



**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2021-132:**

REDLINED

**AN ORDINANCE AMENDING SECTION 3
OF ORDINANCE NO. 2020-135 AND
AMENDING SECTION 6 OF ORDINANCE
NO. 2020-92 AS TO OUTDOOR DINING
AND SEATING AREAS AT RESTAURANTS
WITHIN THE CITY OF WESTLAKE, AND
DECLARING AN EMERGENCY.**

WHEREAS, on March 9, 2020, the Governor of Ohio declared a state-wide emergency as a result of the COVID-19 pandemic; and

WHEREAS, the Ohio Department of Health has determined that outdoor seating at restaurants is preferable to indoor seating due to its decreased risk to the public from the health threat of the novel Coronavirus, COVID-19; and

WHEREAS, the restrictions on certain businesses and other measures to protect the citizens of Ohio and Westlake from the Coronavirus have had a profound economic impact on many Westlake restaurants and their future success and ability to host customers should be safely facilitated; and

WHEREAS, Chapter 707 of the Codified Ordinances of Westlake regulates outdoor dining facilities; and

WHEREAS, by and through Ordinance No. 2020-92, Council permitted temporary outdoor seating at restaurants during this pandemic; and

WHEREAS, the Mayor, Director of Planning and Director of Inspections have recommended that the regulations in Subsection 707.05(b) be waived and that Section 6 of Ordinance No. 2020-92 be amended to provide for use of weather protection for outdoor dining facilities and temporary outdoor seating areas.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1: That Section 6 of Ordinance No. 2020-92 is hereby amended and as amended shall read as follows:

**CITY OF WESTLAKE, OHIO
ORDINANCE NO. 2021-132
PAGE 2**

“Section 6: That an approved temporary outdoor seating area established pursuant to this Ordinance shall be permitted only until midnight on December 31, 202~~1~~2.”

Section 2: That Section 3 of Ordinance No. 2020-135 is hereby amended and as amended shall read as follows:

“Section 3: That weather protection administratively approved under the waiver provided for in Section 2 herein shall be permitted only until December 31, 202~~1~~2.”

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake and Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the further reason that it is immediately necessary to assist local restaurants with the provision of weather protection for outdoor seating during the colder months in an effort to help protect the health and safety of their guests and patrons, and further provided it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: _____

Michael F. Killeen
President of Council

Presented to Mayor: _____

Approved: _____

ATTEST:

Denise L. Rosenbaum, MMC
Clerk of Council

Dennis M. Clough, Mayor