


MEMORANDUM

TO: Mayor England
 Vice Mayor Kostka
 Commissioner George
 Commissioner Samora
 Commissioner Rumrell

FROM: Max Royle, City Manager 

DATE: October 29, 2020

SUBJECT: Resolution 20-22, to Extend to February 1, 2021, Permission for Restaurants to Have Outside Seating

At your May 4, 2020, meeting you approved Resolution 20-11, which allowed restaurants in the City to have outside seating until such time as Resolution 20-11 was revoked by your approval of a new resolution, or until the Governor by Executive Order allowed 50% indoor occupancy in restaurants. A copy of Resolution 20-11 is attached.

As Governor DeSantis has issued a new Executive Order, 20-244, removing any limit on indoor seating capacity in restaurants, you decided at your October 5, 2020, meeting to allow restaurants to continue to have outdoor seating until February 1, 2021.

We asked the City Attorney to prepare a resolution to amend Resolution 20-11. However, the amending resolution hasn't been received by the deadline for the preparation of information for your November 9th meeting. If it is received before the meeting, we will forward it to you. Otherwise, the amending resolution will be on the agenda for your December 7th meeting.

CITY OF SAINT AUGUSTINE BEACH

RESOLUTION NO. 20-11

A RESOLUTION BY THE CITY OF SAINT AUGUSTINE BEACH, FLORIDA ALLOWING A SPECIAL EXPEDITED COVID-19 PERMIT FOR THE CREATION OF ADDITIONAL TEMPORARY OUTDOOR SEATING FOR RESTAURANTS

WHEREAS, on March 9, 2020, the Governor issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, effective on May 4, 2020, the Governor issued Executive Order 20-112 (Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery) which allows on-premises consumption of food and beverage, so long as they adopt appropriate social distancing measures and limit their indoor occupancy to no more than 25 percent of their building occupancy. In addition, outdoor seating is permissible with appropriate social distancing. Appropriate social distancing requires maintaining a minimum of 6 feet between parties, only seating parties of 10 or fewer people and keeping bar counters closed to seating; and

WHEREAS, the Governor convened the Task Force to Re-Open Florida to evaluate how to safely and strategically re-open the State; and

WHEREAS, the Governor's Office of the state of Florida and the Task Force to Re-Open Florida implemented a data-driven strategy which found that outdoor seating was acceptable and incorporated that information into Executive Order 20-112; and

WHEREAS, the path to re-opening Florida and the City of Saint Augustine Beach must promote business operation and economic recovery while maintaining focus on core safety principles.

NOW, THEREFORE, WE, the CITY COMMISSION of the CITY OF SAINT AUGUSTINE BEACH by virtue of its authority vested in it and all other applicable laws, promulgate the following Resolution:

Section 1. Authorization of a special expedited COVID-19 permit for creation of temporary outdoor seating for Restaurants

The City of Saint Augustine Beach authorizes the Director of Building and Zoning to implement a special expedited COVID-19 permit for the creation of additional temporary outdoor seating for restaurants. All normal permitting processes are waived for these special expedited permits. These special expedited permits shall remain in effect for thirty days and would be renewable. Restaurants would be required to acknowledge that they have read and will comply with Executive Order 20-122 and that requirements for the permit could change between each renewal.

Section 2. Fees

The City of Saint Augustine Beach shall waive all fees for the special expedited COVID-19 permit for the creation of temporary additional outdoor seating.


Section 3. Duration

This order shall remain in effect until whichever of these events happens first; the City of Saint Augustine Beach revokes this resolution by resolution, the Governor allows 50% indoor occupancy in restaurants, or December 31, 2020.

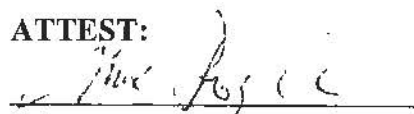
Section 4. Effective Date

This order is effective at 11:01 p.m. on May 4, 2020.

PASSED AND ADOPTED by the City of Saint Augustine Beach, Florida on May 4, 2020.


Margaret England, Mayor

ATTEST:


Max Royle, City Manager

APPLICATION FOR ADDITIONAL TEMPORARY OUTDOOR SEATING PERMIT

ESTABLISHMENT NAME: _____

ADDRESS: _____

CONTACT PHONE #: _____

DATE OF SUBMITTAL: _____

WHEREAS, effective on May 4, 2020, the Governor issued Executive Order 20-112 (Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery) which allows on-premises consumption of food and beverage, so long as they adopt appropriate social distancing measures and limit their indoor occupancy to no more than 25 percent of their building occupancy. In addition, outdoor seating is permissible with appropriate social distancing. Appropriate social distancing requires maintaining a minimum of 6 feet between parties, only seating parties of 10 or fewer people and keeping bar counters closed to seating;

Conditions of the permit are as follows:

- 1) A portable fire extinguisher shall be present at the outside area.
- 2) Handicap parking requirements shall be maintained.
- 3) Minimum parking requirements are to be met.
- 4) Bathrooms are to remain accessible during hours of operation.
- 5) No outside music.
- 6) Tent permits are as set forth by the St. Johns County Fire Department (less than 900 square feet does not require a permit however 900 square feet and greater shall require a permit from the St. Johns County Fire Department).
- 7) The City or County reserves the right to have the establishment remove all outside seating granted under this permit in the event Executive Order 20-122 and any subsequent orders are not being adhered to.

An outside table layout shall be provided with this application and location of the fire extinguisher. An onsite inspection shall be performed by the City of St. Augustine Beach Building and Zoning Department prior to permit issuance.

Total proposed outside seating: _____

Total indoor seating (25% of Building occupancy): _____

Total Seating: _____

I have read and will comply with Executive Order 20-122: _____ date: _____

This space for City of St. Augustine Beach Use Only

Parking Spots Required _____ Accessible parking spaces required as per the 2017 FBC: _____

Building and Zoning Director Approval: _____ date: _____