

**CITY OF LAUREL
OFFICE OF THE MAYOR**



**CRAIG A. MOE
MAYOR**

Executive Order No. 2020-17

Subject: Outdoor Dining Temporary Use Permit
for Restaurants

Effective Date: June 2, 2020

WHEREAS, Pursuant to the powers granted to me by Section 2-176 and Section 2-177 of the Laurel City Code, I, Craig A. Moe, Mayor of the City of Laurel have declared a State of Public Health Emergency in the City of Laurel due to an outbreak of disease (COVID-19) which does constitute an imminent threat to the health, safety and welfare of the City and its citizens;

WHEREAS, the City of Laurel located within Prince George's County, Maryland has been and continues to be severely impacted by the COVID-19 outbreak; and

WHEREAS, the Order of the Governor of the State of Maryland Number 20-05-27-01, issued May 27, 2020, specifically authorized political subdivisions to issue more restrictive orders than issued by the Governor including requiring any businesses, organizations, establishments, or facilities to close or modify their operations; and/or requiring individuals to remain indoors or to refrain from congregating; and

WHEREAS, Prince George's County Maryland has begun to show a downward trend in the number of positive cases, hospitalizations, and deaths; and there continues to be an increase in Prince George's County, Maryland's testing capacity, contact tracing and supply of personal protective equipment to support moving towards a modified re-opening or restart of certain businesses and activities; and

WHEREAS, Prince George's County Maryland has experienced a two week decline in the number of new cases, as well as a two week decline in our number of deaths; and

WHEREAS, on May 28, 2020, Prince George's County Executive Angela D. Alsobrooks issued an amendment to the County's emergency declaration proclaiming that a Local State of Emergency continues to exist in Prince George's County, Maryland; and

WHEREAS, on May 29, 2020, I, Craig A. Moe, Mayor issued Executive Order No. 2020-16 amending the City of Laurel's emergency declaration regarding Restaurants as follows:

A. Restaurants and Bars

1. Restaurants, bars, and other similar establishments that sell food or beverages for consumption on premises in the City of Laurel, Maryland ("Restaurants and Bars") shall remain closed to the general public, except that, in accordance with any social-distancing recommendations of the Centers for Disease Control and Prevention

("CDC") and the Maryland Department of Health ("MDH"), food and beverages may be:

- a. Sold if such food or beverages are promptly taken from the premises, i.e., on a carry-out or drive-through basis; or
- b. Delivered to customers off the premises; and
- c. Outdoor dining at Restaurants and Bars will be permitted as allowed by the Governor of the State of Maryland.

Section 20.3.2 (c) 3, of the *Unified Land Development Code* requires a restaurant with a current use permit to amend its site and landscape plan approval from the Planning Commission for any modifications to the property. However, during the period of time that indoor dining at restaurants remains prohibited, that fact constitutes peculiar and exceptional difficulties or undue hardship sufficient to justify the issuance of a temporary use permit for outdoor dining, subject to the applicable requirements of the City Code. Section 20.3.2.(c) 3, of the *Unified Land Development Code* is hereby set aside and until further notice.

Given the COVID-19 pandemic that has given rise to this executive order, no fee shall be charged for the application, staff reviews or inspections.

Restaurants within the incorporated City limits of Laurel that currently have a valid Use and Occupancy permit that includes approval of an outdoor seating area do not need to apply for a Temporary Use and Occupancy permit as explained below. However, these restaurants shall adjust the configuration of the existing outdoor seating area to comply with the Outdoor Dining Compliance Requirements listed below and in accordance with any social-distancing recommendations of the Centers for Disease Control and Prevention ("CDC") and the Maryland Department of Health ("MDH").

Temporary Use and Occupancy Permit applications for outdoor dining permits shall be submitted to the Department of Economic and Community Development with the following:

- A drawing (no smaller than 8 ½" x 11" sheet of paper) illustrating the measurements of the area proposed for outdoor dining and include:
 - o Number, size, and spacing of tables.
 - o Number of seats per table with no more than six (6) people per table.
 - o Plan shall satisfy the applicable Life Safety Code and the Americans with Disabilities Act.
 - o Plan shall clearly indicate the location and type of protective barriers to be used to protect people from vehicles. *Note: A hand-drawn plan will be acceptable so long as the above information is clearly shown.*
- Written permission from the property owner, if applicant is not the property owner.

Outdoor Dining Compliance Requirements:

- a. Tables must be at least six feet apart and no more than 6 people will be allowed per table.
- b. The outdoor seating area must not exceed capacity for 50 people.
- c. Employees must wear face coverings at all times, wear disposable gloves and frequently wash their hands with soap and warm water for at least 20 seconds and use hand sanitizer in the restaurant
- d. Hand sanitizers must also be available for customers

- e. The Centers for Disease Control and Prevention (CDC) also recommends the use of disposable food service items (e.g., utensils, dishes, napkins, tablecloths). If disposable items are not feasible or desirable, ensure that all non-disposable food service items are handled with gloves and washed with dish soap and hot water, or in a dishwasher. Change and launder linen items (e.g., napkins and tablecloths) after each customer or party's use. Employees should wash their hands after removing their gloves or after handling used food service items.


The Use and Occupancy Permit Application can be downloaded using this link: https://www.cityoflaurel.org/system/files/files/uopermit2016_0.pdf.

Completed applications and supporting documentation can be emailed to: ecd@laurel.md.us

If any provision of this Executive Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of the Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are severable.


This public health emergency continues to rapidly change, and the City will continue its efforts to monitor, and work with other public safety and health officials. The City will continue to re-evaluate conditions on a daily basis.

This Executive Order shall take effect at **1:00 p.m. on Tuesday, June 2, 2020** and shall remain in effect until further notice or this Executive Order has been amended or rescinded.



Craig A. Moe
Mayor

Received and filed June 2, 2020:



William F. Goddard, III, City Administrator
For Kimberley A. Rau, MMC, Clerk to the City Council