



ORDINANCE AUTHORIZING THE USE OF THE PUBLIC SIDEWALK AT TAQUERIA LAS CUMBRES AT 93 GRANT STREET FOR OUTDOOR DINING USE

WHEREAS, pursuant to Executive Order 20-03, Illinois Governor JB Pritzker issued an Executive Order declaring all counties within the State of Illinois a disaster area in order to address the spread of COVID-19; and

WHEREAS, subsequent Executive Orders of the Governor placed restrictions upon businesses that offer on-premises consumption of food or beverages; and

WHEREAS, in response to these restrictions, the City established a policy which allowed outdoor dining upon public sidewalks adjacent to their places of business; and

WHEREAS, the owner of Taqueria Las Cumbres has requested the authority to utilize the public sidewalk adjacent to their place of business for the purpose of providing outdoor seating for their patrons; and

WHEREAS, the Mayor and City Council have found that in order to continue to promote a vibrant restaurant environment in Crystal Lake's downtown, it would be in the best interest of the City and its residents to allow the ongoing use of public sidewalks for seating to allow outdoor dining for patrons of local restaurants;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CRYSTAL LAKE THAT:

SECTION ONE. Recitals. The foregoing recitals are incorporated as though fully set forth herein.

SECTION TWO. Authorization to Utilize Public Sidewalk. Taqueria Las Cumbres is authorized to utilize the public sidewalk space for outside seating to accommodate their patrons subject to the limitations set forth in the chart below and the further limitations and conditions identified below:

1. Approved plans, reflecting staff recommendations, as approved by the City Council:
 - a. Application
 - b. Site Plan illustrating the use of the public sidewalk, attached hereto as Exhibit A.

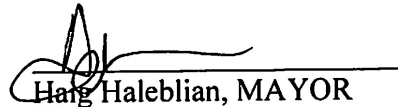
2. A clear pathway of 36" must be maintained to allow use of the public sidewalk between the sidewalk seating area and the edge of sidewalk.
3. Lighting. Adequate lighting shall be provided for night hours.
4. Debris. The food service use owner/operator is responsible for maintaining the sidewalk seating in a clean, neat, orderly, and safe condition. All debris and litter must be removed daily. Private trash containers in the sidewalk seating area are prohibited. Public sidewalk trash containers cannot be used by restaurant staff as a means of disposing of table waste generated by restaurant patrons.
5. Music: No amplified music shall be permitted in the outdoor seating area, unless approved in connection with a Special Event permit.
6. The City reserves the right to withdraw the authority to utilize the public parking spaces at any time, with or without cause, upon a motion having been made, seconded and approved by the City Council.
7. The owner of Taqueria Las Cumbres must execute an agreement to indemnify and defend the City of Crystal Lake, and its elected and appointed officials and employees from and against any claims for personal injury or property damage, arising out of or in any manner connected with the use of the public parking spaces authorized by this Ordinance, in such form as may be approved by the City Attorney.
8. The owner must provide the City with a certificate of insurance, naming the City as an additional insurer, updated annually.

SECTION THREE. Effective Date. This Ordinance shall be in full force and effect after

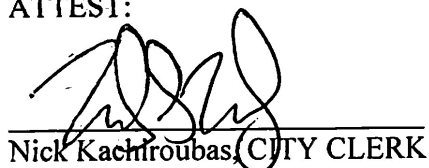
its passage, approval, and publication in pamphlet form in the manner provided by law.

DATED this 1st day of August 2023

APPROVED:


Hag Haleblian, MAYOR

ATTEST:


Nick Kachfroubas, CITY CLERK

PASSED: August 1, 2023

APPROVED: August 1, 2023

Published in pamphlet form by the authority of the Mayor and City Council of the City of Crystal Lake.