

# City of Sacramento

## Legislation Text

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**File #:** 2020-00650, **Version:** 1

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**Title:**

**Confirmation of the Existence of a Local Emergency and Rules and Regulations for the Temporary Allowance of Outdoor Dining Issued by the Director of Emergency Services (COVID-19)**

File ID: 2020-00650

**Location:** Citywide

**Recommendation:**

Adopt a Resolution: 1) confirming existence since March 13, 2020 of a local emergency; and 2) confirming the Rules and Regulations for Temporary Allowance of Outdoor Dining issued by the Director of Emergency Services.

**Contact:** Howard Chan, City Manager, (916) 808-7488, Office of the City Manager

**Presenter:** None

**Attachments:**

- 1-Description/Analysis
- 2-Resolution
- 3-City Manager Directive - Outdoor Dining
- 4-Superseded Directive dated May 21, 2020

**Description/Analysis**

**Issue Detail:** On March 13, 2020, the City approved a resolution declaring a local emergency in response to the spread of the COVID-19 pandemic. The local emergency was stated to continue for 30 days and is to be reviewed by the City Council at least every 14 days pursuant to City Code section 2.116.060. One of the actions provided for in the attached resolution is to confirm that the local emergency exists and has continued to exist since March 13, 2020.

A second series of actions provided for in the attached resolution is to confirm actions taken by the City Manager to mitigate the effects of the emergency on local restaurants and food vending vehicles. The City Manager issued rules and regulations for the temporary allowance of outdoor

dining in private parking lots, consistent with zoning, County health, and State alcoholic beverage regulations. Concurrently with this action and in an effort to facilitate social distancing, the Department of Public Works offered a revised encroachment permit to allow expanded sidewalk dining.

**Policy Considerations:** Sacramento City Code section 2.116.060.A. provides for the declaration of a local emergency and review of that declaration every two weeks. Section 2.116.060 also authorizes the City Manager, as Director of Emergency Services, to make and issue rules and regulations on matters related to a local emergency. Those rules and regulations must then be confirmed by the City Council at the earliest practicable time.

**Economic Impacts:** Reviewing the declaration of a local emergency and taking measures to assist restaurants to re-open responsibly helps small businesses survive and aids in the overall economic recovery.

**Environmental Considerations:** This action is exempt from the requirements of the California Environmental Quality Act (CEQA) because it is a specific action necessary to mitigate an emergency [CEQA Guidelines section 15269(c)].

**Sustainability:** None.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** Reviewing the existence of a local emergency is required by the City Code. Allowing outdoor dining in private parking lots facilitates social distancing required by the County's Public Health Order while allowing restaurants to reopen in a responsible manner.

**Financial Considerations:** None.

**Local Business Enterprise (LBE):** Not applicable.