

(City Letterhead)

Emergency Order No. 2020-__
Outdoor Seating

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary, Alex Azar, declared a public emergency for the novel coronavirus (COVID-19) beginning on January 27, 2020; and

WHEREAS, on February 29, 2020, Governor Jay Inslee signed a Proclamation declaring a State of Emergency exists in all counties in the State of Washington due to the number of confirmed cases of COVID-19 in the State and directed that plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented; and

WHEREAS, beginning on March 11, 2020, the President of the United States, Donald J. Trump, directed the Federal Government to take numerous emergency measures to address the unprecedented nature of this public health crisis, including restrictions on all foreign travel outside United States of America due to the number of confirmed cases of COVID-19 in the United States; and

WHEREAS, on March 16, 2020, Mayor Saul Martinez proclaimed the existence of a civil emergency pursuant to PMC 2.55.010; and

WHEREAS, on March 17, 2020, the Department of Public Health of Benton and Franklin County announced the first local case of COVID-19; and

WHEREAS, on March 15, 2020, Governor Jay Inslee announced the temporary closure of all restaurants statewide, except for take-away and delivery orders; and

WHEREAS, the economic disruptions to restaurants caused by COVID-19 have placed a sudden and severe financial strain on many restaurants and will increase the likelihood of restaurants struggling to meet existing financial commitments and remain open during and after the COVID-19 crisis; and

WHEREAS, the City of Pasco has determined that restaurants may more fully accommodate patrons by utilizing outdoor spaces under the Governor's Safe Start Plan, including adjacent sidewalks and parking areas assigned to that business; and

WHEREAS, a civil emergency pursuant to PMC 2.55.010 continues to exist. **NOW, THEREFORE**,

I, Saul Martinez, Mayor of the City of Pasco, ORDER under the emergency powers granted to me under the Proclamation of Emergency that:

1. The above recitals are true and correct in all respects; and

2. The City of Pasco shall allow sidewalk/café seating in the C-1; C-2 and C-3 Zoning Districts and any portions of the Pasco Municipal Code that would require suspension in order to comply with this Order, are hereby suspended. The City Manager is hereby authorized to use his discretion to implement this Order, generally under the following conditions:

a. Sidewalk/café seating plan shall be approved by the City of Pasco Community & Economic Development Department.

b. Off-street parking areas adjacent and dedicated for restaurants may be fenced off to provide additional seating, provided the area shall not exceed one-hundred percent (100%) of the interior seating space of the restaurant. Required off-street parking may be reduced by fifty percent (50%) during the duration of this Emergency Order.

c. Handicapped parking stalls shall not be used for patron seating.

d. Fences shall be no more than 42" high, and shall be decorative metal.

e. Furnishings (tables/seating) shall be a durable material and complementary to the decorative fencing. Fencing and furnishings shall not be permanently affixed to the sidewalk. Fencing and furnishings shall be adequately weighted to prevent tipping.

f. Clear access for pedestrians of at least 6' shall be maintained along sidewalk corridors at all times.

g. Maintenance of all allowed fencing and furnishings shall be the responsibility of the business owner/applicant.

h. Additional outdoor lighting and/or signage in conjunction with the outdoor seating may be allowed.

i. Curbside pick-up zones shall be maintained within 500' of each restaurant.

3. This Order shall be in effect until rescinded by written order.

DATED this 2 day of July, 2020.



Saul Martinez, Mayor

Attest:


Debra Barham, CMC
City Clerk