

Introduced by: Councilmember Kovar

CITY OF TAKOMA PARK, MARYLAND

RESOLUTION 2021-27

**SUPPORTING SMALL BUSINESSES 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, 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, which was approved in the early months of the COVID-19 pandemic, authorized the use of public space for businesses and the closure of the northbound side of Laurel Avenue for outdoor seating, sales, and customer pick-up, beginning June 12, 2020 until December 31, 2020; and

WHEREAS, the Council, in Resolution 2020-28, affirmed support of the businesses and the Laurel Avenue street closure, and authorized the continued use of public space for businesses and the closure of the northbound side of Laurel Avenue for outdoor seating, sales, and customer pick-up, until September 30, 2021; 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, and traffic patterns; and

WHEREAS, given the continuing uncertainty regarding the coronavirus and the need to react quickly to possible changes in public health regulations, the flexible use of public space including sidewalks, roads, on-street parking and parking lots for public gathering and outdoor dining would assist Takoma Park's businesses, employees and residents; and

WHEREAS, the Takoma Park Farmers Market, a valued community asset which has operated on Laurel Avenue on Sundays for most of its 38 years in the City, had to move to a new, adjacent location during the COVID-19 pandemic and because of the Laurel Avenue closure, a change that has led to increased rental fees for the Market; and

WHEREAS, the Takoma Park Streeterly has proven to be a very popular addition to the community, contributing to the vibrancy and appeal of the Old Takoma area and enjoyed by a wide range of people.

NOW, THEREFORE, BE IT RESOLVED that the Council of Takoma Park continues to support modifying existing uses of public space including sidewalks, roads, on-street parking and parking lots for outdoor dining and curbside pickup to assist Takoma Park's businesses, employees, and

residents; 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; as well as consideration of other locations, for outdoor dining and curbside pickup if determined to be beneficial; and

BE IT FURTHER RESOLVED that the Council directs the City Manager to explore financial assistance options for the Farmers Market to potentially assist in costs associated with the Market's move to a location on private property; and

BE IT FURTHER RESOLVED that the Council directs the City Manager to consider other forms of assistance, including financial assistance options, for small businesses which are unable to take advantage of existing street closure opportunities because they are located on State Highways or otherwise because of the configuration of the streets on which they are located; and

BE IT FURTHER RESOLVED that the Council authorizes the continued closure of the northbound lane of Laurel Avenue, with the closure automatically renewing on January 1 of each year for a period of twelve months, unless the City Manager provides notice of intent to discontinue the use of the public space by July 1 of the previous year; and


BE IT FURTHER RESOLVED that Council may modify or rescind this Resolution at any time regardless of whether the City Manager provides notice of the intent to discontinue the use of the public space in accordance herewith; and

BE IT FURTHER RESOLVED that the Council directs the City Manager to work with key stakeholders and the City Attorney to formalize in the appropriate legally binding documentation the roles and responsibilities of all involved as they relate to use and maintenance of City owned space; and

BE IT FURTHER RESOLVED that this Resolution will be reviewed periodically by Council to determine the usefulness of its continuance.

Adopted this 28th day of July, 2021.

ATTEST:


Jessie Carpenter, CMC
City Clerk