



**COUNCIL RESOLVE**

**Resolve,** Waiving Certain Fees and Policies Involving the Public Right of Way and Municipally Owned Property and Establishing a Procedure to Allow for the Use of Private Parking Areas for the Purpose of Assisting Lewiston Organizations in Implementing Social Distancing

Whereas, the COVID-19 pandemic has resulted in the temporary closure of numerous public facing businesses and organizations such as restaurants and certain retail operations; and

Whereas, the Governor has advanced a plan that will lead to these organizations being allowed to reopen subject to meeting certain restrictions, such as limiting the number of patrons and visitors allowed in the premises and establishing social distancing arrangements; and

Whereas, these restrictions are likely to limit the number of people that will be able to be served; and

Whereas, it may be possible for certain organizations to serve additional visitors if they are able to incorporate outside areas into their operations; and

Whereas, organizations that own or control outside areas may currently be restricted from using them given zoning and site plan requirements; and

Whereas, these requirements can be temporarily lifted subject to presentation and implementation of a plan that ensures patron safety when using these areas; and

Whereas, not all affected organizations have access to such privately controlled areas, particularly in denser sections of the city such as downtown Lewiston; and

Whereas, in those areas, it may be possible for operations to be expanded into adjacent city owned, managed, or maintained rights of way or open spaces; and

Whereas, while emergency operating restrictions continue, the City desires to support local businesses and other community organizations by working with them where possible to allow for the use of publicly owned or controlled areas;

**Now, therefore, be it resolved by the City Council of the City of Lewiston that**

While organizations will continue to be required to obtain a permit from the city for the use of city sidewalks, streets, parking spaces, and public open spaces for purposes directly related to that organization's normal operations, and to abide by the restrictions and requirements of such permits, fees for the use and occupancy of such spaces are hereby waived, such waiver to remain in effect until ten (10) days following the lifting of all social distancing restrictions related to the COVID-19 pandemic or until November 1, 2020, whichever occurs first. In

addition, organizations wishing to use municipal sidewalks or rights of way, including parking spaces, located near but not directly adjacent to their property, may be allowed to do so subject to a showing that permission has been granted by the owner or lessee of the property abutting the municipal space the organization wishes to occupy. Such organizations may also be permitted to occupy nearby municipal open spaces.

Be it Further Resolved, that

A staff committee composed of the City Administrator, Public Works Director, and Director of Planning and Code Enforcement or their designees is hereby authorized to review and approve or deny permits for the use of such municipal space or receive permits for these purposes. In addition, this Committee is hereby authorized to approve:

- the closure of certain streets to allow for those streets to be occupied and used for the purposes outlined above.
- the use of on-site open space or parking spaces normally used to meet Zoning and Land Use parking requirements to serve patrons, subject to presentation of a plan showing how this can be done safely.

Permissions granted by this committee may be revoked at any time should the operation violate any permit or use restrictions or operate in such a manner as to negatively impact the public or other adjacent property owners or create a hazard to public safety. The decisions of this Committee may be appealed to the City Clerk.