



The unprecedented COVID outbreak, and the State of Illinois response to it, has been a hardship on all businesses in the State, and especially to those initially deemed non-essential. The Governor has indicated that he will begin allowing outdoor seating areas for bars and restaurants (“Establishments”) in the State on May 29, 2020.

The City of Loves Park has always taken pride in being a “business friendly” community and is implementing a process for expediting the creation or modification of outdoor seating areas (“OSAs”), with the least amount of effort and cost while ensuring public health and safety. As such, the City is not going to require any type of permit to open the new OSAs in an effort to allow Establishments to open quickly, but the City will want to ensure that OSA’s are created in a manner which protects the health, safety and orderly conduct of the community. As such, the City will require that businesses adhere to the guidelines referenced herein, where feasible, and that they notify the City by e-mail to stevethompson@cityoflovespark.com prior to opening any OSA. The City will perform inspections from time to time, and reserves the right to establish new guidelines and/or request modifications to an OSA which City inspectors feel is necessary to protect health, safety and orderly conduct.

Establishment owners will still be responsible for all aspects of food safety and other public health guidelines established by the Winnebago County Health Department, and the City encourages Establishment owners to keep up to date on and practice current CDC recommendations related to the pandemic. The permission to operate OSAs is a **temporary permission** for Establishments while indoor dining is not allowed and does not create any permanent rights of Establishment owners to keep, operate or maintain the OSAs. This temporary permission to operate OSAs may be revoked by the City, at any time, for an individual Establishment, all Establishments, or at such time as the City determines the temporary permission to operate OSAs is no longer necessary.

The City’s Director of Community Development, Steve Thompson (“Director”), shall have the authority of the City to develop rules and regulations governing how Establishments operate their OSAs and will coordinate with the City’s police and fire chiefs to assure that necessary public health and safety guidelines are being met. The Director is empowered to enforce the City’s rules and regulations, to direct an Establishment to make any changes to the OSA he deems necessary, and if necessary, to revoke an Establishment’s temporary permission to have an OSA if the Establishment is not following applicable City, County or State regulations.

The following are a minimal set of guidelines that Establishments must follow on a continuing basis. The City reserves the right to amend, enhance, or change rules and regulations at any time.

1. Tables must not block entrances, exits, fire lanes, fire hydrants, sprinkler connection points, drive aisles, back-up areas, and pedestrian or handicapped access unless such pedestrian or handicapped access is re-designated. Handicap parking may be temporarily re-designated to accommodate outdoor dining. Such re-designation must be marked with signage clearly visible and of sufficient size as to provide notice to the public, be in

accordance with local and state law for such handicap spaces and be indicated clearly on the plan submitted to the City. The restaurant or bar remains responsible for ADA compliance.

2. Parking spaces may be used for dining tables, but there must be a physical barrier or separation to protect customers from vehicle traffic, such as bollards or planter boxes. It is encouraged that fencing be placed around the OSA to visually separate the area from commonly used motor vehicle access and to control patron entrance and exit choices to minimize negative pedestrian-motor vehicle interfacing.
3. If the restaurant or bar has a drive-through lane or curbside location for pickup, the seating area must be physically protected by barriers that will prevent drivers from potentially driving through the seating area. In some instances, in order to meet these criteria, restaurants or bars may have to block off drive-through lanes with parked vehicles and or suspend curbside and drive-through services if the layout of the planned outdoor dining area is not capable of being safely separated from vehicular access.
4. The outdoor seating plan must meet Fire Department standards, including points of egress, access to fire extinguishers, and tent and awning ratings if applicable. If a tent or canopy is to be used it must be fire rated and meet the fire rating for the tent or canopy to be approved.
5. Access to indoor restrooms must be made available. Patrons and restaurant or bar employees shall wear masks when inside the restaurant in accordance with CDC guidelines when social distancing cannot be maintained.
6. Operating hours may not exceed the hours of the restaurant's indoor operations.
7. Rules regarding indoor seating during the COVID-19 lockdown shall continue to be as directed by the City or State as such may be amended from time to time.
8. All local, State and Federal laws and regulations regarding the sale and serving of alcohol must be followed.
9. Within the first week of operation of an OSA, City staff may visit your location to make sure the operation is within the State & Local guidelines. At this time, there may be additional recommendations/regulations given for the safety of your staff and patrons or to meet existing Fire and Building Codes. These recommendations/regulations must be met within the given timeframe to continue utilizing OSA(s).
10. The City Council is discussing rules relating to live music, recorded music and broadcast music on June 1, 2020. We anticipate providing further guidance on June 2, 2020. In the meantime, we ask that all music be kept at a level not to disturb residential areas