



The Mayor and Commissioners of the Town of Elkton

Resolution R5-2020 [Fifth Amendment]

A RESOLUTION of the Mayor and Commissioners of the Town of Elkton providing an alcohol waiver and the temporary use of parking spaces along specific areas of Main Street to accommodate outdoor dining for *Foodservice Establishments/Restaurants* and Bars.

WHEREAS, the Mayor and Commissioners have the authority under Section 9.04.030, Chapter 9.04, of the Code of the Town of Elkton to grant an exception to the general provisions under Chapter 9.04 prohibiting the possession and consumption of alcoholic beverages at locations specified in this chapter; and

WHEREAS, the Elkton Alliance has requested a waiver under Chapter 9.04 in order that applicable *Foodservice Establishments/Restaurants and Bars* may serve food and alcoholic beverages to customers in an **outdoor seating venue in parking spaces along Main Street adjacent to these types of businesses**; and

WHEREAS, the Mayor and Commissioners have determined that allocating parking spaces in areas adjacent to *Foodservice Establishments/Restaurants and Bars* on Main Street is in the best interests of the business community, which the Mayor and Commissioners support; and

WHEREAS, Governor Lawrence J. Hogan issued Executive **Order Number 20-11-17-01 entitled Order of the Governor of the State of Maryland Amending and Restating the Order of October 30, 2020, Allowing Reopening of Certain Businesses and Facilities, Subject to Local Regulation, and Generally Requiring Use of Face Coverings** providing, among other provisions, that *Foodservice Establishments/Restaurants and Bars* may serve food and beverages to customers for consumption in both indoor and outdoor seating areas, as well as to sell food and beverages to be taken from the premises, or through delivery to customers off the premises, consistent with the provisions of this Order; and

WHEREAS, all persons, including business owners and operators, business employees, and customers must comply with all restrictions, limitations, specifications, and other provisions set forth in the aforementioned Executive Order, directives or orders issued by the Cecil County Health Department, and ordinances of the Town of Elkton.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners as follows:

- 1) That an alcohol waiver be granted to the Elkton Alliance effective Friday, May 29, 2020, at 5:00 p.m., and expiring upon revocation by the Mayor & Commissioners, applicable to *Foodservice Establishments/Restaurants and Bars* on Main Street located between the intersections of West Main Street/Bow Street and East Main Street/Courthouse Alley, and at locations of other Restaurants and Bars within Corporate Limits of the Town of Elkton; and
- 2) That open alcoholic beverages may only be possessed and consumed within the confines of the *Foodservice Establishment's/Restaurant's and Bar's* **outdoor dining premises** created by barriers surrounding the parking spaces and other areas used for that purpose; and
- 3) That the parking spaces adjacent to *Foodservice Establishments/Restaurants and Bars* on Main Street that may be blocked off and used to accommodate outdoor dining may be utilized during the hours of 7:00 a.m. to 10:00 pm. (or as otherwise deemed appropriate by the Board), Monday through Sunday.

THIS SECTION INTENTIONALLY LEFT BLANK

READ AND PASSED DURING A VIRTUAL TOWN MEETING
THIS 3rd DAY OF FEBRUARY, 2021

Mayor and Commissioners
of the Town of Elkton

Mayor Robert J. Alt
Commissioner Jean A. Broomell
Commissioner Charles H. Givens, Sr.
Commissioner Robert M. Massimiano
Commissioner Earl M. Piner, Sr.