

Reinventing Downtown and Outdoor Space Concepts in Elizabeth City for Covid-19 Reopening – A Proposal

With the Governor's COVID-19 Phase 1 opening capacity restrictions on retailers and Phase 2 capacity restrictions on restaurants and bars, Elizabeth City Downtown, Inc. is submitting this proposal to City Administration and City Council as a request for consideration on behalf of our business community downtown and city-wide.

We respectfully request:

- 1) Temporarily* lifting permitting restrictions for outdoor/sidewalk dining at restaurants in the downtown Central Business District (CBD), allowing restaurants, eateries, and bars to place tables and chairs on the public right of ways (sidewalks) and other specifically identified areas during normal business operating hours and/or prime serving hours;
- 2) Where sidewalks are not wide enough to allow for café seating and comply with American with Disabilities Act (ADA), allow specific businesses use of up to two parking spaces in front of or adjacent to their businesses for seating/dining if spaces can be secured and protected.
- 3) Temporarily* lifting restrictions on restaurants with parking lots within the City to allow those restaurants or dining establishments to use up to 30% of their existing parking for outdoor seating and allowing for use of outdoor tents to accommodate seating. These tents must meet Fire Code and be approved/inspected by the EC Fire Department. Alcohol service to coincide with existing permits, contingent upon Alcohol Beverage Control permissions to expand service footprint. Must be separated enough from traffic ingress/egress for safety purposes.
- 4) Temporarily* lifting the City's restrictions to allow for alcohol on public property and open container (beer and wine only) in specifically designated areas in front of and adjacent to businesses and in outdoor parking areas (with appropriate Alcohol Beverage Control permits);
- 5) Temporarily* closing relevant City streets in downtown CBD to allow for restaurant/bar overflow areas during days/times of peak service:
 - a. Closing the 600 block of E. Colonial Avenue to vehicular traffic, thus expanding the area of Pailin's Alley on Wednesday evenings (5:00 pm – 10:00 pm); Friday evenings (5:00 pm – 10:00 pm); and Saturdays (11:00 am – 10:00 pm); Specific area would be from Corner of Poindexter & Colonial Ave. eastward to the easternmost property line of Hoppin' Johnz. This would allow for ingress/egress of residents located in that portion of the block and would eliminate a "no vision zone" around the building corner. Allow for use of city-owned picnic tables if available.
 - b. Evaluating the possibility of closing additional streets/areas deemed potential high use areas, pending evaluation and adjustments (requests to be made at a later date if necessary).
- 6) Temporarily* creating open community spaces in downtown CBD conducive to public use and dining and encouraging use;
 - a. **Mariners' Wharf Park** – Place city-owned picnic tables (and possibly other seating) in non-grassy areas of the park. (Parks & Rec has metal picnic tables available. Would also need placement of additional trash cans.) This would coincide with the re-opening of the public bathroom facilities at that location.
 - b. **Pailin's Alley (and expansion noted above)** – Secured and non-secured seating and seating options are already in place within the existing alley. Allow for possible additional seating options on the condition that they do not impede safety and security code restrictions for emergency egress or ADA requirements. (Layout to be pre-reviewed and approved by Fire Department and our ADA Compliance staff.)

- c. **Ives Alley** – Secured seating is already in place
 - d. **Waterfront Park** -- Tables and seating already available
 - e. Consider other areas as they are presented as feasible options.
- 7) Temporarily* lifting restriction on retailers and service businesses City-wide, allowing for displays, tables, sales opportunities on public areas or private areas (with permissions) immediately outside of and adjacent to their businesses.
 - 8) Temporarily* lifting signage permitting and promotional signage restrictions on retailers, service providers, and restaurants City-wide.
 - 9) Authorize ECDI, Department Heads, and City Staff with input from businesses and other organizations to extend the initial 30-day approvals for up to three 30-day extensions without having to come back to Council for approvals.

****Temporarily** – An initial 30-day time period, with options for 3 additional 30-day time periods depending on need and compliance; evaluations and revisions conducted during each 30-day period. Evaluations conducted by ECDI Director (downtown), City Department Heads and staff, with input from Economic Development, Tourism, and Chamber, Alcohol Law Enforcement and the businesses themselves.*

Business Establishments would be responsible for:

- If dedicated parking spaces or parking lots are utilized for dining/outdoor use, providing for their own secure barrier structures.
- Providing their own tables, chairs, signage, and/or displays in their respective areas.
- Securing said tables, chairs, signage and/or displays.
- Maintaining ADA compliant walkways for pedestrians.
- Compliance with fire and life safety code requirements.
- Compliance with all Pasquotank County Health Department rules and regulations.
- Compliance with all COVID-19 cleaning, masking, and social distancing requirements for their areas and/or shared areas.
- Compliance with the NC Department of Health and Human Services issued “[Interim Guidance for Restaurants](#)” or any subsequently released guidance documents.
- Compliance with all Alcohol Beverage Control Commission laws, rules, and regulations regarding the serving of alcohol, to include: not allowing outside beverages, not over-serving, proper checking of identification for age; securing and monitoring the service areas; maintaining control and behavior; reporting any issues to law enforcement immediately. (Discussions are being had with ABC Commission regarding whether or not a business would need to officially submit a request to expand their service footprint. I will facilitate this on behalf of those businesses wishing me to. I am hoping to see the ABC Commission relax these restrictions state-wide, similar to what the State of Virginia just did to avoid having to make individual requests.)
- Ensuring business liability coverage for their expanded areas of service, to include public right of ways.
- Upkeep, cleaning, and removal of trash from the area at the end of each day.
- Setting up and taking down of additional tables and chairs at approved timeframes*
- Setting up and taking down of road closure barriers at approved timeframes*

Note: *Approved timeframes would be normal operating hours of business or designated street closing times.