

ORDINANCE

AN ORDINANCE AUTHORIZING OUTDOOR DINING IN THE VILLAGE OF OAK PARK IN 2022 AND WAIVING ASSOCIATED PERMIT FEES FOR BOTH ON-SIDEWALK AND ON-STREET DINING

WHEREAS, the Village of Oak Park (“Village”) is a home-rule unit of government as provided by the provisions of Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, the President and Board of Trustees have determined to adopt this Ordinance to allow for outdoor dining in 2022 and to continue the Village’s ongoing assistance to licensed Village restaurants as they financially recover from the impacts of the COVID-19 pandemic.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Oak Park, Cook County, Illinois, in the exercise of their home rule powers, as follows:

Section 1. Recitals Incorporated. The above recitals are incorporated herein by reference as though fully set forth.

Section 2. Authorization for the Interim Village Manager to Allow Outdoor Dining on Village Property. The Interim Village Manager or the Interim Village Manager’s designee may authorize the expansion of outdoor seating for Village licensed restaurants upon public rights-of-way, including sidewalks and on-street parking spaces and other Village owned property, subject to the requirements of this Ordinance, for the purposes of allowing outdoor seating for restaurants located in the Village. The Interim Village Manager or the Interim Village Manager’s designee is authorized to establish rules and regulations governing outdoor dining pursuant to this Ordinance.

Section 3. Permit Requirement for Outdoor Dining Space on Village Property. A permit shall be required for a restaurant to operate outdoor dining on Village property. No fee shall be required by the Village for such a permit.

Section 4. License Agreement Required. In order to obtain a permit to operate outdoor dining on Village property, a permit applicant must execute a license agreement in which the applicant shall indemnify, defend, and hold harmless the Village for any and all claims for liability or damages arising from the operation of the outdoor restaurant seating area. Such license agreement shall be subject to the review and approval of the Village Attorney. An applicant shall provide the Village with a certificate of general liability insurance. The amount of required liability coverage shall be in an amount not less than \$500,000.00 combined single limit per occurrence or \$500,000.00 per occurrence and per aggregate. The Village shall be named as an additional insured on a primary and non-contributory basis. The Interim Village Manager is authorized to execute any and all license agreements pursuant to this Ordinance on behalf of the Village.

Section 5. Current Code Requirements and Regulations to Remain in Effect. All current Village restaurant regulations and Code requirements shall remain in effect subject to any social distancing requirements and other requirements as determined by the State of Illinois or by executive order of the Governor, including, but not limited to, the number of tables, occupancy and seating reduction requirements, and by the rules and regulations established by the Interim Village Manager or the Interim Village Manager’s designee as authorized by this Ordinance.

Section 6. No Permit Required for Private Outdoor Dining Space. No Village permit shall be required for private outdoor dining space operated by a Village restaurant and shall be subject to the requirements of Section 5 above.

Section 7. Severability and Repeal of Inconsistent Ordinances. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 8. Effective Date and Repeal. This Ordinance shall be in full force and effect after its approval, passage and publication as provided by law and shall be repealed of its own accord without further action of the Village Board at 11:59 a.m. on November 30, 2022.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADOPTED this 7th day of March 2022, pursuant to a roll call vote as follows:

| Voting | Aye | Nay | Abstain | Absent |
|---------------------------|-----|-----|---------|--------|
| President Scaman | | | | |
| Trustee Buchanan | | | | |
| Trustee Enyia | | | | |
| Trustee Parakkat | | | | |
| Trustee Robinson | | | | |
| Trustee Taglia | | | | |
| Trustee Walker-Peddakotla | | | | |

APPROVED this 7th day of March 2022.

Vicki Scaman, Village President

ATTEST

Christina M. Waters, Village Clerk

Published in pamphlet form this 7th day of March, 2022.

Christina M. Waters, Village Clerk