



Roll Call Number

20-0941

Agenda Item Number

58

Date June 8, 2020

RESOLUTION APPROVING THE CONCEPT FOR 'DINE OUT DES MOINES' PERMIT PROGRAM FOR TEMPORARY RESTAURANT OCCUPANCY LIMITATION RELIEF DURING THE PENDENCY OF THE COVID- 19 PANDEMIC

WHEREAS, the Governor of the State of Iowa, acting in conformance with Presidential Proclamation that the COVID-19 outbreak in the United States constitutes a national emergency, and upon recommendation from the Iowa Department of Public Health, issued multiple proclamations which shut and restricted restaurant business operations to limit the risk of transmission this virus; and

WHEREAS, the Governor has since lifted many of the limitations on restaurants in order that that such businesses might resume dine-in restaurant operations on a limited and restricted basis; and

WHEREAS, among the remaining Gubernatorial limitations on dine-in restaurants that are intended to reduce the risk of transmission of the COVID-19 causing virus are restrictions that limit occupancy and require physical separation of patrons; and

WHEREAS, these occupancy and physical separation limitations create a hardship for restaurant operators as fewer customers can be served; and

WHEREAS, there is a public benefit realized when restaurants and eating establishments are able to operate so as to resume employment of furloughed staff, and increase commerce as they increase purchases from their vendors, whereby the businesses and the employees can generate economic activity to add to the tax base that supports public services; and

WHEREAS, the City of Des Moines has an established sidewalk café permit program in operation that allow sidewalks to be utilized as part of the premises of restaurants; and

WHEREAS, the City Council of the City of Des Moines desires to exercise the authority granted to it by modification of the operation of the sidewalk café permit program, creating a temporary program to allow use of physical space in the open private and public areas adjacent to restaurants.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that the above referenced "Dine Out Des Moines" program is hereby APPROVED;

BE IT FURTHER RESOLVED that the application and lease fees for sidewalk cafes as set out in Chapter 102 of the Municipal Code of the City of Des Moines are temporarily waived for this program, and that the Community Development Department, City Clerk and other departments, as deemed necessary, are authorized to review applications and site plans, and take further actions to implement the program. The program will extend 30 days after the state and local officials lift COVID-19 restrictions for food service establishments.

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(Council Communication No. 20-240)

MOVED by Voss to approve.

APPROVED AS TO FORM:

Judy K Parks - Kruse  
Judy K. Parks-Kruse  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
BOESEN	✓			
GATTO	✓			
GRAY	✓			
MANDELBAUM	✓			
VOSS	✓			
WESTERGAARD	✓			
TOTAL	7			

MOTION CARRIED

APPROVED

J. M. Franklin Cownie  
Mayor

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

P. Kay Cmelik

City Clerk