

**PUBLISHED IN PAMPHLET FORM THE FOLLOWING:**

**ORDINANCE NO. 4153**

**TITLED:**

**An Ordinance of the Village of Villa Park, DuPage County, Illinois, Approving  
Outdoor Restaurant Service and Alcoholic Liquor Sales During Phase III of the  
Governor's Restore Illinois Plan in Response to the COVID-19 Pandemic**

**HOSANNA KORYNECKY  
VILLAGE CLERK  
VILLAGE OF VILLA PARK**



**Ordinance No. 4153**

**AN ORDINANCE OF THE VILLAGE OF VILLA PARK, DUPAGE COUNTY, ILLINOIS,  
APPROVING OUTDOOR RESTAURANT SERVICE AND ALCOHOLIC LIQUOR SALES  
DURING PHASE III OF THE GOVERNOR'S RESTORE ILLINOIS PLAN IN RESPONSE TO  
THE COVID- 19 PANDEMIC**

**WHEREAS**, the Village of Villa Park, DuPage County, Illinois (the "*Village*") is a duly organized and validly existing non home-rule municipality created in accordance with the Constitution of the State of Illinois of 1970 and the laws of the State; and,

**WHEREAS**, on March 11, 2020 the World Health Organization characterized the COVID-19 outbreak as a pandemic; and.

**WHEREAS**, J.B. Pritzker, Governor of the State of Illinois (the "*Governor*"), declared all counties in the State of Illinois as a disaster area on March 9, 2020 in response to the outbreak of COVID-19 in Illinois and on March 16, 2020 issued Executive Orders which closed all schools, governmental offices, non-essential businesses, and ordered all Illinois residents to stay at home, which orders have been extended to May 29, 2020; and

**WHEREAS**, the Governor has recently issued a five-phase plan to reopen the state ("*Restore Illinois*"), guided by health metrics with distinct business, education, and recreation activities being expanded in each phase; and

**WHEREAS**, the Governor has now issued an order that as of May 29, 2020, the state shall enter Phase III of Rebuild Illinois permitting manufacturing, offices, retail, barbershops and salons to be reopened to the public with capacity limits and other safety precautions providing that gatherings shall be of ten or fewer people and face coverings and social distancing continue; and

**WHEREAS**, bars and restaurants which can also be reopened with outdoor seating commencing May 29, 2020; and

**WHEREAS**, the Village currently has numerous restaurants which do not serve liquor and bars and restaurants which serve liquor both in indoor and outdoor venues; and

**WHEREAS**, the President and Board of Trustees believe it to be in the best interests of Village's restaurants and, bars and restaurants licensed to serve alcoholic liquor, to permit outdoor service but only upon satisfaction of the limitations and within specified areas as hereinafter provided.

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Villa Park, DuPage County, Illinois, as follows:


*Section 1.* All restaurants within Village and all holders of Class AAA, AA, A, C, E, EE, EEE, EEEE, I, and J authorized to sell alcoholic liquor for consumption on the premises (the "*Licensee*") shall be permitted to provide service in any outdoor area subject to the following:

- a) An application must be filed by the Licensee specifying the area where service is to be provided and approved by the Village Manager or his designee, all as provided by the Temporary Outdoor Dining & Alcoholic Liquor Guide attached hereto as Exhibit A (the "Service Guide");
- b) All Licensees must abide by all of the conditions, regulations and restrictions as set forth in the Service Guide at all times;
- c) The area where service shall be provided shall be owned, licensed or leased by the Licensee;
- d) The Licensee must meet the Outdoor Requirements as itemized in the Service Guide; and
- e) The restaurant owner must procure general liability insurance for any food service provided out of doors, and holder of the Licensee must have procured general liability insurance and liquor liability insurance to provide service in an outdoor venue and if any outdoor area which is owned by the Village is used for outdoor food service or by the holder of liquor licenses, such insurance must name the Village as an additional insured.

*Section 2.* The Village President is hereby authorized to grant a license for the use of Village owned property (but only if such property is not required for use by the Village) to a restaurant or any Licensee but only upon application and approval by the Village as set forth in the Service Guide and the recipient of such license operates all services in conformance with the conditions, limitations and restrictions set forth in the Service Guide.

*Section 3.* This Ordinance shall be in full force and effect upon its passage, approval, and publication as provided by law and shall sunset on October 31, 2020.

*Passed* by the President and Board of Trustees of Village of Villa Park, DuPage County, Illinois this 27th day of May, 2020.

  
Village Clerk

AYES            7  
NAYS            0  
ABSENT        0

*Approved* by me, as President of the Village of Villa Park, DuPage County, Illinois, this 27<sup>th</sup> day of May, 2020.

  
Village President



# Village of Villa Park

20 S. Ardmore Avenue, Villa Park, Illinois 60181



## **Temporary Outdoor Dining & Alcoholic Liquor Guide**

As part of Governor JB Pritzker's plan to Restore Illinois, restaurants and bars in Illinois will be allowed to reopen with outdoor seating starting May 29, 2020. The Village of Villa Park believes it to be in the best interests of restaurants and bars to allow for outdoor dining service and has prepared this guide in order to re-open without jeopardizing the health and safety of the public and their employees.

**Effective Term:** May 29, 2020 – October 31, 2020

### **Application Process:**

All food service establishments that intend to provide outdoor dining areas shall submit the following items for review and approval:

- 1) Application
- 2) Narrative of proposed outdoor seating operation
- 3) Plat of Survey or Site Plan of proposed outdoor space, including equipment

Please go to <https://seam.ly/l5wHu7Jf> to submit. The Village shall review complete applications to ensure all the regulations are met prior to approving for opening.

### **Hours of Operation:**

- Monday – Sunday
  - Normal Opening Business Hour – 11 PM

### **Restaurant and Bar Outdoor Dining Requirements**

- a) All tables must be six feet (6') apart and located on private property. Operations within public right-of-way not permitted.
- b) Gatherings shall be six (6) or fewer people and face coverings and social distancing shall continue.
- c) Outdoor seating area shall be in conjunction with food service.
- d) Entrance/exit doors and fire lanes shall not be blocked
- e) Areas shall be maintained, including free of rubbish or trash.
- f) Activity shall not disturb the lawful use and enjoyment of nearby properties.
- g) Businesses shall allow for adequate and safe pedestrian and parking accessibility.
- h) Adequate safeguards, including barriers such as orange snow fencing, around the outdoor seating area shall be provided for security, crowd control, lighting control and the protection of minors.

- i) Separate queue areas for restroom visits and pick-up shall be provided as needed.
- j) The area where service shall be provided shall be owned, leased, or licensed to the licensee.
- k) The licensee must provide measures not to interfere with the operations of adjacent business and provide for the safety of its customers.
- l) The restaurant and or bar owner must procure general liability insurance for any food service provided out of doors, and the holder of a liquor license must have procured general liability insurance and liquor liability insurance to provide service in an outdoor venue; if any outdoor area which is owned by the Village is used for outdoor food service or by the holder of liquor licenses, such insurance must name the Village as additional insured.

### **Establishment Responsibilities**

- ✓ Must adhere to all social distancing requirements set forth by the Illinois Department of Public Health.
- ✓ Food transported from the restaurant or bar to the outdoor seating areas shall meet all Food Safety requirements.
- ✓ Abide by all applicable Health Codes and COVID-19 restrictions.
- ✓ Provide all appropriate personal protective equipment, such as masks, for employees to be worn at all times. All customers shall wear masks until seated.
- ✓ Regularly clean and sanitize outdoor seating areas and all frequently touched surfaces (i.e. door handles).
- ✓ No outdoor food or drink preparation is permitted.
- ✓ Unless permitted herein, no outdoor activities, including entertainment, bands or smoking.
- ✓ Provide restrooms/handwashing inside the restaurant with social distancing.

***The guidance is not intended to revoke or repeal any employee rights, either statutory, regulatory or collectively bargained, and is not exhaustive, as it does not include county health orders.***

***All other Village codes and liquor license restrictions shall remain in full effect. The Village maintains the right to require modifications or removal of the outdoor seating area in the event that issues arise.***

***The Village will continue to monitor the Illinois Department of Public Health's guidelines for reopening bars and restaurants and may amend these requirements based on their recommendations.***

***Businesses must adhere to the guidelines of Illinois Department of Public Health and the Illinois Department of Commerce & Economic Opportunity.***