



CITY OF WOOD DALE

NEXT ORDINANCE NUMBER: O-20- 013

NEXT RESOLUTION NUMBER: R-20- 36

PUBLIC NOTICE OF CITY COUNCIL MEETING

IN ACCORDANCE WITH THE APPLICABLE STATUTES OF THE STATE OF ILLINOIS AND THE ORDINANCES OF THE CITY OF WOOD DALE, THE NEXT REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WOOD DALE IS SCHEDULED TO BE HELD AT THE HOUR OF 7:30 P.M. ON THURSDAY, MAY 28, 2020 IN THE COUNCIL CHAMBERS OF THE CITY HALL, 404 N. WOOD DALE ROAD, WOOD DALE, ILLINOIS, DURING WHICH MEETING IT IS ANTICIPATED THAT THERE WILL BE DISCUSSION OF THE FOLLOWING:

REVISED AGENDA CITY OF WOOD DALE, ILLINOIS SPECIAL CITY COUNCIL MEETING MAY 28, 2020

I. CALL TO ORDER

II. ROLL CALL

Mayor Pulice

Alderman Catalano

Alderman Jakab

Alderman Messina

Alderman Sorrentino

Alderman Susmarski

Alderman Eugene Wesley

Alderman Roy Wesley

Alderman Woods

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

V. COMMUNICATIONS AND PETITIONS

Citizens will be given the opportunity to address the City Council during the time set aside in the Meeting for Public Comment under Communications and Petitions. Please direct your comments to the Mayor, limit your remarks to three (3) minutes, and kindly refrain from making repetitive statements.

A. Citizens To Be Heard - During the COVID-19 Pandemic, anyone wishing to participate in the public meeting of the City Council may do so from another location, as City Hall is closed to the Public, to ensure the safety of the public and Staff, by Zoom Teleconferencing. The Dial-In Number for the meetings will be (312) 626-6799 and the Meeting ID will be 962-4858-7209. Anyone wishing to provide comment on a topic or Agenda Item may address the City

Council by sending an email to the City at PublicComment@wooddale.com by 4:00 p.m. the day of the Meeting. Your comment or question will be read during the Public Comment portion of the Agenda.

B. Written Communiques of Citizens to Be Heard

VI. MAYOR'S REPORT

i. **A Resolution Supplementing the Mayor's Emergency Proclamation**

VII. CITY MANAGER'S REPORT

VIII. CONSENT AGENDA

A. Omnibus Vote

IX. COMMITTEE CHAIRMAN REPORTS

A. Planning, Zoning And Building Committee

B. Public Health, Safety, Judiciary And Ethics Committee

C. Public Works Committee

D. Finance And Administration Committee

i. An Ordinance Amending Chapter 5, Section 5.304 A.2 of the Municipal Code of the City of Wood Dale of 1993 to Provide for the Creation of a Class Covid Temporary Liquor License

X. OTHER BUSINESS

A. Airport Noise Report

B. Stormwater Commission Report

XI. APPROVAL OF LIST OF BILLS

XII. EXECUTIVE SESSION

XIII. ITEMS TO BE REFERRED

XIV. ITEMS FOR INFORMATION ONLY

XV. ADJOURNMENT

POSTED IN CITY HALL ON May 26, 2020 AT 4:00 PM

LYNN CURIALE, CITY CLERK

By: Maura Montalvo, City Deputy Clerk

RESOLUTION R-20-36

**A RESOLUTION SUPPLEMENTING THE
MAYOR'S EMERGENCY PROCLAMATION**

WHEREAS, the City is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*; and

WHEREAS, the City possesses the authority, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, to adopt ordinances and resolutions and to enter into agreements pertaining to the public health, safety and welfare; and

WHEREAS, the City Council possesses full authority to approve and pass all necessary ordinances, resolutions, rules, regulations and agreements necessary for carrying into effect the objects for which the City was formed, in accordance with the Illinois Municipal Code; and

WHEREAS, the City Council of the City is the corporate authority for the City and is authorized by law to exercise all powers and to control the affairs of the City; and

WHEREAS, the COVID-19 virus has been declared a Pandemic by the World Health Organization; and

WHEREAS, accordingly, the Governor of the State of Illinois declared a State-wide emergency concerning this pandemic; and

WHEREAS, the DuPage County Board Chairman also issued a Disaster Proclamation affecting all of DuPage County; and

WHEREAS, pursuant to the Illinois Emergency Management Agency Act, 20 ILCS 3305/1 *et seq.* (the "Act"), on March 16, 2020, the Mayor of the City declared a local disaster emergency in the City due to the COVID-19 Pandemic, which was ratified by the City Council on March 19, 2020; and

WHEREAS, due to the significant continuing health threat posed by the COVID-19 pandemic to the local community, the City Council (hereinafter referred to as "City Council") has determined that it is in the best interests of the health and safety of the City to accommodate the opening of bars and restaurants for outdoor dining or service, in accordance with the Governor's Phase 3 of the *Restore Illinois Plan*; and

WHEREAS, the City Council supports the temporary outdoor dining or servicing, consistent with the *Restore Illinois Plan* and according to the CDC Guidelines; and

WHEREAS, the current City Code does not allow for certain outdoor activities, utilizing parking for bar and restaurant activities and other matters which local businesses would need to have in order to avail themselves of outdoor dining or service; and

WHEREAS, the City Council has determined that it is in the best interest of the residents and the businesses that are eligible for outdoor dining or service to provide temporary relief from the City Code, without permanently amending said Code to accommodate this unique but temporary situation; and

WHEREAS, in furtherance of the Mayor's Emergency Proclamation, the Mayor and the City Council are supplementing said Proclamation to accommodate outdoor dining or service and provides the Guidelines and restrictions for the provision of outdoor dining or service; and

WHEREAS, the City Council recognizes that certain of the establishments in the City which are eligible, under Phase 3 of the *Restore Illinois Plan*, may require changes to their operation in order to accommodate outdoor dining or service, which changes may be at a cost to these businesses, which have been previously closed during the Pandemic; and

WHEREAS, the City Council has agreed to provide a one-time Grant for reimbursement of those costs necessary to allow these businesses to provide outdoor service; and

WHEREAS, the City Council deems it in the best interest of the City to memorialize the City Guidelines for reopening these establishments and the Grant Program for reimbursement of said expenses.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF WOOD DALE, DUPAGE COUNTY, AN ILLINOIS MUNICIPAL CORPORATION, as follows:

SECTION 1: The recitals set forth above are incorporated herein and made a part hereof.

SECTION 2: The City Council hereby consents to supplementing the Declaration of a Local Disaster Emergency in the City to allow for outdoor dining or service at those establishments within the City limits eligible for said outdoor dining or service in accordance with Phase 3 of the Governor's *Restore Illinois Plan*.

SECTION 3: Outdoor Dining or Service Requirements/Restrictions

Those establishments eligible for outdoor dining or service as part of the Governor Pritzker *Restore Illinois Plan* in Phase 3 are permitted to have outdoor dining or service under the conditions set forth herein, only during the time said Phase remains in place.

A. Use of Premises. Eligible establishments may use the parking lot and area adjacent to the parking lot to any premises for outdoor dining or service. Said use of the area is subject to any restrictions imposed by the Property Owner, Landlord, Condominium Association or any such other restrictions encumbering the premises.

Temporary signs designating the outdoor area, hours of operation and other information relative to the outdoor dining or service, will be allowed, provided said signage does

not otherwise create a safety hazard or block site lines. Any and all electrical service, outlets or connections must meet all Electric Code requirements.

B. Capacity. Each establishment providing outdoor dining or service shall limit the capacity of the outdoor dining or service area to that which the outdoor space can accommodate, being mindful and compliant with social distancing guidelines. The positioning of chairs, tables and other seating areas shall be spaced so as to comply with said guidelines, with the exception of members of a single household.

C. Restroom Facilities. Each establishment providing outdoor dining or service may use the restroom facilities within the building on the premises. The establishment shall restrict the number of individuals allowed in the building at any given time and shall place the appropriate markings on the floor leading to the restroom facilities with a distance of 6 feet between said markings. The restroom facilities shall be limited to a single individual at one time, unless a patron requires assistance. In such case, a family member, caregiver or another designated by the individual requiring assistance, may accompany said person for the sole purpose of providing assistance. The establishment shall ensure that the remaining portions of the building on the premises are screened in such a way as to prevent access, including inadvertent access to said portions of the building.

D. Parking. Each establishment providing outdoor dining or service shall reserve and maintain sufficient parking to accommodate the capacity allowed under the Phase 3 *Restore Illinois Plan* for the size and configuration of the establishment. The parking shall be sufficient for the Patrons served in the outdoor area, without causing any disruption to traffic and must be done in compliance with the Illinois Motor Vehicle Code.

Existing handicapped parking must be maintained at all times, unless suitable arrangements are made to relocate said handicapped parking to accommodate the outdoor dining or service, provided said handicapped parking is in accordance with the Americans with Disabilities and all State and Federal requirements.

E. Outdoor Area Segregated. The area permitted for outdoor dining or service must be segregated from vehicular traffic through suitable means and the ingress and egress to the outdoor area must be restricted to patrons to access said facility. The establishment shall be responsible for complying with all State and local regulations.

F. Outdoor Seating. Each establishment may provide outdoor seating, including dining and other tables to accommodate the outdoor dining or service, including erecting tents or other coverings. Tents in excess of 400 square feet are prohibited. All tents, coverings, chairs, tables and other items must be secured against any weather or other occurrences. The establishment assumes all responsibility for the items utilized for outdoor dining or service and releases and holds the City harmless for any injuries, accidents or claims resulting from the use of the establishment for outdoor dining or service.

G. Noise/Music. The City recognizes that with the outdoor dining or service, there will necessarily be an increase in noise level and volume which could impact the surrounding

neighborhood or area. Any music or other activities on the premises shall be conducted in accordance with the City's current sound regulations and all music must cease by 9:00 p.m.

H. Compliance with Guidelines. Each establishment shall be required to comply with the terms and conditions of this Emergency Proclamation Supplement, along with Guidelines provided for in the Governor's Orders, the Governor's *Restore Illinois Plan*, the Illinois Department of Public Health Rules and the Center for Disease Control Guidelines, as any such are amended, from time to time, to accommodate this fluid situation and to ensure the protection of the health, safety and welfare of the Residents and City.

I. Grant Program. The City has established a Grant Program which provides a one-time Grant, not to exceed \$3,000, for any establishment providing outdoor dining or service within the City limits under Phase 3 of the *Restore Illinois Plan*.

In order to qualify for said Grant, the Applicant must be an authorized establishment in the City and in good standing. The establishment must provide outdoor dining or service in accordance with Phase 3 of the *Restore Illinois Plan*.

The Grant is designed to reimburse said establishments for the additional costs associated with outdoor dining or service. Said costs include, but are not limited to, tents, chairs, tables, barricades, signage, outdoor set-ups and such other costs as may be reasonably necessary to provide outdoor dining or service.

The Applicant must submit an Application, along with paid receipts for said eligible expenses to the Finance Director of the City at bwilson@wooddale.com. The City will reimburse the Applicant for those eligible expenses approved by the City.

The Applicant, as a condition of receipt of said reimbursement, holds the City, its elected officials, employees and attorneys harmless for any claims arising out of the use of said Grant funds.

The City reserves the right to deny any costs it deems unrelated to outdoor dining or service. The City further reserves the right to discontinue the Grant Program at any time, without notice.

J. Miscellaneous. Nothing herein shall prevent the City from otherwise exercising its general police powers to ensure the health, safety and welfare of the Residents and the City. The City reserves the right to amend, modify or terminate any or all provisions hereof to comply with any Executive Orders, Center for Disease Control Guidelines, Illinois Department of Public Health Rules or any other reason which the City believes will further the best interests of the Residents and the City.

It shall be the responsibility of the establishment to fully comply with all Center for Disease Control, Illinois Department of Public Health Rules, the DuPage County Health Department Regulations, State statute and the Wood Dale City Code.

SECTION 4: The Mayor, City Manager, City Clerk or Deputy Clerk, Staff, and/or the City Attorney shall take all the steps necessary to publicize and enforce this continued declaration.

SECTION 5: All ordinances and resolutions or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

SECTION 6: This Resolution shall be in full force and effect from and after its adoption, approval, and publication in pamphlet form as provided by law.

PASSED this 28th day of May, 2020

AYES: _____

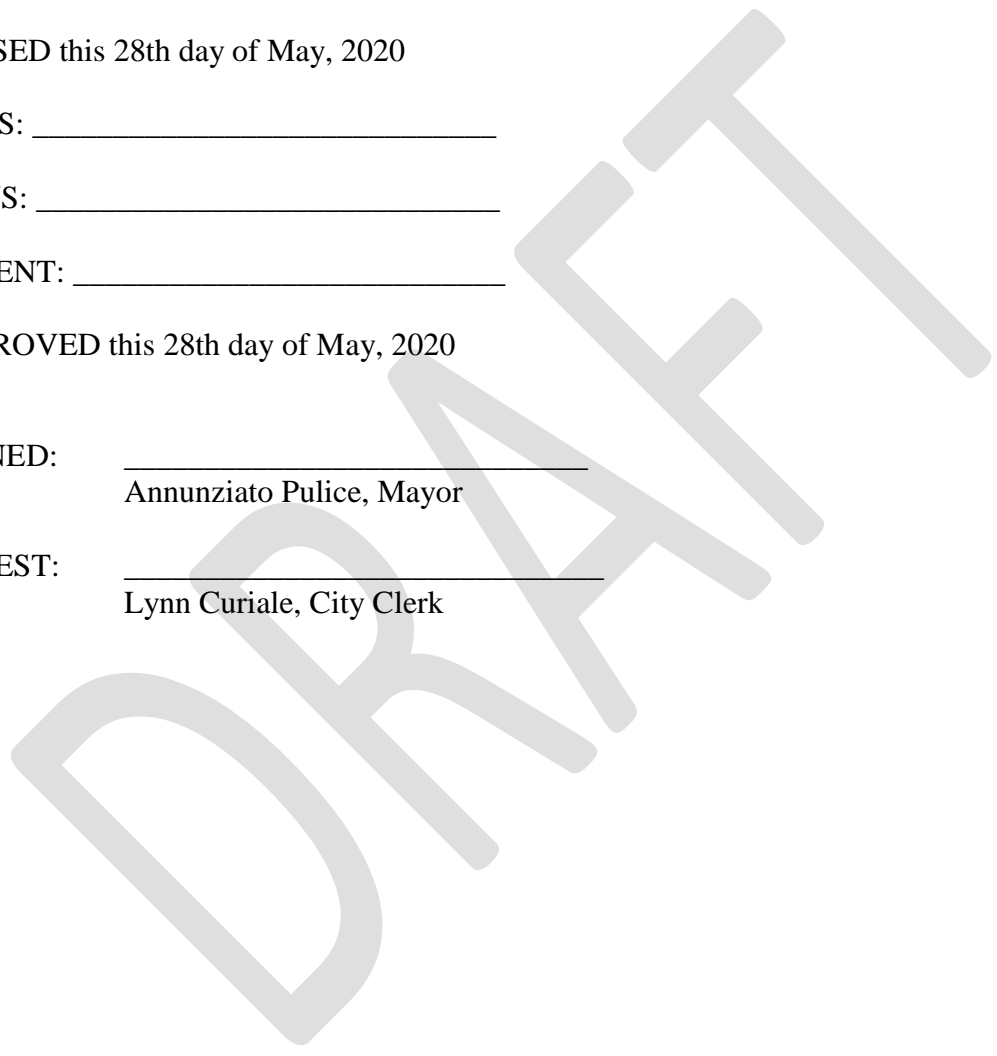
NAYS: _____

ABSENT: _____

APPROVED this 28th day of May, 2020

SIGNED: _____
Annunziato Pulice, Mayor

ATTEST: _____
Lynn Curiale, City Clerk





REQUEST FOR COUNCIL ACTION

Referred to Council: May 28, 2020
Subject: Covid Liquor License/Building Code Exceptions
Staff Contact: Jeffrey Mermuys
Department: City Manager

TITLE: An Ordinance Amending Chapter 5, Section 5.304 A.2 of the Municipal Code of the City of Wood Dale of 1993 to Provide for the Creation of a Class Covid Temporary Liquor License

COMMITTEE ACTION FOLLOW-UP ITEMS:

N/A – The Governor amended his restore Illinois plan abruptly not allowing us the proper time to bring to Committee before Council meeting. Additionally with the potential timing for restaurants to re-open Council action is needed immediately.

RECOMMENDATION:

Adopt the new temporary Covid Liquor License, adopt the temporary outdoor dining code revisions, and finally adopt a financial stimulus package to help these local businesses resume sit down dining.

BACKGROUND:

As you know restaurants and bars have both been either closed or heavily restricted to pick-up/delivery only since the onset of the Governor's shelter in place order and his subsequent Restore Illinois Plan. Originally onsite dining was not going to be allowed until Phase 4 of the Restore Illinois Plan, then late this week the Governor amended the plan to allow onsite dining during phase 3 of the Restore Illinois Plan as long as the service was provided outside any establishment. This requires that each individual local authority enact the necessary code revisions needed to accommodate such business activity.

ANALYSIS:

Liquor Code

The current Liquor License Classifications do not contemplate the latest development in the COVID-19 Pandemic world. With the Governor adding amendments to his Phase 3 Restore Illinois Plan, the City is seeking to allow those Restaurants and Bars within the City limits to conduct activities outside of their Licensed Facility. In order to do so, the Liquor Code will need to be amended to accommodate these circumstances so as not to have the Liquor License Holders out of compliance with the restrictions in their existing Liquor Licenses.

Staff has prepared a COVID Temporary Liquor License which will allow those License Holders in good standing to apply for a Temporary COVID Liquor License. The License will allow the Licensed Facility to operate outdoors, in accordance with the Governor's most recent Executive Order. Further, the number of Licenses will be limited to those current License Holders who fall in the category of a Restaurant or Bar, with the corresponding Liquor License. The Temporary License will expire after ninety (90) days. However, staff did include language in the License terms that the License could be modified or revoked by the City, should the CDC, IDPH, the Governor's Office or the DuPage Health Department deem additional restrictions are required or that outdoor service is no longer permitted. Staff did take the liberty of including a Fee Waiver in the License.

We suggest the current Licensed Holders, since they have already completed a full Application, along with the required background checks, that they simply need to complete an abbreviated License Application for the COVID Temporary Liquor License.

There are also going to be specific restrictions relative to barricades, tent sizes, securing any outdoor furniture, etc. Those restrictions will be included in a separate document, as they are not necessarily appropriate for Liquor License requirements.

Building Code

Attorney Bond and Economic and Community Development Director Ed Cage are working on exceptions to the City Code requirements to accommodate the amendments to the Phase 3 Restore Illinois Plan. Rather than amending City Codes to address this current situation, it was decided that these exceptions to the City Code can be accomplished by Resolution. Resolution amending the ratification of the Mayor's Proclamation of an Emergency Disaster will be prepared for Council consideration. The Resolution will address the requirements for restaurant and bars to open with outside services, while ensuring the protection of their patrons and the public. Conditions will be included, such as partitioning off the area from vehicular traffic, tents less than 400 square feet in size, securing any covering or outdoor seating, restricting noise levels and the hours for any music or any other entertainment.

By including these restrictions in the Resolution, which is authorized under the Mayor's emergency powers, this will avoid the modifications of the numerous City Code provisions to deal with the one-time situation. The Resolution can, if new Guidelines are imposed or additional restrictions handed down by the Governor's Office, be amended to address this fluid situation. This will also prevent the necessity of restoring the modified City Code provision back to the pre-Covid requirements.

A draft copy of the Resolution will be supplied on Tuesday, May 26, 2020.

Financial Impacts

The last part of the proposed recommendations this evening revolve around any financial assistance the Council is willing to provide. As you know, this budget year has been thrown into a rather strange situation which will force us to make changes to our original budget that was developed pre Covid-19. The City Council has already provided numerous stimulus packages to date and this would be the next in line potentially.

To fund this particular stimulus package staff is recommending drawing from two different funding sources totaling a maximum exposure of \$200,000. Source 1 comes from the Tourism fund for \$110,000 which is roughly the amount of funding the City had budgeted for the canceled 2020 Prairie Fest. Source 2 comes from the recent passage of the 2020 Electric Aggregation Program and totals \$90,000. Staff's initial idea would be to set aside a maximum reimbursement amount per each individual business to help cover some of the costs of offering the outdoor dining experience throughout the duration of the summer as the Restore Illinois plan dictates. With an estimated maximum of 40 establishments (over-estimated), at a maximum amount of \$5,000 per establishment the Council would have enough to cover those expenses. Staff is working on the process and qualifications for this reimbursement. Council can chose the maximum amount listed above or they can decide on any financial amount keeping in mind there could be another stimulus program down the road to draw from these funds.

More information will be distributed to you on Tuesday, May 26, 2020 as staff prepares consolidated necessary code changes this include the revised Mayor's Emergency Proclamation.

DOCUMENTS ATTACHED

- ✓ Liquor Ordinance

ORDINANCE NO. O-20-013

**AN ORDINANCE AMENDING CHAPTER 5, SECTION 5.304 A.2 OF
THE MUNICIPAL CODE OF THE CITY OF WOOD DALE OF 1993 TO
PROVIDE FOR THE CREATION OF A CLASS COVID
TEMPORARY LIQUOR LICENSE**

WHEREAS, the City of Wood Dale (hereinafter referred to as the “City”) is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, the City possesses the authority, pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*, to adopt ordinances pertaining to the public health, safety and welfare; and

WHEREAS, the City Council of the City (hereinafter referred to as the “City Council”) is the corporate authority for the City and is authorized by law to exercise all powers and to control the affairs of the City; and

WHEREAS, the City Council possesses full power and authority to approve and pass all necessary ordinances, resolutions, rules and regulations necessary for carrying into effect the objects for which the City was formed, in accordance with the Illinois Municipal Code; and

WHEREAS, due to the unprecedented COVID-19 Pandemic, in accordance with the Center for Disease Control (CDC) and the Illinois Department of Public Health (IDPH), Governor Pritzker entered certain Executive Orders under the Illinois Emergency Management Act, all non-essential businesses were shut down; and

WHEREAS, on March 16, 2020, in accordance with the Emergency Management Agency Act, 20 ILCS 3305/1 *et seq.* (ACT), the Mayor declared a local disaster emergency in the City due to the COVID-19 Pandemic; and

WHEREAS, the City Council, on March 19, 2020, consented to the Mayoral Declaration of a Local Disaster Emergency in the City of Wood Dale, due to the COVID-19 Pandemic, Resolution No. R-20-11; and

WHEREAS, the Governor established, in conjunction with the IDPH and in accordance with CDC Guidelines, a *Restore Illinois Plan*, designed to reopen Illinois, including businesses, in a Phased schedule,

WHEREAS, Bars and Restaurants were closed in accordance with said Executive Order(s); and

WHEREAS, On May 20, 2020, Governor Pritzker announced an update to Phase 3 of the *Restore Illinois Plan*, which allows for Bars and Restaurants to reopen, for outdoor seating only, utilizing social distancing and other restrictions; and

WHEREAS, the City recognizes the financial toll taken on its businesses as a result of the COVID-19 shutdown and determined that it is in the best interest of the City

to foster the reopening of those businesses, in accordance with the Governor's *Restore Illinois Plan*; and

WHEREAS, the current City Codes do not contemplate the unprecedented restrictions imposed as a result of this COVID-19 Pandemic shut-down; and

WHEREAS, the City has determined that amending its Liquor Code to accommodate the restrictions imposed on Bars and Restaurants limiting service to outdoor seating, will allow the Restaurants and Bars in the City limits to reopen and remain in compliance with the current restrictions; and

WHEREAS, the City has determined that it is appropriate to amend Chapter 5, Section 5.304 A.2, of the City Code, as set forth below, to provide for the creation of a Class COVID Temporary liquor license for retail sale of alcoholic beverages for consumption on the premises and the parking lot and adjacent area to the premises where sold.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wood Dale, DuPage County, Illinois, at a special meeting duly assembled, as follows:

SECTION ONE: The recitals set forth above are incorporated herein and made a part hereof.

SECTION TWO: Chapter 5, Section 5.304.A.2, of the Municipal Code of the City of Wood Dale of 1993, as amended, be and hereby is restated and amended to add a CLASS COVID Temporary license, as follows to the itemization of License Classes:

CLASS COVID TEMPORARY: Authorizing current Liquor License Holders, in good standing, during the COVID Pandemic condition, to sell and offer for retail sale alcoholic beverages, as defined in the Liquor Control Act of 1934, to be sold and consumed on the premises, including the parking lot and area adjacent thereto, where alcoholic beverages are sold. Said License is subject to any and all other restrictions on the property on which the Licensed Premises is located, including those imposed by the property owner, landlord, condominium association or any such other restrictions encumbering the premises. Further, the License Holder must maintain all existing handicapped parking, unless suitable arrangements are made to relocate said handicapped parking to accommodate the outdoor use, said handicapped parking must be in accordance with Americans with Disabilities Guidelines.

It is the responsibility of the Licensee to fully comply with all Center for Disease Control (CDC) Recommendations, all Illinois Department of Public Health (IDPH) Rules and must obtain approval from the DuPage County Health Department.

Further, the License Holder shall segregate, by partition or otherwise, the area utilized for seating and its patrons from any and all vehicular traffic. Any music or other activities on the premises shall be conducted in

accordance with the City's current sound regulations and all music must cease by 9:00 p.m.

Such Temporary License shall be valid for a period of ninety (90) days and will thereafter terminate without further notice. The City reserves the right to expand, restrict or eliminate the conditions set forth herein in accordance with all Federal, State and Local regulations or mandates. The conditions and restrictions provided for in the current Liquor License, to the extent not otherwise modified herein, remain in full force and effect. Upon the expiration of this COVID Temporary License, the License Holder's operation shall resume under the terms and conditions of their existing Liquor License.

The City has determined, in light of the hardship experienced by the business establishments in the City from the COVID-19 Pandemic, to waive the License Fee for the COVID Temporary License. Any current Liquor License Holder, in good standing, is eligible for the COVID Temporary Liquor License, upon submitting an Application to the City.

Nothing herein shall prevent the City from otherwise exercising its general police powers to ensure the health, safety and welfare of the residents and City.

SECTION THREE: All other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION FOUR: That the City Clerk of the City of Wood Dale be and is directed hereby to publish this Ordinance in pamphlet form, pursuant to the statutes of the State of Illinois.

SECTION FIVE: That this Ordinance shall be in full force and effect after its passage, approval, and publication in the manner provided by law.

PASSED this 28th day of May 2020.

AYES:_____

NAYS:_____

ABSENT:_____

APPROVED this 28th day of May 2020.

Annunziato Pulice, Mayor

ATTEST:

Lynn Curiale, City Clerk

Published in pamphlet form _____, 2020.

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Chapter 5, Section 5.304 A.2, of the Municipal Code of the City of Wood Dale of 1993, as amended, be and hereby is amended to add a new Liquor License Classification, CLASS COVID TEMPORARY, to the itemization of License Classes, as follows:

CLASS COVID TEMPORARY: Authorizing current Liquor License Holders, in good standing, during the COVID Pandemic condition, to sell and offer for retail sale alcoholic beverages, as defined in the Liquor Control Act of 1934, to be sold and consumed on the premises, including the parking lot and area adjacent thereto, where alcoholic beverages are sold. Said License is subject to any and all other restrictions on the property on which the Licensed Premises is located, including those imposed by the property owner, landlord, condominium association or any such other restrictions encumbering the premises. Further, the License Holder must maintain all existing handicapped parking, unless suitable arrangements are made to relocate said handicapped parking to accommodate the outdoor use, said handicapped parking must be in accordance with Americans with Disabilities Guidelines.

It is the responsibility of the Licensee to fully comply with all Center for Disease Control (CDC) Recommendations, all Illinois Department of Public Health (IDPH) Rules and must obtain approval from the DuPage County Health Department.

Further, the License Holder shall segregate, by partition or otherwise, the area utilized for seating and its patrons from any and all vehicular traffic. Any music or other activities on the premises shall be conducted in accordance with the City's current sound regulations and all music must cease by 9:00 p.m.

Such Temporary License shall be valid for a period of ninety (90) days and will thereafter terminate without further notice. The City reserves the right to expand, restrict or eliminate the conditions set forth herein in accordance with all Federal, State and Local regulations or mandates. The conditions and restrictions provided for in the current Liquor License, to the extent not otherwise modified herein, remain in full force and effect. Upon the expiration of this COVID Temporary License, the License Holder's operation shall resume under the terms and conditions of their existing Liquor License.

The City has determined, in light of the hardship experienced by the business establishments in the City from the COVID-19 Pandemic, to waive the License Fee for the COVID Temporary License. Any current Liquor License Holder, in good standing, is eligible for the COVID Temporary Liquor License, upon submitting an Application to the City.

Nothing herein shall prevent the City from otherwise exercising its general police powers to ensure the health, safety and welfare of the residents and City.