



MEETING AGENDA

LEGAL NOTICE:

SPECIAL MEETING OF THE VILLAGE OF HINSDALE BOARD OF TRUSTEES

Notice is hereby given that the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties, Illinois, will hold a Special Meeting commencing at the hour of 7:30 p.m. on Thursday, May 28, 2020 by teleconference for the purpose of discussing the topics noted on the following Agenda.

Due to the ongoing public health emergency, and based on the authority provided by Executive Order 2020-07, issued by Governor Pritzker on March 16, 2020, as most recently extended by Executive Order 2020-33, dated April 30, 2020, and Executive Order 2020-32, issued by Governor Pritzker on April 30, 2020, limiting public gatherings and suspending the Open Meetings Act physical presence requirement, this meeting will be conducted electronically. The meeting will still be broadcast live on Channel 6 and the Village website.

Public comments are welcome on any topic related to the business of the Village Board at Regular and Special Meetings when received by email or in writing by the Village Clerk prior to 4:30 p.m. on the day of the meeting. Emailed comments may be sent to Village Clerk Christine Bruton at cbruton@villageofhinsdale.org. Written comments may be submitted to the attention of the Village Clerk at 19 E. Chicago Avenue, Hinsdale, Illinois 60521. While emailed or written comments are encouraged, public comment may also be made by phoning into the meeting at 312.667.4792 Conference Code 581537. If you have questions regarding communication to the Board during the meeting, please contact Assistant Village Manager/Director of Public Safety Brad Bloom at 630.789.7007.

SPECIAL MEETING OF THE VILLAGE BOARD OF TRUSTEES Thursday, May 28, 2020 7:30 p.m.

This meeting will be conducted electronically. A live audio stream of the meeting will be available to the public via Channel 6 or on the Village website

(Tentative and Subject to Change)

- 1. CALL TO ORDER/ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. VILLAGE PRESIDENT'S REPORT**
- 4. CITIZENS' PETITIONS*** (Pertaining to items appearing on this agenda)

5. SECOND READINGS / NON-CONSENT AGENDA – ADOPTION

*These items require action of the Board. Typically, items appearing for Second Reading have been referred for further discussion/clarification or are zoning cases that require two readings. In limited instances, items may be included as Non-Consent items and have not had the benefit of a First Reading due to emergency nature or time sensitivity, or when the item is a referral to another Board or Commission*****

Administration & Community Affairs (Chair Hughes)

- a) Approve an Ordinance Approving Temporary Uses of Village Right-of-Way and Other Public and Private Spaces for Outdoor Dining, Retail and Other Authorized Purposes****

6. CITIZENS' PETITIONS* (Pertaining to any Village issue)

7. TRUSTEE COMMENTS

8. CLOSED SESSION– 5 ILCS 120/2(c) (1)/(2)/(3)/(5)/(8)/(11)/(21)

9. ADJOURNMENT

*The opportunity to speak to the Village Board pursuant to the Citizens' Petitions portions of a Village Board meeting agenda is provided for those who wish to comment on an agenda item or Village of Hinsdale issue. The Village Board appreciates hearing from our residents and your thoughts and questions are valued. The Village Board strives to make the best decisions for the Village and public input is very helpful. Please announce your name and address before commenting.

*****The Village Board reserves the right to take final action on an Item listed as a First Reading if, pursuant to motion, the Board acts to waive the two reading policy.***

******Routine items appearing on the Consent Agenda may include those items that have previously had a First Reading, the Accounts Payable and previously-budgeted items that fall within budgetary limitations and have a total dollar amount of less than \$500,000.***

*******Items included on the Non-Consent Agenda due to "emergency nature or time sensitivity" are intended to be critical business items rather than policy or procedural changes. Examples might include a bid that must be awarded prior to a significant price increase or documentation required by another government agency to complete essential infrastructure work.***

The Village of Hinsdale is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to promptly contact Darrell Langlois, ADA Coordinator, at 630-789-7014 or by TDD at 630-789-7022 to allow the Village of Hinsdale to make reasonable accommodations for those persons.

Website <http://villageofhinsdale.org>



AGENDA ITEM # _____

REQUEST FOR BOARD ACTION

Administration

AGENDA SECTION: ACA – Second Reading/Non-Consent

SUBJECT: Approval of an Ordinance to approve outdoor dining and retail in public rights-of-way

MEETING DATE: May 28, 2020

FROM: Christine Bruton, Village Clerk

Recommended Motion

Approve an Ordinance Approving Temporary Uses of Village Right-of-Way and Other Public and Private Spaces for Outdoor Dining, Retail and Other Authorized Purposes

Background

At their meeting of May 5, 2020, President Cauley introduced the idea of closing certain streets in the Central Business District (CBD) to allow Hinsdale restaurants the option of additional outdoor seating in a manner to comply with public safety guidelines. The Board was amendable to the idea, and staff then began working on the logistics of implementing this initiative to be prepared when the Governor determined the Northeast Health Region, of which Hinsdale is part, was safe to operate under the guidelines of Phase 3 of the Restore Illinois Plan. Police Department staff contacted each of the area restaurants to discuss the idea and incorporate their feedback into their planning. At their meeting of May 19, 2020, the Village Board was provided a map of proposed one-way street closures, and proposed safety measures including the use of concrete barriers. On May 20, 2020, the Governor announced modifications to the Restore Illinois Plan that would allow outdoor dining and various other additional activities during Phase 3 of the Plan.

Discussion & Recommendation

Staff recommends the approval of the attached ordinance that memorializes the use of public rights-of-way and private spaces as a temporary use to assist the economic recovery of local retail and restaurant businesses. The specifics of location, authorized purposes, temporary parking lot closures, time and terms, liquor consumption and licensing, fee waivers, temporary signage, compliance with State, Federal and Village protocols, guidelines and regulations, liquor licensing compliance, physical barriers and signage, masks and social distancing, smoking, bar service, insurance, and sidewalk encroachment are outlined in the ordinance document. This document was prepared by Village counsel and has been reviewed by appropriate staff.

Budget Impact

Expenses to date include the cost of the concrete barriers, \$19,500, and other miscellaneous costs including signage, reflective tape and paint totaling \$1,148.95. Additionally, there will be associated staff time for the installation of these items.

Village Board and/or Committee Action

This matter was discussed by the Board at their meetings of May 5, 2020 and May 19, 2020, and there were no objections raised by Board members.

Documents Attached

1. Ordinance
2. Traffic maps
3. Temporary Land Use Permit requirements instructions
4. Indemnification/Waiver form
5. Temporary Use Application
6. Village Informational flyer
7. Illinois Dept. of Commerce – Restaurants & Bars for Outdoor Dining Guidelines

VILLAGE OF HINSDALE

ORDINANCE NO. _____

**AN ORDINANCE APPROVING TEMPORARY USES OF VILLAGE RIGHT-OF-WAY
AND OTHER PUBLIC AND PRIVATE SPACES FOR OUTDOOR DINING, RETAIL
AND OTHER AUTHORIZED PURPOSES**

WHEREAS, in late 2019, an outbreak of novel coronavirus ("COVID-19") occurred in China and quickly spread across the globe (the "COVID-19 Pandemic"); and

WHEREAS, beginning with Executive Order 2020-03 on March 12, 2020 and continuing through Executive Order 2020-36 on May 1, 2020, the Governor of Illinois has issued a series of Executive Orders in response to the COVID-19 Pandemic which have shuttered businesses and caused Illinois residents to stay at home except in limited circumstances; and

WHEREAS, the Governor's restrictions have, and continue to, inflict great harm on the Village's restaurants, stores and other businesses; and

WHEREAS, on May 5, 2020, the Governor announced the "Restore Illinois" plan (the "Restore Illinois Plan"), which combined the State of Illinois' eleven existing medical services regions into four broadly grouped regions, and requires each region to have certain healthcare benchmarks before moving to the next phase of the Plan; and

WHEREAS, under the Restore Illinois Plan, the Governor's five-phase plan for lifting restrictions on movement and activity in the State, the Village of Hinsdale is included in the Northeast Health Region; and

WHEREAS, on May 20, 2020, the Governor announced modifications to the Restore Illinois Plan that would allow outdoor dining and various other additional activities during Phase 3 of the Plan; and

WHEREAS, pursuant to the Restore Illinois Plan, it is anticipated that the Village and the rest of the Northeast Health Region will move to Phase 3 of the Plan effective May 29; and

WHEREAS, the Board of Trustees of the Village of Hinsdale believes that it is imperative that it help facilitate and support the immediate reopening of those restaurants, stores and businesses harmed by the current restrictions, and have explored ways in which the Village can assist Village businesses to recover from the closures and to prosper following the re-opening of their businesses; and

WHEREAS, one way the Village can assist its restaurants and retail businesses to recover economically is to allow, on a temporary basis, and where allowed by the State's Restore Illinois Plan, the initiation or expansion of outdoor seating, outdoor dining and outdoor display of products with certain restrictions to require social distancing, appropriate and safe pedestrian paths and to protect outdoor dining patrons and shoppers from vehicular traffic hazards; and

WHEREAS, the Village President and Board of Trustees have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and to protect the public health, safety and welfare of its citizens; and

WHEREAS, pursuant to the Illinois Municipal Code (65 ILCS 5/1-2-1) the Village may pass all ordinances and make all rules and regulations proper or necessary to carry into effect the powers granted to municipalities; and

WHEREAS, the President and Board of Trustees of the Village of Hinsdale have determined that it is appropriate to take the following actions set forth below as temporary uses, and find that such actions satisfy the standards established in Section 9-103 of the Hinsdale Municipal Code governing temporary uses, subject to the conditions stated in this Ordinance.

BE IT ORDAINED by the President and Board of Trustees of the Village of Hinsdale, DuPage and Cook Counties and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Approval of Temporary Uses. The Board of Trustees, acting pursuant to the authority vested in it by laws of the State of Illinois and Section 9-103 of the Hinsdale Municipal Code, authorizes and approves the following as temporary uses:

A. Temporary Right-of-Way and other Public Property Closures: Temporary closure to thru-traffic and/or parking, and use for the Authorized Purposes specified herein, is authorized for the following Village Rights-of-Way, Parking Areas and other Property (collectively, the "Village Closure Areas"):

1. 1st Street between Garfield Street and Washington Street;
2. Washington Street, between 1st Street and Hinsdale Avenue;
3. Hinsdale Avenue, between Garfield Street and Washington Street;
4. 2nd Street, between Washington Street and Lincoln Street; and

5. Village Place (alley).

During the term of the temporary uses authorized by this Ordinance, the Village shall not consider a business or parking area to be in violation of any parking requirements imposed by the Village's zoning ordinance as a result of the use of any parking spaces or lots for Village Closure Areas.

The Village Manager is authorized to designate additional Village Closure Areas as deemed appropriate by her. Such additional Village Closure Areas are subject to all requirements of this Ordinance, and shall be reported to the Village Board of Trustees at the next regular meeting of the Board following their designation.

B. Authorized Purposes - Village: During Periods of Temporary Closure, and subject to the parameters set forth in this Ordinance and any additional parameters, guidelines and regulations developed by the State of Illinois and the Village Manager, in consultation with the Chief of Police, the Village is authorized to place tables, tents and other dining and retail infrastructure into the Village Closure Areas for the purpose of facilitating consumption by members of the public of food and drinks, including alcoholic liquor, obtained from Village dining establishments, facilitating shopping by members of the public for goods from Village retail establishments, and for other purposes related to furthering the economic recovery of Village business establishments (collectively, the "Authorized Purposes").

C. Authorized Purposes – Individual Businesses: During Periods of Temporary Closure, and subject to the parameters set forth in this Ordinance and any additional parameters, guidelines and regulations developed by the State of Illinois and the Village Manager, in consultation with the Chief of Police, and submittal to, and approval by, the Village Manager of an application on a form provided by the Village requesting use of a portion of the Village Closure Areas for Authorized Purposes, individual businesses may be authorized to utilize the Village Closure Areas for Authorized Purposes.

D. Temporary Parking Lot Closures: During Periods of Temporary Closure, and subject to the parameters set forth in this Ordinance and any additional parameters, guidelines and regulations developed by the State of Illinois and the Village Manager, in consultation with the Chief of Police, the temporary closure of privately owned parking areas or portions of parking areas for use by individual businesses for the Authorized Purposes stated herein is authorized at the following locations (collectively, the "Private Closure Areas"), subject to the approval of the owner of the Private Closure Areas :

1. Parking Area located at Grant Square; and
2. Parking Area located at Gateway Square.

During the term of the temporary uses authorized by this Ordinance, the Village shall not consider a business or parking area to be in violation of any parking requirements imposed by the Village's zoning ordinance as a result of the use of any parking spaces or lots for Private Closure Areas.

The Village Manager is authorized to designate additional Private Closure Areas from time to time as deemed appropriate by her. Such additional Private Closure Areas are subject to all requirements of this Ordinance, and shall be reported to the Village Board of Trustees at the next regular meeting of the Board following their designation.

E. Times and Term: Closures of the Village Closure Areas and Private Closure Areas for Authorized Purposes may take place on any day, during hours to be determined by the Village Manager in her discretion as appropriate for each area ("Periods of Temporary Closure"), and until the Board of Trustees acts to terminate the temporary uses or the Northeast Health Region reaches Stage 5 of the Restore Illinois Plan, whichever occurs earlier, but in no event later than December 31, 2020.

F. Liquor Consumption: During Periods of Temporary Closure, and subject to the parameters set forth in this Ordinance and any additional parameters, guidelines and regulations developed by the State of Illinois and the Village Manager, in consultation with the Chief of Police, the Village hereby waives enforcement of subsection 3-3-26 of the Village Code prohibiting possession and consumption of open containers of alcohol in public places in the Village Closure Areas and Private Closure Areas .

G. Liquor Licensing: The Authorized Purposes include, during Periods of Temporary Closure, and subject to the parameters set forth in this Ordinance, and any additional parameters, guidelines and regulations developed by the Village Manager, in consultation with the Chief of Police, and completion and approval by the individual business of an application for such purposes on a form provided by the Village, individual businesses may utilize designated portions of the Village Closure Areas and Private Closure Areas for the service of alcoholic liquor as an extension of their existing licensed premises. No bar areas are permitted in the Village Closure Areas and Private Closure Areas.

H. Fee Waivers: No outdoor dining permit or other fee shall be imposed by the Village based on the temporary uses approved by this Ordinance.

I. Temporary Signage: Temporary signage, as approved by the Village Manager or her designee, may be posted by the Village or by individual businesses in furtherance of the Authorized Purposes of this Ordinance. Such temporary signage may include, but is not limited to, additional 15-minute loading zone spaces on Village Rights-of-Way, window or outside signage related to curbside pickup or delivery of food and drink orders, and the posting of menus and phone numbers for placement of orders.

Section 3. Conditions. The approvals granted in Section 2 of this Ordinance are expressly subject to all of the following conditions:

A. Compliance with State and Federal Protocols, Guidelines and Regulations: All Authorized Uses conducted under this Ordinance shall comply with all protocols, guidelines and regulations issued by the Illinois Department of Commerce and Economic Opportunity, the Illinois Public Health, Centers for Disease Control and other official State or federal authority.

B. Compliance with Village Parameters, Guidelines and Regulations: The Village Manager, in consultation with the Chief of Police, shall develop such parameters, guidelines and regulations as are deemed by her to be necessary to safely and effectively implement the temporary uses authorized by this Ordinance. All Authorized Uses conducted under this Ordinance shall comply with all such parameters, guidelines and regulations, as revised from time to time.

C. Liquor Licensing Compliance: All Authorized Uses conducted under this Ordinance shall comply with any specific direction relative to alcohol service issued under this Ordinance by the Local Liquor Control Commissioner. The Local Liquor Commissioner reserves the right to issue additional directions during the term of the temporary uses, to modify or revoke previously issued directions during the term of the temporary uses, and has authority to immediately revoke or terminate the approvals for alcoholic liquor service in the Village Closure Areas and Private Closure Areas extended under this Ordinance in general or as applied to any specific business where violations are observed to have occurred. Any failure by a specific business to comply with any of the provisions of the temporary uses, generally applicable Village Code provisions relative to service of alcoholic liquor, or any directions issued by the Local Liquor Control Commissioner or Village Manager relative to the service of alcoholic liquor or to the temporary uses, may result in the immediate modification or revocation of the use as applied to them.

D. Physical Barriers and Signage: All Village Closure Areas and Private Closure Areas shall be demarcated by physical concrete barriers or other barriers approved by the Village Manager, in consultation with the Chief of Police. No alcohol consumption or dining or retail activities shall be permitted beyond the demarcated areas. Only signage pre-approved approved by the Village Manager shall be allowed.

E. Masks and Social Distancing: Village employees and employees of individual businesses, and members of the public, except where engaged in eating and drinking activities, shall utilize face coverings in all Village Closure Areas and Private Closure Areas at all times when proper social distancing cannot be maintained. Tables shall be sized and spaced to observe proper social distancing.

F. Smoking: Smoking is prohibited in all Village Closure Areas and Private Closure Areas.

G. No Bar Service: No bars are allowed in Village Closure Areas and Private Closure Areas, and service of alcoholic liquor by individual businesses in such areas, where permitted, is only allowed in conjunction with the service of meals.

H. Release and Hold Harmless; Insurance. Any individual business applicant seeking to utilize Village Closure Areas for any of the Authorized Purposes is required to provide an executed Release, Hold Harmless and Indemnification Agreement, in a form provided by the Village, relative to the use. The Applicant must also provide the Village with proof of general liability insurance (and, when applicable, dramshop liability insurance) including the village as a named insured and insuring the village against any

liability resulting from the temporary uses permitted by this Ordinance. Minimum coverage shall be in amounts to be determined by the Village Manager.

I. Sidewalk or Building Entrance Encroachment. The right of any individual business to temporarily utilize the Village Closure Areas may be rescinded by the Village for cause at any time, should the Village need to perform work on the right-of-way, or should circumstances reduce the width of the public sidewalk or building entrance clearance exclusive of the encroachment to less than that determined by the Village to be necessary, or should the Village determine for any other reason that continuing encroachment onto the public right-of-way is not in the best interests of the Village. Upon rescission, the encroachment by the individual business must be removed by the individual business at its cost.

J. Compliance with Codes, Ordinances, and Regulations: Except as specifically set forth in this Ordinance, the provisions of the Hinsdale Municipal Code and the Hinsdale Zoning Code shall apply and govern all use of the Village Closure Areas and Private Closure Areas at all times.

Section 4. Modifications. The Village Board of Trustees recognizes the need for the Village's economy to revitalize in a safe and healthy manner for its residents. The Village Board also realizes the temporary uses authorized herein are approved during the current emergency conditions which are quickly evolving and ever-changing. The Board delegates to the Village President and Village Manager the ability to implement such modifications to the temporary uses authorized hereunder as may be necessary due to those changes in conditions, so long as such changes are consistent with the overall intent of this Ordinance. It is further understood that these temporary uses may need to be postponed, suspended, modified and/or terminated for a variety of reasons, including health and safety reasons. In addition, these temporary uses may need to be withdrawn if they are abused or if violations of this Ordinance or other conditions warrant.

Section 5: Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

Section 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

ADOPTED this _____ day of _____, 2020, pursuant to a roll call vote as follows:

AYES: _____

NAYS: _____

ABSENT: _____

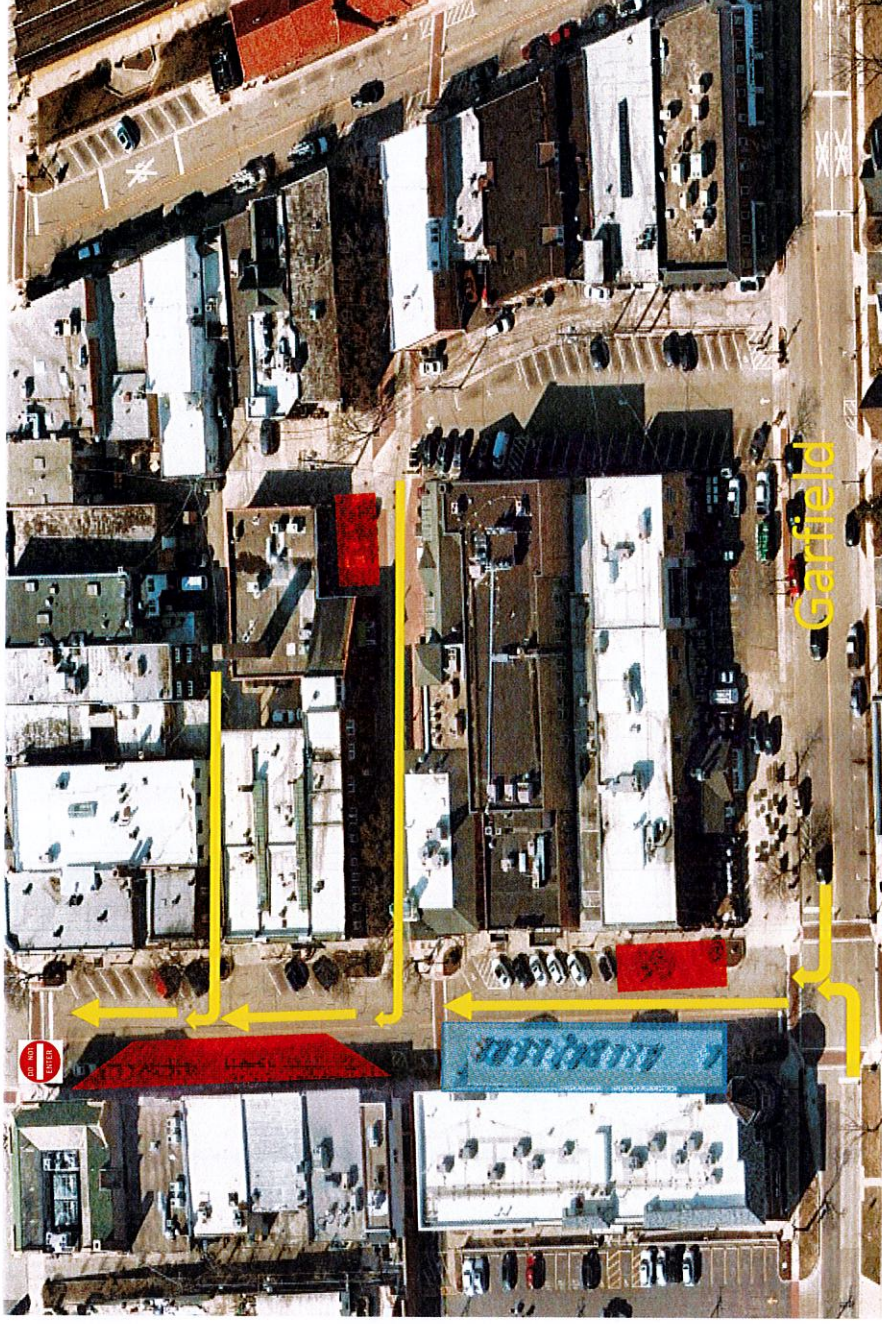
APPROVED by me this _____ day of _____, 2020, and attested to by the Village Clerk this same day.

Thomas K. Cauley, Jr., Village President

ATTEST:

Christine M. Bruton, Village Clerk

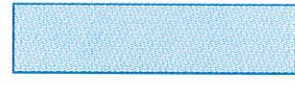
First Street Traffic Plan- One way traffic



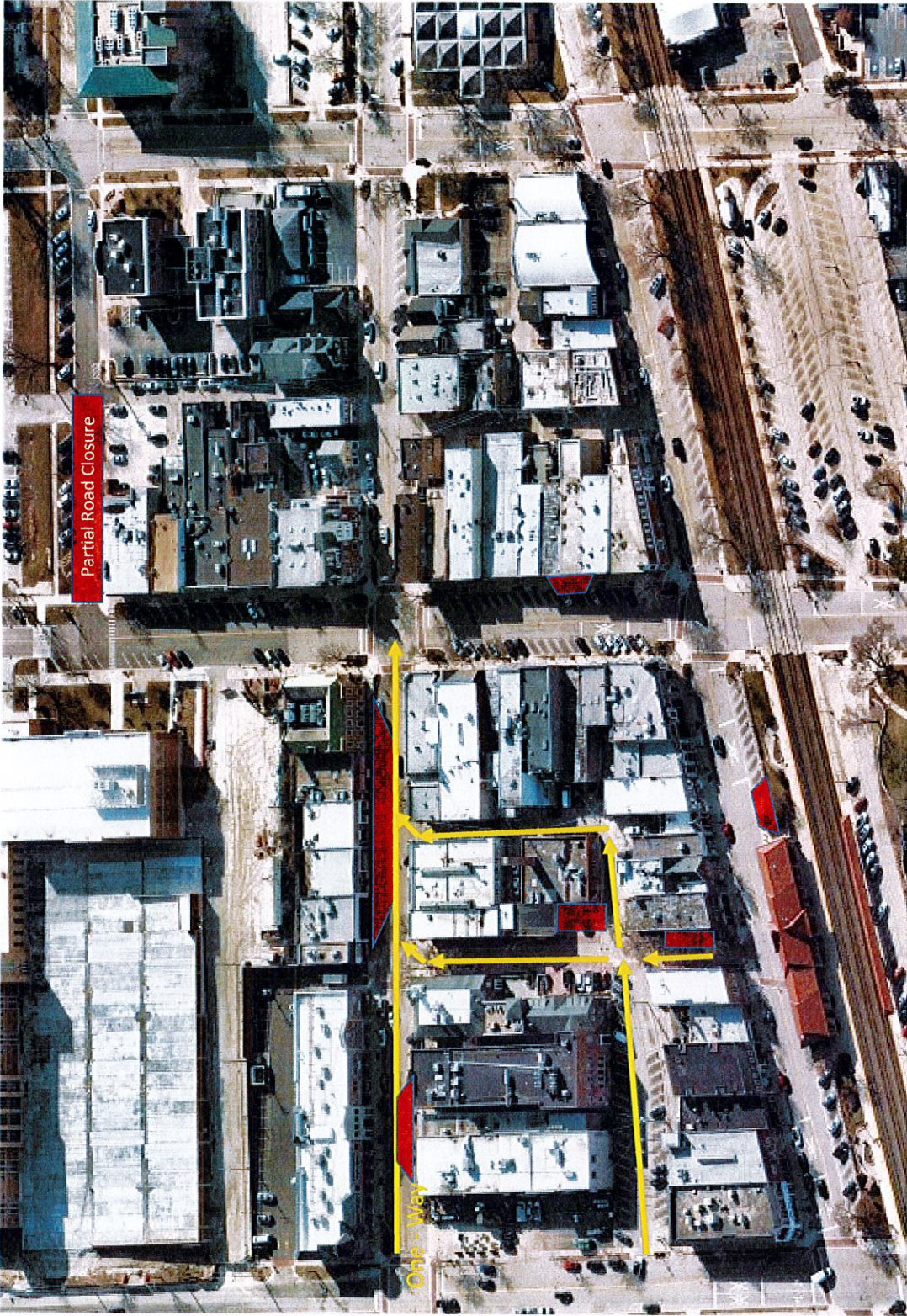
■ - Enclosed outdoor dining with use of concrete barrier



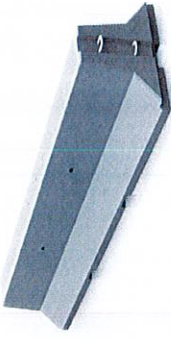
→ - One-way traffic flow



Conversion of 9 parallel parking spaces up to 14 angled parking spaces



Enclosed outdoor
dining with use of
concrete barrier



Village Hall
19 East Chicago Avenue
Hinsdale, Illinois 60521-3431
630-789-7000



Fire & Police Departments
121 Symonds Drive
Hinsdale, Illinois 60521-3744
Fire 630-789-7060
Police 630-789-7070

villageofhinsdale.org

REQUIREMENTS FOR GENERAL TEMPORARY LAND USE PERMIT

- Letter indicating permission from landlord for land use, if applicable
- Attached rendering of layout including tables, tents, entrance/exit lanes, fire lanes, trash receptacles, barriers etc
- Attached detail on signage to be displayed
- Completion of Indemnification/Waiver Form
- Completion of attached permit application
- Letter or certificate regarding flame resistance of tent, if applicable
- Certificate of Insurance

USE OF PROPERTY AND HOLD HARMLESS AGREEMENT

Whereas, the _____ (name of "Organization") desires to use the Village of Hinsdale's property located at _____ ("the Premises") for a _____ ("Event").

Whereas, the Village of Hinsdale agrees to allow the Organization to use the Premises for the Event in consideration of the Organization agreeing to assume all risk and liability pertaining to the Event.

Now therefore, the Organization agrees as follows:

To the fullest extent permitted by law, the Organization hereby indemnifies, defends, and holds harmless the Village/City and its officials, employees, agents and volunteers from and against any and all liability or claim of liability, loss or expense, including defense costs and legal fees and claims for damages of whatsoever character, nature and kind, whether directly or indirectly arising from the Event or connected with an act or omission of the Organization, or an agent, invitee, guest, employee, or anyone in, on or about the Premises invited by and/or with the permission and consent of the Organization, with respect to the Premises or the operations, activities or services, of any nature whatsoever, of the Event, including, but not limited to, liability expense and claims for: bodily injury, death, personal injury, or property damage caused by the negligence, creation or maintenance of a dangerous condition of property, or intentional infliction of harm or violation of state and federal laws.

Nothing set forth in this Agreement shall be deemed a waiver by the Village/City of any defenses or immunities that are or would be otherwise available to the Village/City or its officials, employees, agents or volunteers under the provisions of the Illinois Local Government and Governmental Employees Tort Immunity Act, or that are otherwise available to local governments and their corporate authorities, officers, employees, agents and volunteers under the common law of the State of Illinois or the United States of America. The provisions of this Section shall survive the expiration or earlier termination of this Agreement or renewal thereof.

Without limiting the Organization's indemnification of the Village of Hinsdale as provided above, the Organization shall provide and maintain at its own expense for the Event the below listed policies of insurance or liability coverage covering the activities, services or operations relating to the Event. All such insurance of the Organization and the insurance of the owners/operators shall be secured through a carrier(s) satisfactory to the Village of Hinsdale. Satisfactory evidence of such insurance and any required endorsements, including the insurance required of the owners/operators, will be delivered to the Village Administrator ____ days before the Event. The Village of Hinsdale's insurance or liability coverage shall always be deemed excess over any other insurance or liability coverage whether primary, excess, pro rata, contingent or any other basis.

- a. Commercial General Liability: \$2,000,000 combined single limit per occurrence for bodily injury, property damage and personal injury with a general aggregate of \$4,000,000 limit. The Village/City, its officials, employees, agents and volunteers shall be named as an additional insured on a primary and non-contributory basis under the policy or coverage by original endorsement signed by a person authorized to bind coverage.
- b. Liquor Liability: maintain a minimum of \$2,000,000 per occurrence for its sale of alcoholic beverages and require that any other party selling or serving alcoholic beverages during the Event shall provide Liquor Liability insurance in the same amount with the Village, its officials, employees, agents and volunteers named as additional insured on a primary and non-contributory basis by original endorsement signed by a person authorized to bind coverage.

All policies of insurance or liability coverage shall contain a waiver of subrogation as against the Village, its official, employees, agents and volunteers except with respect to the sole negligence of the Village.

The invalidity or unenforceability of any of the provisions hereof shall not affect the validity or enforceability of the remainder of this Agreement.

The undersigned represents it has full authority to execute this Use of Property and Hold Harmless Agreement on behalf of the _____.

Agreed this _____ day of _____, 2020.

(Name of Organization)

Signature of Authorized Person

Title

Village Hall
19 East Chicago Avenue
Hinsdale, Illinois 60521-3431
630-789-7000



Fire & Police Departments
121 Symonds Drive
Hinsdale, Illinois 60521-3744
Fire 630-789-7060
Police 630-789-7070

villageofhinsdale.org

PERMIT NUMBER _____

APPLICATION FOR TEMPORARY USE OF LAND
(type or print in ink)

APPLICANT _____ PHONE _____

APPLICANT'S ADDRESS _____

CITY _____ STATE _____ ZIP _____

EMAIL ADDRESS _____

LOCATION _____

PROPERTY OWNER _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

TYPE OF LAND USE: ☐ OFFERING OUTDOOR DINING
☐ ALCOHOL SERVICE
☐ RETAIL SALES

FOR THE PERIOD:

BEGINNING DATE: _____ ENDING DATE: _____

TOTAL DAYS: _____

HOURS OF OPERATION: _____

DESCRIPTION:

The undersigned hereby applies to the Village of Hinsdale, Illinois for a permit herein described; and, if granted, the applicant shall comply with all requirements of the Village Ordinances relating hereto. Additionally, I acknowledge that I will comply with all Village and State guidelines, practice social distancing, require employees to use face coverings and to engage in frequent handwashing and regular cleaning and disinfection, will train employees in COVID-19-related safety measures, has or will create a worksite specific COVID-19 prevention plan and a process to identify cases of illness in the workplace and a plan to halt the spread of the virus if detected, will designate an employee responsible to implement and monitor compliance with all procedures, will use disposable menus or digital menus, if applicable, and will implement procedures for enhanced sanitizing and disinfecting.

For Office Use ONLY

Issued By: _____

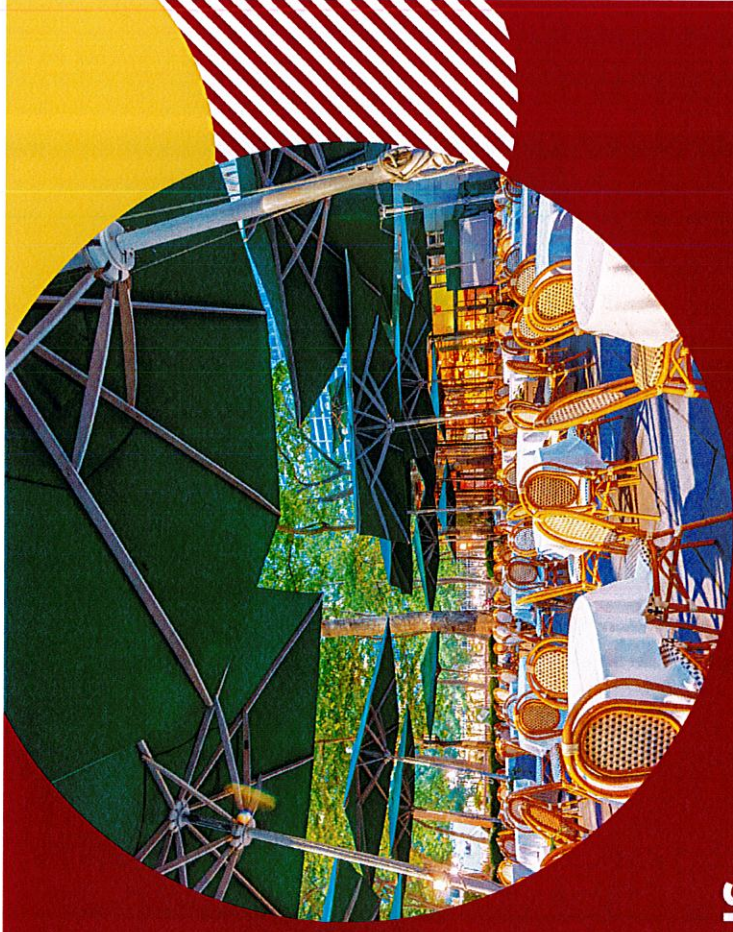
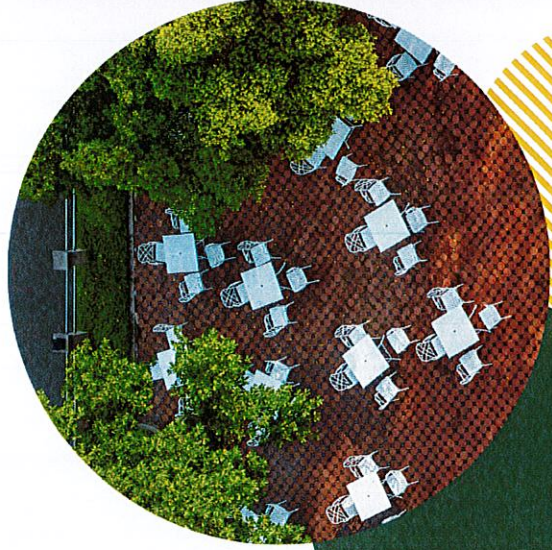
Date Issued: _____

Signature of Applicant

Date

WHAT'S NEW?

Bars and restaurants in Illinois will be allowed to reopen with outdoor seating starting May 29, 2020 as part of Governor JB Pritzker's plan to Restore Illinois. As part of this plan, the Village of Hinsdale is temporarily modifying the outdoor dining regulations in order to allow restaurants and bars to re-open without jeopardizing the health and safety of the public and their employees.



CONTACT US:

All restaurants that intend to provide outdoor dining areas must contact Deputy Chief Lillie of the Hinsdale Police Department at 630-789-7083 or tillie@villageofhinsdale.org to schedule an inspection to ensure all the regulations within this guide are met and receive your permit prior to opening.

VILLAGE OF HINSDALE TEMPORARY OUTDOOR DINING GUIDE

19 E. Chicago Ave
Hinsdale, IL 60521
630-789-7001



VILLAGE OF

Hinsdale

Est. 1873

Effective:

May 29, 2020 –
December 31, 2020

Outdoor Seating

Hours:

Sunday – Thursday 7:00
a.m. – 10:30 p.m.*

&

Friday and Saturday
7:00 a.m. – 12:00 a.m.*

**Hours Subject to Change*

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 dining 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.

Outdoor Dining Area Requirements

- All tables must be six feet apart and located away from sidewalks and walkways
- Entrance/exit doors and fire lanes shall not be blocked
- No rubbish or trash cans shall be permitted in the parking areas to avoid attracting pests
- Allow for adequate and safe parking for other businesses within the shopping center (if applicable)
- Barriers or fencing around the outdoor dining area shall be required if alcohol is served or to protect the temporary dining area
- Separate queue area for curb side pick-up

RESTAURANT RESPONSIBILITIES

- Must adhere to all social distancing requirements set forth by the Illinois Department of Public Health
- Food transported from the restaurant to the outdoor dining areas shall meet all Food Safety requirements.
- Abide by all applicable Health Codes and COVID-19 restrictions
- Provide face coverings for employees to be worn at all times
- Regularly clean and sanitize outdoor dining areas and all frequently touched surfaces (i.e. door handles)
- No outdoor food or drink preparation is permitted
- Provide disposable menus
- Provide restrooms/handwashing inside the restaurant with social distancing



RESTAURANTS & BARS FOR OUTDOOR DINING GUIDELINES



Illinois
Department of Commerce
& Economic Opportunity
JB Pritzker, Governor

RESTORE ILLINOIS

A Public Health Approach To Safely Reopen Our State

PART OF PHASE 3 OF RESTORE ILLINOIS PLAN

APPLICABLE TO EACH REGION UPON TRANSITION TO PHASE III | ISSUED ON MAY 24, 2020

The Recovery Phase of the Restore Illinois public health approach to reopening the Illinois economy includes returning people to work, businesses reopening and group gatherings of 10 or fewer. We must all continue to social distance, frequently wash our hands and cover our faces to maintain progress in overcoming COVID-19.

This document is applicable to businesses that meet the following criteria:

- Full-service restaurants, limited-service restaurants, snack and nonalcoholic beverage bars, taverns, and other food services and drinking places licensed to serve food, beverages and liquor for consumption by the relevant local jurisdiction and State Liquor Control Board, if applicable, that can follow all minimum guidelines outlined in this document
- In Phase III, services for Restaurants and Bars should be limited to:
 - i. Outdoor dining and/or drinking only; and
 - ii. Parties of 6 persons or fewer.
- For the purposes of these guidelines, a dining or drinking area is considered an outdoor dining or drinking area if the area meets any of the following criteria:
 - i. Located on the rooftop of a building or within establishment with retractable roof (should remain open during hours of operation of outdoor dining and/or drinking); or
 - ii. Outdoor space connected to or located on the site of a restaurant, grocery store, health or fitness center, hotel, golf club, or other social club with a food establishment license; or
 - iii. Indoor space where 50% or more of a wall can be removed via the opening of windows, doors, or panels provided that dining tables are within 8-ft from such opening; or
 - iv. Any other outdoor dining and drinking areas authorized by local governments provided that food and drinks are prepared by licensed food or liquor establishments and that proper social distancing of 6-ft between designated customer tables and/or other seating areas is observed and parties are of 6 persons or fewer.
- For the purposes of these guidelines, businesses may be subject to additional regulations on outdoor dining by units of local government and local health departments

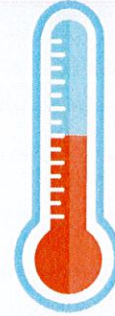
¹ This guidance is subject to State and local liquor control, food safety, and other applicable laws and regulations.

Uniform guidelines across businesses, industries and nonprofits within the State of Illinois:

GENERAL HEALTH

I. Minimum guidelines

1. Employees should wear face coverings over their nose and mouth when within 6-ft. of others (cloth masks preferred). Exceptions may be made where accommodations are appropriate – see [IDHR's guidance](#).
2. Arrange seating to provide a minimum of 6-ft between tables. Use of plexiglass between tables is a best practice.
3. Employer should provide hand washing capability or sanitizer to employees and customers
4. Bar and restaurant employees should wash hands for 20 seconds every 30 minutes, and:
 - a. Upon arrival to work
 - b. Prior to and during food preparation
 - c. When switching between tasks
 - d. Before donning gloves to work with food or clean equipment and utensils
 - e. After using the restroom
 - f. After handling soiled dishes and utensils
 - g. When visibly soiled
 - h. After coughing, sneezing, using a tissue, touching face,
 - i. After eating or drinking
 - j. After smoking or vaping
 - k. After handling cell phone
5. An adequate supply of soap, disinfectant, hand sanitizer, and paper towels must be available
6. Gloves should be worn by staff preparing food per pre-COVID food handling protocols, such as handling Ready to Eat (RTE) foods



HR AND TRAVEL POLICIES

i. Minimum guidelines

1. All employees should complete health and safety training related to COVID-19 when initially returning to work. Resources to design a training are posted on the DCEO Restore Illinois guidelines website
2. Employers should continue to limit all non-essential business travel
 - a. If employee must travel, employee should follow CDC considerations to protect themselves and others during trip
3. Employees should not report to, or be allowed to remain at, work if sick or symptomatic (with cough, shortness of breath or difficulty breathing, fever of 100.4 degrees or above, chills, muscle pain, headache, sore throat, new loss of taste or smell, or other [CDC-identified symptoms](#)), and sick or symptomatic employees should be encouraged to seek a COVID-19 test at a state or local government testing center, healthcare center or other testing locations



ii. Encouraged best practices

1. Provide reasonable accommodation for COVID-19-vulnerable employees, including but not limited to work from home (if feasible), reduced contact with others, use of barriers to ensure minimum distance between others whenever feasible or other accommodations that reduce chances of exposure

HEALTH MONITORING

i. Minimum guidelines

1. Employers should make temperature checks available for employees and encourage their use. Employers should post information about the symptoms of COVID-19 in order to allow employees to self-assess whether they have any symptoms and should consider going home.
2. All employers should have a wellness screening program. Resources outlining screening program best practices are posted on the DCEO Restore Illinois guidelines website
 - a. Employer should conduct in-person screening of employees upon entry into workplace and mid-shift screening to verify no presence of COVID-19 symptoms
3. If employee does contract COVID-19, they should remain isolated at home for a minimum of 10 days after symptom onset and can be released after feverless and feeling well (without fever-reducing medication) for at least 72 hours OR has 2 negative COVID-19 tests in a row, with testing done at least 24 hours apart
4. If an employee is identified as being COVID-19 positive by testing, CDC cleaning and disinfecting should be performed as soon after the confirmation of a positive test as practical
5. Where appropriate, notify employees who have been exposed
6. Any employee who has had close contact² with co-worker or any other person who is diagnosed with COVID-19 is required to quarantine for 14 days after the last/most recent contact with the infectious individual and should be encouraged to seek a COVID-19 test at a state or local government testing center, healthcare center or other testing locations. All other employees should be on alert for symptoms of fever, cough, or shortness of breath and taking temperature if symptoms develop



² Close contacts include household contacts, intimate contacts, or contacts within 6-ft. for 15 minutes or longer unless wearing N95 mask during period of contact.

Guidelines specific to outdoor dining and drinking establishments:

PHYSICAL WORKSPACE

i. Minimum guidelines

1. Employer should display signage at entry with face covering requirements, social distancing guidelines, and cleaning protocols, in multiple languages as needed
2. Employer should configure space to allow for at least 6-ft. of distance between tables or other designated customer service areas
3. Employees should maintain social distance to the extent possible while performing services
4. Employer should close all open congregate areas (e.g., waiting areas)
5. Employers should close all self-service food areas (e.g., buffets, salad bars, coffee station)
6. Employers should eliminate table presets (e.g., table tents, menus, salt and pepper shakers, lemons, straws, shared condiments, etc.)
7. Employers should use single packet condiments, if possible, OR serve condiments in containers – such as a washable bowl or paper cup – that can be sanitized or disposed of after use (no shared condiments permitted)
8. Employers should use disposable silverware, if possible, OR use rolled silverware or silverware place in sleeves (employers should utilize gloves while rolling/placing in sleeves)
9. Employers should use disposable or touchless menus, if practical, or use menus that can be sanitized between each use
 - a. If practical, QR Digital menu or app-based ordering should be used
10. Employers should eliminate refilling customer beverages altogether and should use a new glass cleaned using proper dishwashing procedures
11. Close all self-service beverage stations
12. Water fountains in employee breakrooms, except for touchless water bottle refill stations, should be made unavailable for use (e.g. turned off, covered, area blocked)
 - a. If no touchless fountain is available, water may be served in sealed, single-use water bottles
13. Customers should handle their leftover food to be taken to-go
14. Ensure that the area for take-out customers allows for at least 6-ft of separation from seated customers
15. Customers should not be seated if inclement weather is forecasted
16. In case of inclement weather or emergency while customers are outdoor dining, food should be packaged to-go and customers encouraged to leave



ii. Encouraged best practices

1. Deliver items to table on service trays to minimize hand contact
2. Display visual markers 6-ft. apart at customer queue points
3. Display signage at exits of restrooms to promote use of paper towel to open door for exit
4. Display signage to promote distancing within shared restrooms
5. Eliminate seating at bars within restaurant to the extent possible
6. If practical, install impermeable barriers (e.g., plexiglass) from street and/or sidewalk traffic
7. If practical, install impermeable barriers between tables
8. If practical, install impermeable barriers in close contact areas (e.g., host stand, cashier)
9. If practical, implement touchless transactions
10. If practical, allow one-way traffic flow in and out of restaurant to the outdoor seating area to limit any congregation
11. Where building management practices allow, increase air turnover rates in occupied spaces and increase outside make-up air to the maximum extent practical

DISINFECTING/CLEANING PROCEDURES

i. Minimum guidelines

1. Cleaning and disinfecting of premises should be conducted in compliance with [CDC protocols](#) on a routine basis
2. Clean and disinfect common areas (e.g., restrooms, cafeterias) and surfaces which are touched by multiple people (e.g., entry/exit doorknobs, stair railings) frequently; every half hour recommended for high-traffic areas
3. Sanitization of multi-use items (e.g., menus, if reuse, special cards, pens, check presenters, etc.) should be completed after each use
4. Disinfect tables and chairs between parties and again at closing time (see [EPA approved list of disinfectants](#))
5. Discard any single-use or paper articles (e.g., paper menus) after each use



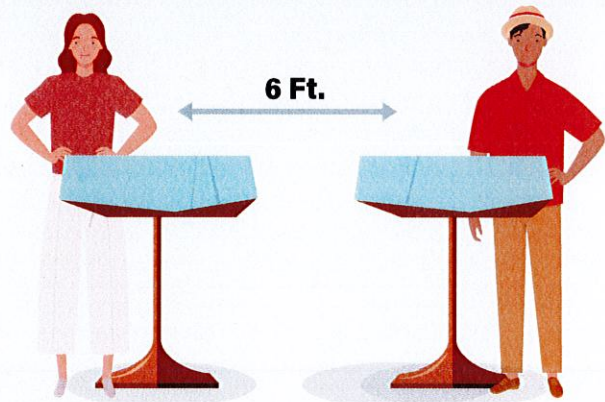
ii. Encouraged best practices

1. Provide hand sanitizer in outdoor seating area for customers. If hand sanitizer is placed in restrooms, assure handwashing is still encouraged
2. Create and implement an enhanced cleaning/sanitizing schedule for all food contact surfaces, and cleaning/disinfecting of non-food contact surfaces; if practical, have designated staff member that responsible for cleaning

STAFFING AND ATTENDANCE

i. Minimum guidelines

1. Outdoor area capacity shall be determined by arranging seating to provide a minimum of six feet between tables or other designated customer service areas.
2. Employee should social distance from customers while not performing services
3. Employer should limit the occupancy of common areas/ break rooms to allow for social distancing of 6-ft or greater by removing/decommissioning furniture or staggering break times; this guideline is not intended to diminish employees break time requirements
4. Live music is permitted but employees and performers should follow social distancing guidelines, keeping the maximum distance possible from each other and from customers. Performers should wear face coverings where possible and the use of barriers between singers and customers and employees during the performance is strongly encouraged.



ii. Encouraged best practices

1. If practical, alter hours of operation to adequately spread out customer traffic and allow for additional cleaning time
2. Stagger shift start and end times to minimize congregation of employees during changeovers
3. If practical, group employees in clusters and schedule groups on same shifts to reduce cross-team exposure

EXTERNAL INTERACTIONS

i. Minimum guidelines

1. Before allowing external supplier or non-customer visitor (excluding third-party visitors providing carry-out services only) to enter, or while requiring them to wait in a designated area, employer should ask whether external supplier or visitor is currently exhibiting COVID-19 symptoms
 - a. If practical, employer should take external supplier or non-customer visitor temperature using thermometer (infrared / thermal cameras preferred, touchless thermometers permitted)
2. Employer should keep log of all external suppliers who enter premises
3. Suppliers and other non-customer visitors should wear face coverings over their nose and mouth when entering premises (exceptions can be made for people with medical conditions or disabilities that prevent them from safely wearing a face-covering)



ii. Encouraged best practices

1. Limit contact between external suppliers and employees
2. Restrict suppliers from entering premises and if practical, have deliveries dropped at door

CUSTOMER BEHAVIORS

i. Minimum guidelines

3. 6-person party limit
4. Implement a reservation or call ahead model, if practical. All outdoor dining areas must be staffed to ensure social distancing will be maintained prior to guests being seated
5. Customers should wait for services off premises, either outdoors and maintaining social distance of 6-ft with use of recommended face coverings or in their vehicles. Customers should be seated immediately upon entry
6. Customers should wear face coverings over their nose and mouth while on premises, except while eating and drinking at table (exceptions can be made for people with medical conditions or disabilities that prevent them from safely wearing a face covering)



ii. Encouraged best practices

1. Before allowing entrance, employers ask whether customer is currently exhibiting COVID-19 symptoms
 - a. If practical, employer should take customer temperature using thermometer (infrared / thermal cameras preferred, touchless thermometers permitted)

If you have questions or need additional support:
Please call our hotline at 1-800-252-2923
or e-mail us at ceo.support@illinois.gov
or return to www2.illinois.gov/business toolkit

Additional Resources:

- FDA: [Food Safety and COVID-19](#)
- FDA: [Best Practices for Retail Food Stores, Restaurants, and Food Pick-Up/Delivery During COVID-19](#)
- FDA: [Use of Respirators, Facemasks, and Cloth Face Coverings in the Food and Agriculture Sector During Coronavirus Disease \(COVID-19\) Pandemic](#)
- FDA: [Employee Health and Personal Hygiene Handbook](#)
- CDC: [Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19](#)
- CDC: [What Grocery and Food Retail Workers Need to Know about COVID-19](#)
- CDC: [COVID-19 Resources for Businesses and Employers](#)
- CDC: [Restaurants and Bars Reopening Decision Tree](#)
- CDC: [COVID-19 Printed Resources](#)
- IDPH: [COVID-19 Resources for Businesses and Organizations](#)
- IDPH: [Guidance for Maintaining Water Systems During Reduced Use and Returning Water Systems to Regular Use after Extended Periods of Reduced Use](#)
- IDPH: [Retail Food Page and Food Codes](#)
- Illinois Department of Human Services: [FAQ for Businesses Concerning Use of Face-Coverings During COVID-19](#)
- EPA: [List of EPA-registered Disinfectants](#)
- AFDO: [Planning for Reopening Food Service Establishments As COVID-19 Impacts Best Practices and Protocol](#)
- OSHA: [Guidance of Preparing Workplaces for COVID-19](#)
- National Restaurant Association: [COVID-19 Reopening Guidance: A Guide for the Restaurant Industry](#)