



Town of East Greenwich State of Rhode Island

EXECUTIVE ORDER

20-2

July 31, 2020

Temporary Expansion of Restaurant and Retail Business Service Area

WHEREAS, on March 9, 2020, the State of Rhode Island Governor Gina M. Raimondo issued Executive Order 20-03 declaring a state of emergency due to the outbreak of COVID-19, which was then superseded by subsequent Executive Orders 20-18 dated April 8, 2020, 20-31 dated May 6, 2020, 20-42 dated June 4, 2020 and 20-52 dated July 3, 2020;

WHEREAS, a local state of emergency was originally declared on March 16, 2020, which was then superseded by subsequent emergency declarations dated April 13, 2020 and June 8, 2020;

WHEREAS, pursuant to the emergency powers granted by the Rhode Island General Laws, and any other applicable provisions of state or local law, the Town Manager can issue additional directives, orders, and recommendations as circumstances require; and

WHEREAS, the pandemic has adversely affected the restaurant and retail industries; and

WHEREAS, Governor Raimondo has allowed restaurants to resume limited outdoor dining service, and limited indoor dine-in service at the moment; and

WHEREAS, as of July 13, 2020, the Town has adopted Ordinance No. 895 and Ordinance 896 to allow outdoor expansion of restaurant service areas and suspension of off-street parking requirements through November 30, 2020; and

WHEREAS, the Town of East Greenwich needs to take additional measures to support local restaurants;

NOW, THEREFORE, I, Andrew E. Nota, East Greenwich Town Manager, by virtue of the authority vested in said office pursuant to the Rhode Island General Laws, including but not limited to Title 30, Chapter 15 of the General Laws, and pursuant to the authority delegated to me by the Town Council, do hereby order and direct the following:

1. Restaurants and retailers located in Town are authorized to temporarily expand their business/service areas into sidewalks and/or adjacent private or public areas, subject to the following conditions:

- Expansion must be pursuant to and in accordance with any executive orders issued by Governor Gina Raimondo, directives of the Rhode Island Department of Health, Department of Business Regulation, or any other state agency.
- Expansion shall be strictly temporary and shall be permitted only so long as any ordinances, executive orders, directives, and/or guidelines related to COVID-19 and social distancing are in effect. The Town reserves the right to take enforcement action with respect to licensing and/or zoning against any establishment that fails to restore the conditions of the premises to what was permitted before social distancing measures were required.

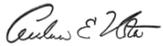
- Expansion shall not result in an increase in capacity beyond what is currently permitted, provided however that Section 15-9(1)(g) of the Code of Ordinances is hereby suspended, so as to allow an increase in capacity of 100% beyond what is currently permitted but in no event to a total of more than 50 outdoor seats, and subject to the determination of the Town Manager that neither public health and safety nor neighborhood character will be negatively impacted by such increased capacity.

2. An applicant who is denied permission to temporarily expand service area may appeal such decision to the Town Council.

3. The Police Department is authorized to enforce these regulations in accordance with state directives and the Emergency Management statute.

This executive order shall remain in effect until October 13, 2020, unless renewed, modified, or terminated by a subsequent executive order. Provided, however, that if the statewide state of emergency enacted by executive order by Governor Gina Raimondo should terminate or expire sooner, then this executive order shall expire on that date.

So Ordered:



Andrew E. Nota, Town Manager