

1 **..Title**

2 **Emergency Ordinance – Recovery Zones and Temporary Uses** – For the purpose of extending
3 the temporary uses and parking restrictions for outdoor seating at restaurants and outdoor shopping
4 options for retail establishments authorized by certain Executive Orders; providing a termination
5 date; and making this Ordinance an emergency measure.

6 **..Body**

7 **CITY COUNCIL OF THE**
8 **City of Annapolis**

9
10 **Ordinance 26-21**

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12 **Introduced by: Mayor Buckley and Alderwoman Tierney**
13 **Co-sponsored by: Alderman Gay, Alderman Schandelmeier,**
14 **Alderman Savidge**

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16
17 **AN ORDINANCE** concerning

18
19 **Emergency Ordinance – Recovery Zones and Temporary Uses**

20
21 **FOR** the purpose of extending the temporary uses and parking restrictions for outdoor seating at
22 restaurants and outdoor shopping options for retail establishments authorized by certain
23 Executive Orders; providing a termination date; and making this Ordinance an emergency
24 measure.

25
26 **WHEREAS,** the ongoing COVID-19 pandemic has had serious and long-lasting adverse effects
27 not only on the residents of Annapolis, but also on the business community; and

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29 **WHEREAS,** the restaurant industry was particularly hard hit by use and capacity restrictions
30 imposed by State and local governments to save lives and prevent exposure to the
31 COVID-19 virus; and

32
33 **WHEREAS,** the Mayor issued a Declaration of State of Emergency for the City of Annapolis
34 effective March 12, 2020, and extended it until the next City Council meeting that
35 succeeds the 30th day after the Governor of Maryland terminates his State of
36 Emergency and rescinds his Proclamation of a Catastrophic Health Emergency; and

37
38 **WHEREAS,** as part of the declared State of Emergency and in an effort to provide some relief
39 to the restaurant and retail industries, on May 29, 2020, via Executive Order No. 17
40 and as renewed in Amended and Restated Executive Order No. 20, the Mayor
41 established Recovery Zones to give citizens and visitors of Annapolis the ability to
42 utilize expanded outdoor dining and shopping options, provided that specified
43 application and use criteria were followed as outlined in Executive Order Nos. 17
44 and 20; and

45

1 **WHEREAS**, in an effort to provide some relief to the restaurant industry, on June 7, 2021, the
2 County Council for Anne Arundel County, Maryland adopted an Emergency
3 Ordinance 55-21 for the purpose of extending the temporary use authorization for
4 outdoor seating at restaurants until November 1, 2021; and
5

6 **WHEREAS**, by this Ordinance, the City Council also intends to provide relief to the restaurant
7 and retail industries by allowing outdoor seating as a temporary use relating to food
8 and beverage service for a food service facility, and outdoor shopping options for
9 retail establishments as a temporary use under Executive Order Nos. 17 and 20 by
10 extending the authorization of outdoor dining and shopping options as a temporary
11 use until November 1, 2021.
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14 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
15 **COUNCIL** that outdoor seating as a temporary use relating to food and beverage service for a
16 food service facility, as defined in § 21-301 of the Health-General Article of the State Code, and
17 outdoor shopping options for retail establishments in operation as of the date this Ordinance is
18 introduced, shall be allowed as a temporary use provided that specified application and use criteria,
19 as may be amended from time to time, is followed as outlined in Executive Order Nos. 17 and 20.
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21 **SECTION II: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
22 **COUNCIL** that outdoor seating as a temporary use relating to food and beverage service for a
23 food service facility, as defined in § 21-301 of the Health-General Article of the State Code, and
24 outdoor shopping options for retail establishments in operation as of the date this Ordinance is
25 introduced, shall be allowed as a temporary use and subject to application approval and shall
26 comply with all applicable laws in accordance with the Annapolis City Code and City regulations,
27 as may be amended from time to time.
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29 **SECTION III: BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
30 **ANNAPOLIS CITY COUNCIL** that the provisions of this Ordinance shall remain in effect until
31 November 1, 2021, after which it shall stand repealed and, with no further action required by the
32 City Council, be of no further force and effect, and, unless a food service facility obtains all
33 authorizations and permits and permission required by law, the outdoor seating facility shall be
34 removed no later than November 3, 2021.
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36 **SECTION IV: BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
37 **ANNAPOLIS CITY COUNCIL** that this Ordinance is hereby declared to be an emergency
38 ordinance and necessary for immediate preservation of the public peace, health, safety, welfare,
39 and property, and being passed by the affirmative vote of five members of the City Council the
40 same shall take effect the date of its passage.
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43 **Explanation:**

44 UPPERCASE indicates matter added to existing law.

45 ~~Strikethrough~~ indicates matter stricken from existing law.

46 Underlining indicates amendments.

