



**CITY OF NOVI CITY COUNCIL
OCTOBER 12, 2020**

SUBJECT: Consideration to approve amendment to the resolution temporarily authorizing outdoor gatherings to extend the termination date from October 31, 2020 to March 31, 2021 and to address tent enclosures.

SUBMITTING DEPARTMENT: City Manager's

BACKGROUND INFORMATION: At the June 1, 2020 meeting, City Council approved a resolution that relaxed regulations to assist in facilitating expanded outdoor seating and sales for certain retail and restaurant/bar businesses. The goal of this resolution and others recently passed by City Council, is to provide additional support to establishments that were closed or severely limited by the Governor's Executive Orders in order to reduce the spread of COVID-19.

The accompanying resolution amends the previously-approved resolution that authorized expanded seating areas and outdoor commerce for Novi businesses to do two things: First, to extend the date that it would otherwise terminate from October 31, 2020, to March 31, 2021, given that the reasons for the original resolution are largely still in place. The second thing that it does is authorize use of access enclosures related to outdoor tents that are being utilized by local restaurants under there resolution.

RECOMMENDED ACTION: Approve amendment to the resolution temporarily authorizing outdoor gatherings to extend the termination date from October 31, 2020 to March 31, 2021 and to address tent enclosures.

CITY OF NOVI

COUNTY OF OAKLAND, MICHIGAN

RESOLUTION AMENDING OUTDOOR GATHERING AUTHORIZATION TO EXTEND DATE AND ADDRESS SEPARATION REQUIREMENTS FOR TENT ACCESS ENCLOSURES

Minutes of a Meeting of the City Council of the City of Novi, County of Oakland, Michigan, held in the City Hall of said City on _____, _____, at ____ o'clock P.M. Prevailing Eastern Time.

PRESENT: Councilmembers _____

ABSENT: Councilmembers _____

The following preamble and Resolution were offered by Councilmember _____ and supported by Councilmember _____.

WHEREAS; on June 1, 2020, the Novi City Council adopted a resolution entitled "Resolution Regarding Outdoor Gathering Authorization and Requirements for Reopening Certain Retail and Restaurant/Bar Businesses in Light of Covid-19 Pandemic" (Temporary Outdoor Gathering Resolution); and

WHEREAS; the purpose behind the Temporary Outdoor Gathering Resolution was to utilize the provisions of the City's Outdoor Gathering Ordinance to authorize the extension of certain permitted uses into outdoor spaces not otherwise allowed to be used, because of—and only because of—the occupancy limitations and social distancing requirements necessary to respond to the COVID-19 pandemic, and for no other purpose or duration; and

WHEREAS; on July 6, 2020, the City Council amended the resolution to include outdoor movie theaters/drive-in, subject to certain requirements; and

WHEREAS; the current expiration date for the is October 31, 2020; and

WHEREAS; the City Council has determined that it is appropriate for that date to be extended; and

WHEREAS; the City Council also determines that the resolution should be amended to address the use and placement of access enclosures for outdoor tents to be used for food and beverage service.

NOW THEREFORE, IT IS THEREFORE RESOLVED:

1. City Council hereby amends Temporary Outdoor Gathering Resolution to include extend the termination date set forth in paragraph 8 to March 31, 2021. The City Council further amends paragraph 8 of the resolution to remove the automatic termination provision of subsection (a). This resolution shall remain in effect until March 31, 2021 or until revoked, terminated, or amended by action of the City Council.

2. City Council also hereby determines to authorize a deviation from the 20 foot minimum separation distance in Section 3103.8.2 of the International Fire Code to allow enclosed fire retardant treated fabric access enclosures connecting eating, beverage, and dining establishments with temporary tent seating. The deviation is authorized pursuant to Section 1-12 of the City Code on the basis of the practical difficulty relating to the need for outdoor food service during the COVID-19 pandemic, and because the proposed rules for use of outdoor tents (including but not limited to the prohibition on cooking and the prohibition of open flames) allows for a determination that the proposed use of tent connections would not be injurious to the public health and is a reasonable alternative to the code requirements.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Cortney Hanson, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi, County of Oakland, and State of Michigan, at a regular meeting held this _____ day of October, 2020, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting have been kept and made available to the public as required by said Act.

Cortney Hanson, City Clerk
City of Novi