

# CITY of DeBARY

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THE RIVER CITY

## MEMORANDUM

To: DeBary Residents and Businesses

From: Carmen Rosamonda, City Manager



Date: May 4, 2020

Re: Temporary Waiver of Parking, Outdoor Food, and Alcohol Service Restrictions

Governor Ron DeSantis issued a phased reopening of Florida's economy allowing restaurants and retail stores to partially open. Restaurants and stores that choose to open will have to adhere to specific social distancing guidelines of six feet outdoors and operate at a maximum of 25% capacity indoors. Restaurants with outdoor seating must ensure that tables are spaced six feet apart as well. Gyms and personal services such as barbershops, bars and nightclubs are to remain closed.

Due to the conditions of the Governor's order, the City of DeBary is temporarily waiving certain ordinances, thus allowing for restaurants and retail to utilize their outdoor space for seating and sales of merchandise.

The City will be allowing restaurants that don't already have formal outdoor seating, to temporarily provide outdoor seating and pop-up canopies in their parking lots or other suitable outdoor areas such as lawns or patios. The City is also temporarily suspending special exception permitting requirements for outdoor alcohol service and consumption for restaurants that are currently authorized and licensed to serve alcoholic beverages on their premises pursuant to state law and the City's ordinances. Retail businesses will be allowed to have outdoor displays of merchandise and mobile transaction locations as well, and permitting requirements for such are hereby temporarily suspended for retail businesses licensed and approved to do business within the City.

Tables and chairs shall be arranged so they are at least six feet apart and shall be placed in safe locations. Tables, chairs and merchandise displays shall be located so as not to block access to other businesses in the area or pass-through traffic. All outdoor seating and merchandise arrangements shall ensure wheel chair access is not blocked as well.

City of DeBary, fire, police, or neighborhood improvement staff shall have the authority to inspect participating businesses practicing this new arrangement. If after an inspection, the City





determines that there are safety or access issues, the seating arrangement, merchandise displays or locations may be required to be modified or to discontinue. This determination shall be made on a case by case basis.

There shall be no trespassing onto private property, and business owners with a lease must get their property owner's permission before utilizing the outdoor space. Please be considerate of your neighbors, both commercial and residential.

No formal permit or application is required and inspections may be performed periodically and at random.

The temporary permitted outdoor use for restaurant and retail sales shall begin on May 4, 2020 and expire on July 6, 2020.

Please note that this Memorandum applies only to the ordinances of the City of DeBary and does not relieve any business or individual from compliance with the terms of any state license or statute, including but not limited to licenses and laws governing alcoholic beverages, restaurants, retail stores, and other establishments. If you have questions regarding your legal obligations under any state license or statute, you are encouraged to consult an attorney of your choosing.

For questions or comments, please contact the City of DeBary at (386) 668-2040.

