



Legislation Text

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**File #:** Ord. 1012, **Version:** 1

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**City Council Meeting Date:** June 2, 2020

**To:** Mayor and City Council

**From:** Ben Martig, City Administrator  
Deb Little, City Clerk  
Mark Elliott, Deputy Chief of Police  
Mitzi Baker, Community Development Director  
David Bennett, Director of Public Works/City Engineer

Consider Emergency Ordinance Temporarily Permitting Limited Sales of Goods and Delivery of Services within Public Rights-of-way, Private Open Space and Parking Lot Areas and Waiving Certain Zoning Restrictions During the COVID-19 Local Emergency.

**Action Requested:**

The Northfield City Council considers approving the attached Emergency Ordinance Temporarily Permitting Limited Sales of Goods and Delivery of Services within Public Rights-of-way, Private Open Space and Parking Lot Areas and Waiving Certain Zoning Restrictions During the COVID-19 Local Emergency

**Summary Report:**

An emergency exists due to the COVID-19 pandemic, which has resulted in the declaration of a local emergency by the Mayor and City Council of the City of Northfield by adoption of Resolution No. 2020-039 on March 17, 2020. The COVID-19 pandemic has also resulted in the declaration of a Peacetime Emergency and the issuance of successive executive orders by Minnesota Governor Walz. The COVID-19 pandemic and the requirements of Governor Walz's executive orders have limited or otherwise affected the operation of many commercial and not-for-profit establishments in the City of Northfield.

Effective June 1, 2020, Executive Order 20-63 (attachment 2), allows bars and restaurants to be open to serve customers with the following restrictions:

- Outdoor service
- 6 ft of distance must be maintained
- Not to exceed 50 customers
- Reservations are required
- Masks required for workers, strongly recommended for customers

In order to accelerate approvals for potential business requests to resume operations in compliance with the requirements and restrictions set forth in executive orders issued by the Governor, City Attorney Hood drafted the attached emergency ordinance template. City staff has reviewed and edited the ordinance with Northfield specific information. The attached emergency ordinance provides for the following:

- Allows bars and restaurants having a brick and mortar location within the City of Northfield to place and sell their goods or deliver services, including but not limited to by establishing drive-up or drive-thru areas, customer ordering, waiting or pick-up areas, or customer seating or service areas on the businesses' property, including private parking lot areas owned by the business or for which the business otherwise has the permission of the owner, or within the following portions of public rights-of-way:
  - A. upon the sidewalk located directly adjoining the business and equal to the width of the business adjacent to the sidewalk; and
  - B. upon any public parking spaces immediately adjoining the building where the business is located, to an equal extent as any other businesses adjoining the same parking spaces who wish to make use thereof pursuant to this ordinance.
- The requirements in the emergency ordinance are in conjunction with existing sections of the Northfield City Code, Section 6-70, Temporary Expansion of licensed premises; outdoor sales and service, and Section 14-90, Outdoor food and beverage service (attachment 3).
- Grants authority to the City Administrator to approve certain actions related to use of public rights-of-way and expansion of licensed premises for liquor license holders.
- Permits waiving certain zoning requirements for temporary sales and service during the COVID-19
- Expansions must comply with requirements of the American with Disabilities Act and all State liquor laws and rules, including, but not limited to, spaces being compact and contiguous to the business holding the liquor license.
- Provides for Temporary Street Closures

Staff met and issued a press release regarding preparations for restaurant and bar reopening on May 21, 2020 (attachment 4). An e-mail was sent to all liquor license holders on May 22 with the press release, simplified applications for expansion on public property and private property. Staff has been contacting bars and restaurants to talk about outdoor expansion and their needs.

**Alternative Options:**

N/A

**Financial Impacts:**

Unknown at this time. There is no fee for businesses to apply for an expansion.

**Tentative Timelines:**

Outdoor service for bars and restaurants can begin on June 1, 2020.