Resolution No. 2814

RESOLUTION REENACTING AND EXTENDING THE PREVIOUSLY-ENACTED TEMPORARY SUSPENSION OF THE REQUIREMENTS AND ENFORCEMENT OF SMC 10.34.020 OFF-STREET PARKING SPACES TABLE 34-1 RESTAURANT LAND USES FOR EXISTING BUSINESSES WHO CHOOSE TO EXPAND OR ESTABLISH OUTDOOR EATING AREAS

WHEREAS, on April 28, 2020, the Selah City Council enacted – via a Resolution – a temporary suspension of the requirements and enforcement of Selah Municipal Code section 10.23.020 (off-street parking spaces table 34-1 restaurant land uses for existing businesses) in order to allow restaurants and other businesses to temporarily convert existing parking areas and/or other existing outdoor areas into eating seating and dining areas during the Covid-19 restrictions imposed by the Governor on indoor eating seating and dining areas; and

WHEREAS, such prior Resolution expired – via an automatic sunset – as of 11:59 p.m., September 30, 2020; and

WHEREAS, the Selah City Council desires to reenact and extend the temporary suspension, as though the prior Resolution never expired, such that the temporary suspension will and shall continue in effect beyond the prior automatic sunset time and instead will and shall now automatically sunset as of 11:59 p.m., Sunday, February 28, 2021 (if not further extended, or canceled sooner, via a separate Resolution); and

WHEREAS, the Selah City Council finds that it is in the best interest of the City to pass this Resolution; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SELAH:

Section 1. Temporary Suspension of SMC 10.34.020. The City of Selah hereby temporarily suspends the requirements and enforcement of SMC 10.34.020 Off-Street Parking Spaces Table 34-1 Restaurant Land uses for existing businesses that choose to expand or establish outdoor eating areas within their existing parking lots or other areas deemed allowable by the City of Selah Public Works Director in accordance with the following standards:

- Areas temporarily converted to seating or dining usage must be clearly marked and separated from areas that are used for ingress and egress of vehicle traffic, for on-premise vehicle traffic, and for on-premises vehicle parking.

- Areas that are presently used for ADA ramps or parking stalls may not be converted and must continue to be used exclusively for ADA purposes. ADA compliance must be maintained at all times.

- Areas that are presently used for ingress and egress vehicle traffic or for

on-premises vehicle travel may not be converted and must continue to be used exclusively for such purposes. Only parking stalls and other areas may be converted to seating or dining usage.

Section 2. Expiration of Resolution. This Resolution shall automatically sunset and expire, and thus no longer have any continued or future effect, at 11:59 p.m., February 28, 2021.

Section 4. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Resolution is declared invalid or unconstitutional for any reason, such decision shall not affect the validity of the remaining portions of this Resolution.

ADOPTED BY THE CITY COUNCIL at a regular meeting, signed, and approved this 10th day of November, 2020.

Sherry Raymond

Sherry Raymond, Mayor

ATTEST:

Dale Novobielski, Clerk/Treasurer

APPROVED AS TO FORM:

D. R. (Rob) Case, City Attorney