

CITY OF STERLING

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**ORDINANCE NO.** \_\_\_\_\_

**ORDINANCE TEMPORARILY SUSPENDING LIMITATIONS ON OUTDOOR  
RESTAURANT SEATING AND ALCOHOL SALES AND AUTHORIZING THE  
LIQUOR COMMISIONER TO ISSUE PERMITS RELATING TO THE SAME**

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ADOPTED BY THE

CITY COUNCIL

OF THE

CITY OF STERLING

THIS 26 DAY OF MAY, 2020

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Published in pamphlet form by authority of the City Council of the City of Sterling, Illinois, this  
\_\_\_\_\_ day of \_\_\_\_\_, 2020.

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**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE TEMPORARILY SUSPENDING LIMITATIONS ON OUTDOOR RESTAURANT SEATING AND ALCOHOL SALES AND AUTHORIZING THE LIQUOR COMMISSIONER TO ISSUE PERMITS RELATING TO THE SAME**

**WHEREAS**, in late 2019, a significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged in various parts of the world; and,

**WHEREAS**, the United States Centers for Disease Control and Prevention (“CDC”) currently recommends appropriate community preparedness and everyday prevention measures be taken by all individuals and families in the United States; and

**WHEREAS**, a Gubernatorial Disaster Proclamation was initially declared by Illinois Governor JB Pritzker on March 9, 2020, which declaration has been continued and extended through the date of this Ordinance; and.

**WHEREAS**, the State of Illinois has adopted the Restore Illinois Plan, setting forth multiple phases of economic reopening and recovery from COVID-19, inclusive of Phase III; and

**WHEREAS**, in Phase III of Restore Illinois the State of Illinois has indicated that effective May 29, 2020, restaurants and taverns may reopen to outside seating, where such activities are compliant with appropriate social distancing practices outlined by the Illinois Department of Public Health

**WHEREAS**, the Mayor and City Council (collectively the “Corporate Authorities”) of the City have discussed the unique needs of restaurants, taverns, and other licensed establishments throughout the City with respect to conflicts between activities permitted under Phase III of Restore Illinois and existing City Code relative to allowing alcohol and food service outside of a licensed premises, either in private parking lots or adjacent City streets, sidewalks, alleys; and

**WHEREAS**, the Corporate Authorities hereby deem it in the best interest of the City and its residents to temporarily permit businesses holding certain classifications of liquor licenses to be able to offer outdoor service in adjacent parking lots, alleys, parks, sidewalks, etc., but only so under the terms and conditions set forth herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Sterling, Whiteside County, Illinois as follows:

**SECTION 1:** The preambles to this Ordinance are true and correct and are hereby incorporated into this Section 1 as if more fully set forth herein.

**SECTION 2:** The provisions of City Code Chapter Six (6) Article1, Sections 6-12 & 6-15, are suspended, for the duration of the effective date of this Ordinance, for the purpose of implantation of temporary rules. The Mayor, in his capacity as liquor commissioner, is further authorized to issue temporary permits, following application by a Class B, Class C, or Class E liquor license holder, [that permit the service of pre-made “cocktails to go” as may be provided under or allowed under any applicable State law](#), and allow for outdoor restaurant food and alcohol service to patrons of restaurants and taverns within the City of Sterling. Such outdoor seating may be in the businesses private parking lot, or where feasible adjacent city sidewalk area, public streets or alleys, and other property contiguous or in close proximity. Establishments desiring such authority must submit an application, in the form created by the City, and agree to comply with the following terms:

- a. Outdoor seating must be compliant with all guidelines from the Illinois Department of Public Health and/or Whiteside County Health Department.
- b. If any part of the outdoor seating arrangement uses part of a City Street, Alley, City parking Lot, or other public property, [the business must use plastic glassware](#) and provide proof of insurance; inclusive of adding the City as an additional insured.
- c. No outdoor cooking or bar service is allowed, all service must originate inside the existing business.
- d. Smoking within any outdoor seating area is not allowed.
- e. A proposed site plan must be submitted to the City for review, so that it can be evaluated for access by emergency services, [public safety](#), and fire code compliance.
- f. Patrons must have access to interior restrooms with appropriate social distancing markings.
- g. Appropriate marking or delineation of the area being used must be noted.
- h. [The Liquor Commissioner, upon consultation with the City Manager, may impose such time restrictions as may be necessary and appropriate, given the location of each establishment, to maintain the public peace.](#)

**SECTION 3:** That in all other respects, the Sterling City Code shall remain in full force and effect as previously adopted and/or amended.

**SECTION 4:** The provisions and sections of this Ordinance shall be deemed separable and the invalidity of any portion of this ordinance shall not affect the validity of the remainder.

**SECTION 5:** The City Clerk is directed to publish this Ordinance in pamphlet form.

**SECTION 6:** This Ordinance shall be in full force and effect from and after its passage and approval and publication as required by law and be valid until [November 1, 2020](#).

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor

ATTEST:

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City Clerk