



BILL NO. 20

ORDINANCE NO. 2020-020

AN EMERGENCY ORDINANCE OF THE CITY OF FRESNO,  
CALIFORNIA, ADDING SECTION 2-515 TO THE FRESNO  
MUNICIPAL CODE REGARDING OUTDOOR DINING  
DURING THE COVID-19 PANDEMIC EMERGENCY

WHEREAS, on March 13, 2020, President Trump declared a National Emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency in the State of California related to COVID-19; and

WHEREAS, the City has declared a State of Emergency related to COVID-19; and

WHEREAS, restaurants have been limited to take out only and will likely be unable to operate at full capacity for an extended period of time, and as a result the restaurants and employees are experiencing severe economic hardship; and

WHEREAS, the temporary provision of outdoor dining facilities will help ensure CDC recommended distances between diners, and provide protections to the public to reduce spread of the virus.

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2-515 is added to the Fresno Municipal Code to read:

SECTION 2-515. OUTDOOR DINING DURING COVID-19 EMERGENCY.

Notwithstanding the provisions of FMC 15-2744, for so long as restaurants are prohibited from operating at full capacity due to an emergency order related to the COVID-19 pandemic, the following shall apply:

Date Adopted: 05/21/2020  
Date Approved: 05/21/2020  
Effective Date: 05/21/2020

Ordinance No. 2020-020



(a) Outdoor dining is permitted in common areas of shopping centers and parking lots, with permission of the property owner, and on City property, with permission of the City Manager. Outdoor dining may include consumption of alcohol so long as it is combined with consumption of food, all in compliance with California Alcoholic Beverage Control requirements.

(b) Proper social distancing shall be maintained with dining areas demarcated with tape or barriers. Excess seating shall be removed when feasible, or blocked off if the seating or tables are permanently affixed. For parking lots, every other parking stall may be used, and those stalls between stalls used for tables shall remain vacant, but no disabled person parking stalls may be used. Businesses shall also follow any additional State and County requirements in effect at the time.

(c) All employees must wear masks and wash hands frequently.

(d) This section is subject to further regulations issued by the City Manager, with approval by the Police Chief and City Attorney.

(e) Facilities that establish temporary outdoor dining facilities pursuant to the requirements of this ordinance, shall not be in violation of FMC sections 15-2744, 15-2403-B, 15-2407, 15-2408, 15-2409, 15-2411, or 15-2414 until this ordinance expires, is repealed, or is otherwise rendered ineffective. Temporary outdoor dining facilities established pursuant to this ordinance shall not be deemed a nuisance under FMC Section 15-6304, and shall not be subject to enforcement pursuant to Chapter 15, Article 63



of the Fresno Municipal Code until this ordinance expires, is repealed, or is otherwise rendered ineffective.

(f) This section shall expire and be repealed one year from the effective date unless extended by the City Council.

SECTION 2. Pursuant to Sections 603 and 610 of the Charter of the City of Fresno, this Ordinance shall take effect immediately upon passage.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a special emergency meeting held on the 21<sup>st</sup> day of May, 2020.

AYES : Bredefeld, Caprioglio, Chavez, Esparza, Karbassi, Soria, Arias  
NOES : None  
ABSENT : None  
ABSTAIN : None

YVONNE SPENCE, MMC CRM  
City Clerk

BY: Yvonne Spence 5/27/2020  
Deputy Date

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN,  
City Attorney

BY: Laurie Avedisian-Favini 5/27/2020  
Assistant City Attorney Date

City of  
**FRESNO**  
OFFICE OF THE CITY CLERK

DATE: July 29, 2020

TO: YVONNE SPENCE, MMC CMC  
City Clerk



FROM: BERNARD CANEZ  
Deputy City Clerk

SUBJECT: TECHNICAL CORRECTIONS TO RESOLUTIONS AND ORDINANCES  
REVISING THE SIGNATURE PAGE TO REPLACE "REGULAR  
MEETING" WITH "SPECIAL MEETING" OR "SPECIAL EMERGENCY  
MEETING"

During the months of March, April, May, and June 2020 the Fresno City Council held several council meetings that were not "Regular Meetings" but "Special Meeting" and/or "Special Emergency Meeting". The signature pages on said Resolutions and Ordinances adopted during these meetings stated "Regular Meeting". The Fresno City Clerk's Office changed the text to reflect the correct meeting type.

This correction does not affect nor alter the substance of the Resolution or Ordinance, nor the City Council's action in adopting it.

Attachment