or other

means for traffic circulation may not be impeded or blocked without receiving written authorization from the Village.

- **Permission to Use Parking Lot:** Restaurants and bars that do not own their own parking area or other outdoor area, shall secure written authorization from the other property owner/property manager granting permission to use the area for outdoor dining.
- **Permission to Use Common Parking Lot:** Restaurants and bars within a strip mall, plaza shopping center or other multi-tenant space shall secure correspondence from the property manager or owner prior to expanding outdoor dining into common parking, pedestrian or greenspace areas.
- **Off-Street Parking Requirements Suspended:** The Village shall provisionally waive off-street parking requirements to allow bars and restaurants to utilize their parking lots for additional outdoor seating areas as set forth in the permit(s).
- **Possession or Consumption of Alcoholic Liquor:** The Village shall provisionally waive the prohibitions on the consumption of alcoholic liquor on any street, sidewalk, or other public way or parking area within the Village as to those portions of the right-of-way or parking lots within the Village designated for outdoor seating for restaurants or bars in the permit(s) that issue. The prohibition waiver is for the consumption of packaged alcoholic beverages purchased from adjacent licensed bars and restaurants only. After hours public consumption will be enforced along with public consumption outside of the designated areas.
- **Restrictions on Liquor Served in Open Container:** No liquor in an open container shall be removed from the designated outdoor area except as permitted by this Policy.
- **Expansion of On-Premises Consumption Liquor Licenses:** The Local Liquor Control Commission may expand the authority under Village liquor licenses to authorize the service of alcoholic liquor in those portions of the public right-of-way and/or public or private parking areas authorized for use as outdoor seating areas in permits issued by the Village.
- **Site Plan:** All food and beverage service establishments seeking outdoor seating areas must submit a site plan for the public area to be used and must demarcate the area to be used with appropriate elements outlined in this Policy.
- **Expansion Into Area of Neighboring Business:** Restaurants and bars may not expand outdoor dining areas in front of neighboring businesses without obtaining written permission from both the neighboring business/property owner and from Village staff.
- **Social Distancing:** Proper social distancing measures as defined by the Illinois Department of Public Health and the Governor's Executive Order shall apply. Signage noting required social distancing should be posted at the entrance to the outdoor dining area.

- **Open Air:** Outdoor seating areas shall be open. Open-sided tents (no sides) and comparable accessory temporary structures, as determined by the Village, are permitted to provide shelter for designated outdoor dining areas, provided that if State guidance is more restrictive, the more restrictive policy shall govern.
- **Accessibility:** Designated outdoor seating areas shall be accessible to persons with disabilities and shall comply with all applicable federal, state, and Village laws, ordinances, regulations concerning accessibility and nondiscrimination in providing of services.
- **Pedestrians Unobstructed.** Sidewalks may be utilized for outdoor dining provided there is still means for an accessible route for pedestrian traffic that maintains a 6 foot social distance from tables and chairs.
- **Access to Indoor Bar/Restaurant Prohibited with Exceptions:** Except for restroom visits and take-out orders, indoor premises are closed for public use. Face coverings shall be required for customers or the members of the public to enter the indoor premises. By means of signage and/or other markings at 6 foot intervals, social distancing markers shall be placed in queue areas (e.g., restrooms and take-out order lines).
- **Restrooms:** In restrooms, every other sink and urinal shall be taped off and signage shall be posted encouraging proper hygiene.
- **Sanitizing Packets and/or Hand Sanitizer:** shall be available at designated entrances.
- **Smoking:** No smoking is permitted within the outdoor seating area.
- **No Parties Larger Than Six Allowed:** No parties larger than six, including children, are allowed. The number of patrons allowed at a single table shall be limited to a household unit or patrons who have asked to be seated together. People in the same party seated at the same table do not have to be six feet apart.
- **Removal of the Designated Area for Violations:** Bars/Restaurants that fail to comply with the restrictions delineated in this Policy, all guidance provided by health department, CDC, Illinois Department of Public Health, Illinois Department of Commerce and Economic Development, and other state guidelines or policies governing outdoor dining areas as authorized and amended or exhibit a pattern of violations against the Governor's Executive Orders or any "Emergency Orders" as defined in Section 132-7 of the Village Code (cumulatively, the "**Rules**"), will result in the removal of the designated outdoor seating area. Additionally, patrons failing to adhere to this Policy the Rules governing the use of outdoor dining areas will be asked to leave the premises.
- **Barriers:** The perimeter of all designated outdoor areas that extend to into the public right-of-way shall be enclosed by barriers that are durable, removable, maintained in good condition and are either approved or provided by the Village.

- **Barrier Design:** Various styles of barriers are acceptable for outdoor parking areas. Generally, barriers should be a minimum of 3'-4' in height, must be free-standing, stable, and removable. Barriers must be free-standing and must not be permanently attached to any structure or sidewalk. A barrier must be well-balanced and difficult for pedestrians to topple, trip over or remove. Access openings to the outdoor designated parking area should be located along the front of the barrier, and must be kept clear of other materials.
- **Types of Barriers:** Outdoor dining areas shall be open (e.g., no side walls). Examples of acceptable types of barriers include, but are not limited to, sectional fencing, planters, awnings, or other top coverings that meet Village guidelines.
- **Prohibited Barrier Materials:** Chain link, rope link, chain rails, snow fence, unfinished wood, etc.
- **Barriers to Delineate Seating Areas:** Temporary barriers to safely delineate the seating area do not require additional permitting so long as the temporary barriers do not pose a safety hazard to occupants. No permanent barriers may be installed without proper permits.
- **Dividers at Entryways:** Dividers shall be placed in entryways requiring incoming traffic to walk on only one side of entry, and outgoing on the other side.
- **Furniture and Fixtures:**
 - **Spacing:** Furniture shall be spaced to allow for a minimum of 6 feet of separation (blocking tables is allowed). Public seating and eating areas shall be reduced and/or re-configured to allow for a minimum of 6 feet or separation.
 - **Prohibited Furniture:** Outdoor designated parking areas are impermanent areas, and furniture that is permanently affixed to area is prohibited. Tables, chairs, umbrellas, heat lamps, menu displays and barrier elements are the only acceptable outdoor furniture items. Permanent plumbing, electrical, and lighting fixtures shall not be installed.
 - **Freestanding:** Neither furniture nor other elements may be tied or otherwise secured to trees, lamp posts, street signs, or hydrants, at any time.
- **Setback from Other Business & Residential Zones:** Food and beverage service establishments licensed for outdoor dining should ensure that such areas do not unreasonably obstruct the visibility of neighboring businesses. In such an obstruction exists, a permittee will be required to adjust the layout of the outdoor dining area.
- **Disturbing Nearby Properties:** Designated outdoor parking areas shall not disturb the lawful use and quiet enjoyment of nearby properties. Live entertainment and electronically amplified music or sound is not permitted.

- **Lighting:** Any temporary lighting shall be directed in a manner to not impair visibility on nearby streets and not shine into nearby residences.
- **Operational Protocols:**
 - Employees should wear face coverings over their nose and mouth when within 6 feet of others. Exceptions may be made where accommodations are appropriate.
 - Bar and restaurant employees should wash hands for a minimum of 20 seconds every 30 minutes and: upon arrival to work, prior to and during food preparation, when switching between tasks, before donning gloves to work with food or clean equipment and utensils, after using the restroom, after handling soiled dishes and utensils, when visibly soiled, after coughing, sneezing, using a tissue, touching face, after eating or drinking, after smoking or vaping, and after handling a cell phone.
 - Provide disposable menus to customers and make menus available digitally so that customers can view on a personal electronic device, if possible. If disposable menus cannot be provided, property disinfect menus before and after each customer use.
 - Provide disposable or take-away containers for outdoor dining customers. If these cannot be provided, property disinfect all dinnerware before and after customer use.
 - Discontinue pre-setting tables with napkins, cutlery, glassware, food ware, etc. These should be supplied individually to customers as needed.
 - Suspend use of shared food items such as condiment bottles, salt and pepper shakers, etc. and provide these foods in single serve containers, if possible. Where this is not possible, shared items such as condiment bottles, shakers, etc. should be supplied as needed to customers and disinfected after each use.
 - Pre-roll utensils in napkins to use by customers. Employees must wash hands before pre-rolling utensils in napkins. The pre-roll should be stored in a clean container. After customers are seated the pre-rolled utensils should be put on a table by an employee who recently washed their hands.
 - Items should be delivered to tables on service trays to minimize hand contact wherever possible.
 - Tables should be immediately bussed/cleaned following a party leaving the table.
 - Restaurants and bars shall maintain their outdoor seating area.
 - Customers should wait for services off premises, either outdoors and maintaining social distance of 6 feet with use of recommended face coverings or in their vehicles.

- 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.