

Introduced by: Councilmember Kostiuk

**CITY OF TAKOMA PARK, MARYLAND**

**RESOLUTION 2020-28**

**SUPPORTING SMALL BUSINESSES AND ADVANCING PUBLIC HEALTH BY  
ALLOWING THE CONTINUED USE OF PUBLIC AND PRIVATE SPACE  
FOR OUTDOOR SEATING, SALES, AND CUSTOMER PICKUP**

WHEREAS, on March 13, 2020, Governor Larry Hogan issued the Emergency Order that required nonessential businesses to close and limited restaurant operations to carryout only; and these necessary health restrictions have had severe negative economic impacts to businesses, residents and local jurisdictions; and

WHEREAS, COVID-19 cases are on the rise again in Montgomery County and Maryland and, on November 10, Governor Hogan announced a series of public health measures to slow the spread of the virus, including reducing the allowed capacity for indoor dining; and

WHEREAS, effective November 10, Montgomery County Executive, Marc Elrich, issued Executive Order 122-20 that reduces limits for restaurants to 25% of capacity; and

WHEREAS, the Council, in Resolution 2020-13, Supporting Small Business and Advancing Public Health by Allowing the Use of Public and Private Space for Outdoor Seating, Sales and Customer Pickup, authorized the use of public space for businesses and the closure of the northbound side of Laurel Avenue for outdoor seating, sales, customer pick-up and other public uses, beginning June 12, 2020 until December 31, 2020; and

WHEREAS, City staff has worked with businesses, the business association and other stakeholders to address handicap parking, outdoor dining and curbside pickup, pedestrian safety and accessibility, bike access, traffic patterns, and where possible public seating for those who are not patronizing businesses; and

WHEREAS, given the changing situation during the COVID-19 pandemic and the need to react quickly to impacts, the extension of the authorization of temporary modification of the existing uses of public space including sidewalks, roads, on-street parking and parking lots for outdoor dining and curbside pickup would assist Takoma Park's businesses, employees and residents during this time.

NOW, THEREFORE, BE IT RESOLVED that the Council of Takoma Park continues to support modifying existing uses of public space, as detailed in Resolution 2020-13, including sidewalks, roads, on-street parking and parking lots for outdoors dining, curbside pickup, and public seating for those who are not patronizing businesses to assist Takoma Park's businesses, employees, and residents during the COVID-19 pandemic; and

BE IT FURTHER RESOLVED that the Council directs the City Manager to work with key stakeholders including residents, businesses, and business associations to identify, implement and modify changes such as the use of sidewalks, on-street parking and parking lots to assist Takoma Park's businesses, employees, and residents; and

BE IT FURTHER RESOLVED that the Council authorizes the continued closure of the northbound lane of Laurel Avenue, as well as consideration of other locations, for outdoor dining and curbside pickup if determined to be beneficial in creating safe spaces while protecting public health; and

BE IT FURTHER RESOLVED that this Resolution will sunset on September 30, 2021 and the Council will consider a new resolution based on information available at the time.

Adopted this 2nd day of December, 2020.

ATTEST:

Jessie Carpenter, CMC  
City Clerk