

Proposed: 12/07/2020

RESOLUTION NO. 131-2020 (AS)

By Council Member

A Resolution amending Resolution No. 83-2020 to extend the duration of the Temporary Expansion Area program for the expansion of outdoor dining facilities and use of public and private property or right-of-way in response to the COVID-19 emergency; and declaring an emergency.

WHEREAS, on July 6, 2020, in response to the COVID-19 pandemic, this Council, by way of Ordinance No. 83-2020, authorized a Temporary Expansion Area program for the creation or expansion of outdoor dining, entertainment and retail areas; and

WHEREAS, in light of the COVID-19 guidelines and mandates imposed upon affected businesses through Orders issued by the Governor and Director of the Ohio Department of Health, the Temporary Expansion Area program authorized business to use private property such as private parking lots, as well as City-owned property, streets and other public rights-of-way, including on-street parking areas, sidewalks, and parklets to expand their facilities as a means to combat the financial loss to businesses whose operations were affected by said Orders; and

WHEREAS, Ordinance No. 83-2020 provided a sunset date of November 1, 2020 for the Temporary Expansion Area program; and

WHEREAS, based on the negative financial impacts that COVID-19 continues to have upon businesses, due in part to the mandatory and advisory restrictions and safety guidelines, this Council wishes to extend the duration of the Temporary Expansion Area program as a means to alleviate some of that burden.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. Section 1 of Ordinance No. 83-2020 shall be, and is hereby, amended to read as follows:

SECTION 1. The City Manager and her designees (collectively, "City Manager"), to include the Planning Director and the Director of Economic Development, are hereby authorized to establish a temporary program for the creation or expansion of outdoor dining, entertainment and retail areas by permitting use of private property such as private parking lots, as well as City-owned property, streets and other public rights-of-way, including on-street parking areas, sidewalks, and parklets (Temporary Expansion Areas). The duration of the Temporary Expansion Area program shall be from the effective date of this resolution until no later than ~~November 1, 2020~~ December 31, 2021.

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SECTION 2. All remaining provisions of Resolution No. 83-2020 shall remain in full force and effect.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for the extension of the Temporary Expansion Area program to be effective at the earliest time possible to mitigate the financial impacts of the COVID-19 pandemic upon Cleveland Heights businesses to the maximum possible extent. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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JASON S. STEIN, Mayor  
President of Council

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AMY HIMMELEIN  
Clerk of Council

PASSED: