

AGENDA
SPECIAL ST. CHARLES CITY COUNCIL MEETING
RAYMOND P. ROGINA, MAYOR
THURSDAY, MAY 28, 2020 – 7:00 P.M.
CITY COUNCIL CHAMBERS
2 E. MAIN STREET

<https://www.stcharlesil.gov/events/public-meetings/2020/14415>

PLEASE MUTE YOUR PHONE TO AVOID SHARING BACKGROUND NOISE

1. **Call to Order.**
2. **Roll Call.**
3. **Invocation.**
4. **Pledge of Allegiance**

I. New Business

- A. Motion to approve an Ordinance Confirming and Extending a Declared State of Emergency within the City of St. Charles due to the COVID-19 Pandemic (including Executive Order no. 3).
- B. Presentation of an overview of the Temporary Outdoor Dining Program.
- C. Presentation from the St. Charles Business Alliance Regarding Their “St. Charles Back to Business Plan”.

II. Committee Reports

- A. **Government Operations**
None
 - B. **Government Services**
None
 - C. **Planning and Development**
None
5. **Additional Items from Mayor, Council, Staff, or Citizens**
- A. **Executive Session**
 - Personnel – 5 ILCS 120/2(c)(1)
 - Pending Litigation – 5 ILCS 120/2(c)(11)
 - Probable or Imminent Litigation – 5 ILCS 120/2(c)(11)
 - Property Acquisition – 5 ILCS 120/2(c)(5)
 - Collective Bargaining – 5 ILCS 120/2(c)(2)
 - Review of Executive Session Minutes – 5 ILCS 120/2(c)(21)
6. **Adjournment**

ADA Compliance

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the ADA Coordinator, Jennifer McMahon, at least 48 hours in advance of the scheduled meeting. The ADA Coordinator can be reached in person at 2 East Main Street, St. Charles, IL, via telephone at (630) 377 4446 or 800 526 0844 (TDD), or via e-mail at jmcmahon@stcharlesil.gov. Every effort will be made to allow for meeting participation. Notices of this meeting were posted consistent with the requirements of 5 ILCS 120/1 et seq. (Open Meetings Act).



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: IA

Title:

Motion to Approve an Ordinance Confirming and Extending a Declared State of Emergency within the City of St. Charles Due to the COVID-19 Pandemic

Presenter:

Mark Koenen, City Administrator

Meeting: City Council

Date: May 28, 2020

Proposed Cost: \$

Budgeted Amount: \$

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

As result of the recent COVID-19 pandemic and the anticipated future impacts of this world crisis, the City Council of St. Charles recognizes the potential disruption to City operations that will likely be caused by this public health emergency in the near future. The Illinois Municipal Code, 65 ILCS 5/11-1-6, provides for the declaration of a state of emergency and the grant of extraordinary authority to the Mayor by the corporate authorities; and the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, further provides for emergency local disaster declaration by the principal executive officer or his or her interim emergency successor.

It is the policy of the City of St. Charles that the City will be prepared to address any emergencies and, therefore, pursuant to Section 5/11-1-6 of the Illinois Municipal Code, Section 20 ILCS 3305/11 of the Illinois Emergency Management Agency Act and Sections 2.34, entitled “Civil Emergency,” and 2.36, entitled “Emergency Management Agency of the Code of the City,” it is necessary and appropriate to establish standards for the determination of whether a state of emergency exists authorizing the Mayor to exercise extraordinary power and authority, by executive order, during the possible state of emergency, to ensure that the effects are mitigated and minimized and that residents and visitors in the City remain safe and secure.

On March 18, the City Council approved Ordinance 2020-M-11 Establishing Temporary Executive Powers Pursuant to 65 ILCS 5/11-1-6, 20 ILCS 3305/11 and Sections 2.34 and 2.36 of the City of St. Charles Code.

On April 6, 2020 the City Council approved Ordinance 2020-M-12 Confirming and Extending a Declared State of Emergency Within the City of St. Charles Due to the COVID-19 Pandemic.

On April 27, 2020, the City passed Ordinance 2020-M-15, confirming and extending to and until May 30, 2020 a declared state of emergency within the City due to the COVID-19 pandemic.

The City now desires to confirm and extend the State of Emergency and continue the Mayor’s extraordinary powers by executive order during a state of emergency within the City. The duration for this extension is the duration of the Emergency Declaration or June 15. However, if the Governor or Mayor deems the State of Emergency no longer exists, the Ordinance shall cease.

Attachments *(please list):*

Ordinance and Executive Order

Recommendation/Suggested Action *(briefly explain):*

Approve an Ordinance Confirming and Extending a Declared State of Emergency Within the City of St. Charles Due to the COVID-19 Pandemic

City of St. Charles, Illinois
Ordinance No. _____

**An Ordinance Confirming and Extending a Declared State of Emergency
Within the City of St. Charles Due to the COVID-19 Pandemic**

WHEREAS, the City of St. Charles (“City”) has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, on March 9, 2020, the Governor of the State of Illinois issued a Gubernatorial Disaster Proclamation declaring a state of emergency throughout the State of Illinois as a result of the COVID-19 pandemic; and

WHEREAS, on March 18, 2020, the City passed Ordinance No. 2020-M-11, establishing temporary executive powers and the Mayor of the City declared a state of emergency within the City pursuant to 65 ILCS 5/11-1-6, 20 ILCS 3305/11 and Sections 2.34 and 2.36 of the City Code of the City; and

WHEREAS, on April 27, 2020, the City passed Ordinance No. 2020-M-15, confirming and extending to and until May 30, 2020 a declared state of emergency within the City due to the COVID-19 pandemic; and

WHEREAS, while the City is currently responding to this COVID-19 pandemic, it is deemed necessary and in the interest of the people of the City, in accordance with the City’s responsibility to ensure public health and safety and pursuant to the authority vested in the City pursuant to the Illinois Constitution, including Article VII, Section 6 of the 1970 Illinois Constitution, the laws of the State of Illinois, including Section 11 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/11, Sections 11-1-6, 11-20-5, 8-10-5 and 10-3-6, among others, of the Illinois Municipal Code and Sections 2.34 and 2.36 of the Code of the City, to consent to the declaration that an emergency exists within and a disaster exists in the City and renew and continue the emergency powers of the Mayor.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS, AS FOLLOWS:

1. RECITALS. The facts and statements contained in the preambles to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

2. **DECLARATION OF AN EMERGENCY AND DISASTER.** It is hereby determined that it is advisable, necessary and in the best interest of the City that the findings, determination and declaration of the Mayor on March 18, 2020, as extended, that a state of emergency and a disaster exists in the City due to the coronavirus disease (COVID-19) outbreak continues to exist and that the actions taken by the Mayor resulting from and in furtherance of that declaration, including but not limited to COVID-19 Executive Order No. 3, Allowing Outdoor Dining in Keeping with Phase 3 of the Governor’s Restore Illinois Plan dated May 5, 2020, as Amended, be and are hereby ratified and affirmed.

3. **EXECUTIVE ORDER.** The Mayor shall be and is hereby authorized and directed to continue to exercise by executive order the extraordinary emergency powers and authority as conferred and as may be reasonably necessary to respond to the emergency during the time that this state of emergency exists.

4. **DURATION.** This Ordinance shall remain in effect through June 15, 2020, provided that the Ordinance shall immediately cease to be effective upon a declaration by the Governor or the Mayor that the state of emergency related to the COVID-19 pandemic no longer exists.

5. **AUTHORITY TO EXECUTE AND ENFORCE.** The officials, officers, employees and agents of the City are authorized to take such actions and execute such documents as are necessary to carry out the purpose and intent of this Ordinance. The Mayor, police officers, and all other officers and employees of the City shall enforce the rules and regulations so adopted and orders issued by the Mayor pursuant to this Ordinance.

6. **NOTICE.** Upon issuing the proclamation herein authorized, the City Clerk shall notify the news media situated within the City, and shall cause copies of the proclamation declaring the existence of the emergency to be posted at the following places within the City: City Hall and the police station.

7. **SEVERABILITY.** If any provision of this Ordinance, or the application of any provision of this Ordinance, is held unconstitutional or otherwise invalid, such occurrence shall not affect other provisions of this Ordinance, or their application, that can be given effect without the unconstitutional or invalid provision or its application. Each unconstitutional or invalid provision, or application of such provision, is severable, unless otherwise provided by this Ordinance.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

8. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 28th day of May, 2020.

PASSED by the City Council of the City of St. Charles, Illinois, this 28th day of May, 2020.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 28th day of May, 2020.

Raymond P. Rogina, Mayor

ATTEST:

City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain:

City of St. Charles
Office of the Mayor
St. Charles, Illinois

May 27, 2020

Executive Order 2020-3

**EXECUTIVE ORDER ALLOWING TEMPORARY OUTDOOR DINING
IN KEEPING WITH PHASE 3 OF THE GOVERNOR'S
RESTORE ILLINOIS PLAN DATED MAY 5, 2020, AS AMENDED
(COVID-19 EXECUTIVE ORDER NO. 3)**

update

WHEREAS, 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 St. Charles; and

WHEREAS, no drug or vaccine is currently available to treat or prevent COVID-19; and

WHEREAS, 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; and

WHEREAS, on March 9, 2020, Illinois Governor J.B. Pritzker issued a Gubernatorial Disaster Proclamation declaring that all counties in the State of Illinois, including Kane and DuPage Counties, are disaster areas due to the Novel Coronavirus; and

WHEREAS, on March 11, 2020, the World Health Organization ("WHO") declared COVID-19 to be a global pandemic; and

WHEREAS, 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; and

WHEREAS, on March 18, 2020, Raymond P. Rogina, as Mayor of the City of St. Charles ("City") issued a Declaration of a Local State of Emergency for the City to address the impact of COVID-19 on the City and its residents and businesses and property owners ("Emergency Declaration"); and

WHEREAS, the Illinois Governor has established a five-phase plan, Restore Illinois, dated May 5, 2020, for the reopening of the State; and

WHEREAS, though the threat from COVID-19 to the public health, safety and welfare continues, the Restore Illinois Plan acknowledges the need to allow local and State economies to begin to recover economically to minimize and reverse the adverse economic, social and psychological effects of Phases 1 (Rapid Spread) and 2 (Flattening the Curve) of the Plan; and

WHEREAS, all regions of the Restore Illinois Plan, including the Northeast Region in which the City is located, are on schedule to move from Phase 2 to Phase 3 (Recovery) as early as the end of May; and

WHEREAS, the Restore Illinois Plan has been amended to allow bars and restaurants to reopen in Phase 3 “for outdoor dining only, with social distancing and safety measures” in place; and

WHEREAS, suspension and relaxation of the local zoning and other ordinances and rules to encourage and expand the ability of restaurants and bars to offer the outdoor consumption of food and drinks during the period of recovery would be in the best interests of the City; and

WHEREAS, Ordinance No. 2020-M-11, as extended, granted the Mayor the extraordinary power and authority granted pursuant to the Illinois Municipal Code (including but not limited to 65 ILCS 5/11-1-6) and the City Municipal Code (including Sections 2.34 and 2.36) during the state of emergency declared by this Ordinance as may be reasonably necessary to respond to the emergency.

THEREFORE, 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 3305/1), the City Code of the City (Secs. 2.34 and 2.36), the Emergency Declaration issued on March 18, 2020, as extended, and the findings set forth above, I, Raymond P. Rogina, Mayor of the City, do hereby order the following, effective when the Governor and/or State of Illinois declares the beginning of Phase 3 for the Northeast Region of the Restore Illinois Plan, as follows:

A. The recitals set forth above are adopted and incorporated herein as the material and significant findings of the Mayor.

B. Establishments that are allowed to reopen for outdoor dining with social distancing and safety measures, as allowed by the Restore Illinois Plan, that have existing outdoor areas for the consumption of food and drinking wanting to expand their current outdoor dining area and establishments seeking to temporarily add outdoor dining areas shall abide by the following:

1. Establishments must apply for a temporary outdoor dining permit from the City. There shall be no fee for the permit.

a. The permit application shall include an aerial drawing that shows the existing outdoor dining area (if any) in a dotted line and the proposed new dining area in a solid line. Also:

- i. If the proposed new dining area encroaches upon an existing parking area, the applicant should indicate on the drawing how traffic will flow if the request is approved.
- ii. Restaurants can use up to 50% of their parking area for outdoor dining. Parking will need to be preserved to adequately serve the outdoor dining area and carry-out activities.
- iii. If there is to be a covering over the new dining area, please indicate that on the drawing. The manufacturers guidelines for installation, all City code requirements, and flame spread requirements must be followed.

- iv. Sidewalks may be utilized for outdoor dining provided there is still means for ADA compliant pedestrian traffic on the remaining portion of the sidewalk.
 - v. ADA parking spaces shall not be blocked and access to/from those spaces shall not be impeded.
- b. Applicants must demonstrate that they are the owner of the property on which the new outdoor dining space is to be located, if the applicant is not the owner of the property, the application must include the signature of the owner acknowledging that they will permit the creation or expansion of the outdoor dining area as indicated on the drawing provided as part of the permit application submitted by the requestor.
- c. Businesses shall not set up any expanded outdoor dining prior to being notified of approval.
- d. Any indemnification or insurance shall be provided as required by the City.
2. Establishments shall comply with protocols or guidelines issued by the Illinois Department of Public Health, Centers for Disease Control or other official authority.
3. Establishments shall comply with the City's outdoor liquor license provisions.
4. A physical barrier shall delineate all outdoor dining areas and shall be of sufficient size and design as to deter the unintentional encroachment of vehicles into the dining area.
5. If ample lighting is provided, the outdoor dining area shall close no later than 10:00p.m. Sunday through Wednesday and 11:00 p.m. Thursday through Saturday.
6. The temporary outdoor dining area shall be accessible to the disabled and shall comply with all applicable federal, state and City laws, ordinances and regulations concerning accessibility and non-discrimination in the providing of services.
7. Establishments may not expand outdoor dining in front of neighboring businesses without written permission from the neighboring business/property owner.
8. No permanent plumbing, electrical and lighting fixtures shall be installed.
9. Any temporary lighting shall be directed in a manner to not impair visibility on nearby streets and not shine onto adjacent properties.
10. Smoking in the outdoor dining area is prohibited.

11. Tables shall be placed to allow for a minimum of 6-foot separation (blocking tables is allowed). Public seating and eating areas shall be reduced and/or reconfigured to allow for minimum separation of 6 feet.

12. The outdoor dining area shall not disturb the lawful use and quiet enjoyment of nearby properties.

13. Outdoor dining areas shall be open (*e.g.*, no side walls other than the barrier) but may utilize awnings or other secured top coverings.

14. Adequate safeguards shall be in place for security, crowd control, lighting control and the protection of minors.

15. Live entertainment and electronically amplified music or sound shall not be permitted.

16. Bar areas are prohibited in an expanded outdoor dining area.

17. Outdoor trash receptacles shall be provided and maintained and the outdoor dining area shall be kept free from litter and debris.

18. No liquor shall be removed in open containers from the outdoor dining area.

19. Except for restroom visits and take-out orders, indoor premises shall be closed for public use.

20. Incorporation of landscaping is encouraged to enhance ambiance and improve the aesthetics of the outdoor dining area.

C. Applicant shall be required to abide by all other requirements of the Governor's Executive Orders and the requirements of the CDC, Illinois Department of Public Health, the Kane County Health Department and the Illinois Liquor Control Act. Failure to abide by any of these requirements may result in revocation of approval for the expanded dining area.

D. When the existing Gubernatorial Executive Orders restricting capacity at bars and restaurants are terminated or cease, allowing for one hundred percent (100%) capacity indoors, or when this Executive Order is repealed by the Mayor or superseded by action of the corporate authorities of the City, whichever is sooner, the expanded use of parking lots or other outdoor areas for temporary outdoor dining shall cease, except as allowed by the City Code, barriers placed therein shall be removed, and all areas used for temporary outdoor dining shall be returned to their original use.

E. This Executive Order is effective immediately and shall cease by its own terms as provided herein.

F. If any provision of the Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect

any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

This Executive Order will be filed with the City of St. Charles Clerk as soon as practicable.



Raymond P. Rogina, Mayor

Issued by the Mayor of St. Charles on May 27, 2020.
Filed with the City Clerk on May 27, 2020.



CITY OF ST. CHARLES

AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item Number: IB

Title:

Presentation of an overview of the Temporary Outdoor Dining Program.

Presenter:

Mark Koenen, Rita Tungare, Jim Keegan

Meeting: City Council

Date: May 28, 2020

Proposed Cost: \$NA

Budgeted Amount: \$NA

Not Budgeted:

Executive Summary *(if not budgeted please explain):*

On May 20, 2020, the Governor announced that, with the anticipated advancement to Phase 3 of the Restore Illinois plan on Friday, May 29, 2020, bars and restaurants will be allowed to serve customers in outdoor seating areas. The City of St Charles has tracked closely the Governor’s Orders and guidance and we are advancing outdoor dining allowing the restaurant businesses in our community to re-open. The Mayor has executed an Executive Order allowing for this action (attached to the Council item I.A).

Bars and restaurants with outdoor seating areas are anxious to re-open. In conjunction with the St. Charles Business Alliance we have coordinated this effort to provide optimum business opportunity. The Chamber of Commerce is also engaged in promoting the outdoor dining initiative.

The City’s program was released to the restaurant and bar community on Tuesday evening, May 26. On Wednesday, May 27, the Alliance and City staff began to receive comments from restaurant and bar community. This early feedback was valuable and where we could we have modified the documents accordingly.

At the Council meeting staff will provide an overview of the program.

Attachments *(please list):*

Temporary Outdoor Dining Permit Application, Indemnification form, Plaza Dining Plan, First Street Closure Details

Recommendation/Suggested Action *(briefly explain):*

For your information and feedback.



CITY OF
ST. CHARLES
ILLINOIS • 1834

City of St. Charles TEMPORARY OUTDOOR DINING PERMIT APPLICATION

| | | |
|-------------------------------|----------------------|--------|
| Restaurant Information | Restaurant Name: | |
| | Address: | |
| | Phone: | |
| 24-Hour Contact | Contact's Name: | |
| | Contact's Signature: | Date: |
| | Phone: | Email: |

A no-fee permit is required to allow for the establishment of a temporary outdoor dining area. Following the issuance of a permit and the establishment of the temporary outdoor dining area, the City will inspect the temporary outdoor dining area for compliance with the approved plans. Outdoor dining areas established under this permit are considered temporary and shall not constitute a property right in the form of permanent outdoor seating. Outdoor dining areas granted a temporary permit are valid for thirty days beginning May 29th, 2020.

The following items must be submitted as part of the application:

- Demonstration of ownership or a letter of authorization from the property owner(s)
- A site layout plan including the overall dimensions, barriers, entrances/exits, and, traffic circulation
- A description of any proposed tents, including size, location, and need for electrical hook-ups
- Any additional information which the Mayor or designee shall find reasonably necessary to a fair determination as to whether the permit shall be issued
- Prior to issuance of the temporary outdoor dining permit, the permittee shall provide the city with copies of the certificates of insurance for the required policies for each type of insurance naming the City as an additional insured party. The required insurance policies shall each provide that they shall not be changed or cancelled during the life of the temporary outdoor dining permit.
 - o Worker's Compensation Insurance in at least the required statutory limits
 - o Comprehensive General Liability Insurance, including owner's protective liability insurance and contractual liability insurance covering claims for personal injury and property

damage with limits of at least two million (\$2,000,000) dollars per occurrence, and two million (\$2,000,000) dollars for any single injury

- [Dram Insurance](#)
- Complete indemnification/hold harmless document.

Agree to Comply with all Outdoor Dining Requirements:

- All tables must be six feet apart and located away from sidewalks and walkways
- Entrance/exit doors and fire lanes shall not be blocked
- Allow for adequate and safe parking to be maintained for customers
- A physical barrier around the outdoor dining area shall be required if alcohol is served or to protect the temporary dining area
- Tents must follow manufacturers guidelines for installation, all City code requirements, and flame spread requirements.
- The expanded outdoor dining area shall close at dusk. If ample lighting is provided, the expanded area shall close no later than 10:00p.m. Sunday through Wednesday and 11:00 p.m. Thursday through Saturday.

Confirmation of Compliance with all Restaurant Requirements:

- Must adhere to all social distancing requirements and [restaurant guidelines set forth by the Illinois Department of Public Health](#)
- Food transported from the restaurant to the outdoor dining areas shall meet all Food Safety requirements
- Abide by all applicable requirements of the CDC, Kane County Health Department, and the Illinois Liquor Control Act.
- Regularly clean and sanitize outdoor dining areas and all frequently touched surfaces (i.e. door handles)
- Provide restrooms/handwashing inside the restaurant with social distancing

Failure to abide by any of these requirements may result in the revocation of the temporary outdoor dining permit. Businesses shall not set up any expanded outdoor dining prior to being notified of permit approval.

By checking the above boxes, I hereby agree confirm that the outdoor dining operations proposed in my application will comply with all of the above Outdoor Dining Requirements and Restaurant Requirements.

Applicant Signature: _____

Submit applications by email to:

Building and Code Enforcement

bceadm@stcharlesil.gov | 630.377.4406

INDEMNIFICATION/HOLD HARMLESS

In consideration of the City of St. Charles permitting the _____

(name of organization)

("Organization") to conduct _____ ("Event"), the Organization

(name of event)

recognizes, acknowledges and assumes any and all risks arising from or in any way related to the Event.

To the fullest extent permitted by law, the Organization hereby agrees to defend, indemnify and hold harmless the City of St. Charles, its officers, officials, employees and agents from and against all injuries, deaths, losses, damages, claims, suits, liabilities, judgments, cost, and expenses (including all attorney's fees and costs), arising from, or resulting from or in any way related, directly and/or indirectly to the Event, except that arising out of the sole legal cause of the City of St. Charles, its officers, officials, employees and agents.

The Organization shall, at its own expense, appear, defend and pay all charges of attorneys and all costs and other expenses arising there from or incurred in connection therewith, and, if any judgment shall be rendered against the City of St. Charles, its officers, officials, employees and/or agents, in any such action, the Organization at its own expense shall satisfy and discharge same.

The invalidity of any provision(s) of this INDEMNIFICATION/HOLD HARMLESS or unenforceability of any of its provisions shall not affect the validity or enforceability of the remainder of this INDEMNIFICATION/HOLD HARMLESS.

The Organization and the authorized signatory below warrant and represent that the authorized signatory below has full authority to execute and submit this application, including, but not by way of limitation, the INDEMNIFICATION/HOLD HARMLESS provisions contained herein.

The Organization and the authorized signatory below agree to inform provisions contained herein.

The Organization and the authorized signatory below agree to inform the City of St. Charles of any changes in the application at least thirty (30) days prior to the event.

(Name of Organization) (Date)

by _____

After submitting all forms, your application will be reviewed by City staff. All departments that will be involved in providing services or permits for the event will be notified. Please do not assume that all aspects of the event will be approved. You may be asked to make some changes to your plan based on the availability of services and scheduling of other events. The City of St. Charles reserves the right to cancel any event at any time for reasons deemed necessary by the City Council and/or City Administrator.

Deliver All Completed Items to:

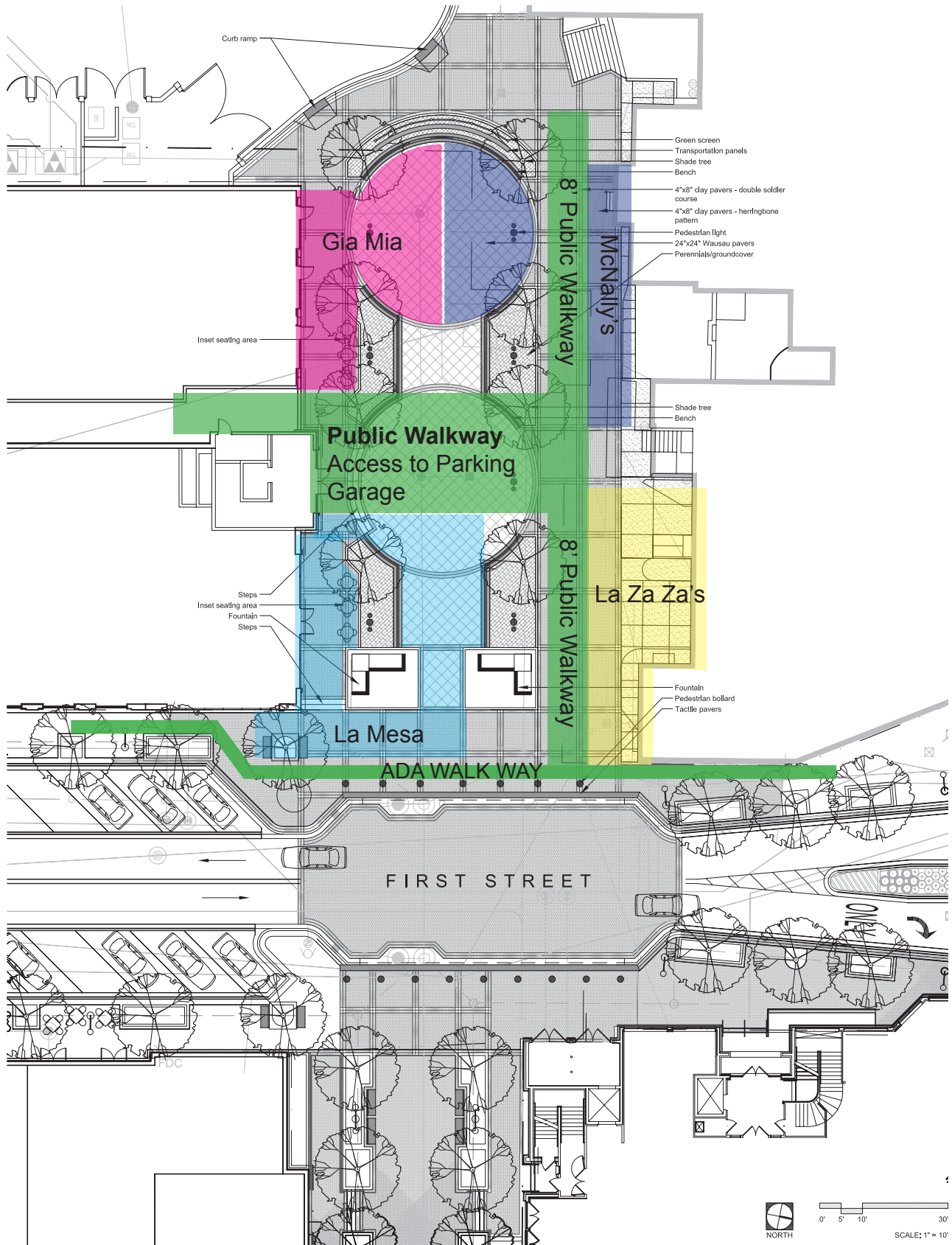
Building and Code Enforcement at
bceadm@stcharlesil.gov

OR

City of St. Charles
Attn: Building and Code Enforcement
2 E Main Street
St. Charles, IL 60174

Expanded Outdoor Dining Plan- West Plaza

City of St. Charles Updated May 27, 2020



PREPARED FOR:
City of St. Charles,
Illinois

First Street Redevelopment West Plaza Improvements

St. Charles, Illinois



0' 5' 10' 30'

SCALE: 1" = 10'

**Hitchcock
Design Group**
Creating Better Places®

ISSUE DATE: March 5, 2020
PROJECT NUMBER: 20170200000000000000
DRAWING NUMBER: 20170200000000000000
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PROPOSAL TO CLOSE FIRST STREET TO MOTOR VEHICLE TRAFFIC

The Governor's announcement on May 20, 2020 amended the Restore Illinois plan to allow outdoor dining to resume once a region has safely moved into Phase 3, which is anticipated to begin on May 29. Following the announcement, St. Charles restaurants began reaching out to implore the City to consider temporary policies that would assist increasing outdoor dining opportunities while providing appropriate distance between tables and allow for adequate pedestrian movement. In response to such requests, the City will be closing a portion of First Street to motor vehicle traffic. Details regarding First Street Closure are detailed below:

Street preparation and use

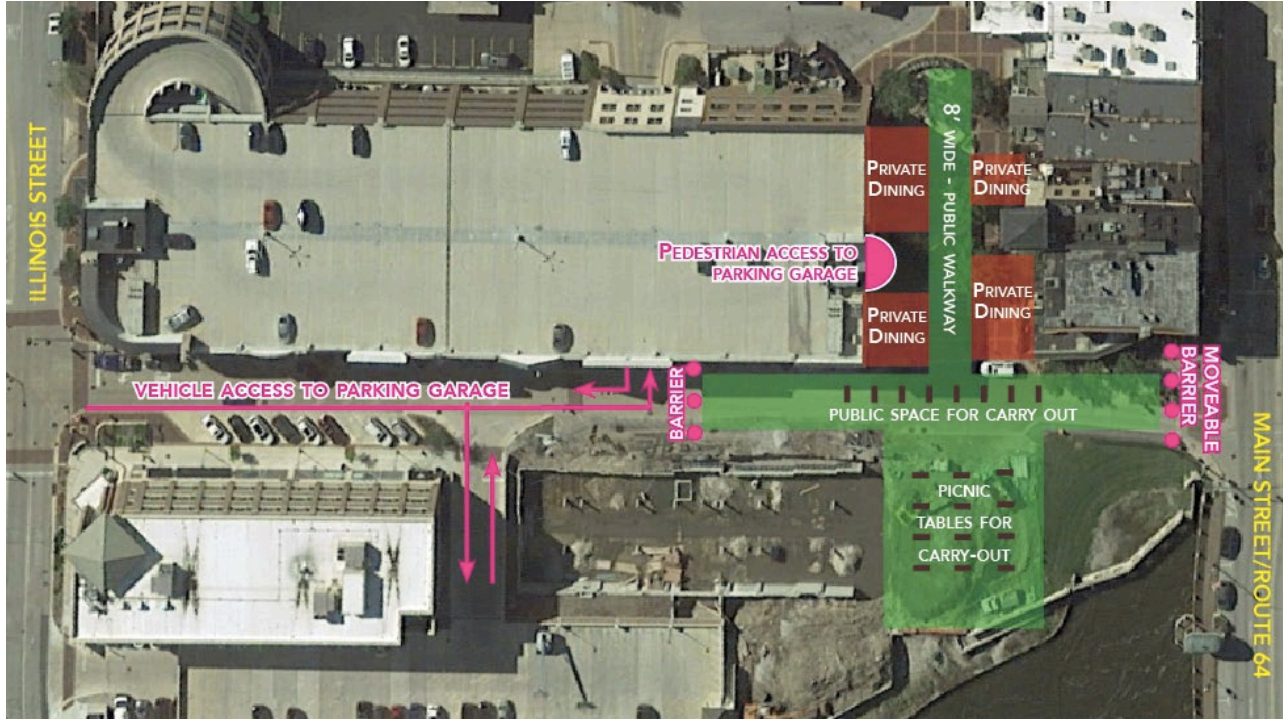
- First Street closed to motor vehicle traffic from main street to the entrance of the parking garage (Exhibit A).
- Movable barricades installed to close the north end of First Street to general motor vehicle traffic.
- The First Street Parking Garage will still be accessible.
- The Plazas will maintain public access, with adjacent restaurants able to use designated outdoor patio space for table service. Restaurants adjacent to the plaza should apply for a sidewalk café permit as is typically required; however, the permit fee will be waived. The City will delineate restaurant patio boundaries.
- Additional public seating will be provided in the east plaza and a portion of First Street will be closed street for carry-out diners to use.
- Indoor dining rooms remain closed. Customers are only allowed inside to use the restroom facilities.
- Operating hours of the outdoor dining area are limited to the hours of 7:00am to 10:00pm on Sunday through Wednesday, and from 7:00am to 11:00pm Thursday through Saturday.


Liquor:

- Liquor may only be sold by a restaurant with a full kitchen and properly licensed as a food service establishment prior to May 15, 2020 or, as otherwise stipulated below:
 - Holder of a Class A4 brewery license or A5 winery license where outside food is permitted to be delivered and consumed on-site.
 - Holder of Class B, C or G license with a full kitchen and properly licensed as a food service establishment prior to May 15, 2020. Limited food menu but allows outside food to be brought in.
 - Class F licenses (BYOB) with a full kitchen and properly licensed as a food service establishment prior to May 15, 2020.
- If alcohol is to be consumed in the restaurant's outdoor patio space, the patio must be fenced in or secured and liquor is not allowed to be carried away of consumed outside of the secured area.
- Staff must be put in place to oversee consumption and assure that alcohol does not leave the designated areas. This burden falls on the businesses and NOT the City

All applicable State, County and City codes must be followed. The City reserves the right to make changes and adjustments as necessary at any time in order to address issues that may arise.

Exhibit A:



| | | | |
|--|---|---|--|
|  <p>CITY OF ST. CHARLES ILLINOIS • 1834</p> | AGENDA ITEM EXECUTIVE SUMMARY | | Agenda Item Number: IC |
| | Title: | Presentation from the St. Charles Business Alliance regarding their “St Charles Back to Business Plan”. | |
| Presenter: | Mark Koenen, City Administrator Jenna Sawicki, Executive Director of the St. Charles Business Alliance | | |
| Meeting: City Council | | Date: May 28, 2020 | |
| Proposed Cost: \$NA | | Budgeted Amount: \$NA | Not Budgeted: <input type="checkbox"/> |
| Executive Summary <i>(if not budgeted please explain):</i> | | | |
| <p>The St Charles Business Alliance is hosting the “Back to Business Plan” in an effort to support local businesses during this time of the pandemic. The plan rollout is in conjunction with the Restore Illinois Phase 3 re-opening. Ms. Sawicki’s presentation will provide you with an executive summary of the Plan. The presentation is also offered to provide foundation for you and the general public.</p> | | | |
| Attachments <i>(please list):</i> | | | |
| None | | | |
| Recommendation/Suggested Action <i>(briefly explain):</i> | | | |
| For your information and feedback. | | | |