

A RESOLUTION

23-463

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 7, 2020

To declare the existence of an emergency with respect to the need to establish guidelines to allow on-premises retailer's licensees, class C or D, and Convention Center food and alcohol establishments to resume and expand operations, and to establish safeguards to protect District residents and visitors while dining at these establishments in accordance with Phase Two of the District's Reopening plan.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Streatery Program and Pop Up Locations Emergency Declaration Resolution of 2020".

Sec. 2. (a) On March 11, 2020, the Mayor issued Mayor's Orders 2020-45, and 2020-46, and on April 15, 2020, Order 2020-63, declaring a public emergency and a public health emergency in the District due to the imminent threat to the health, safety, and welfare of District residents posed by the spread of COVID-19.

(b) As a result of COVID-19 and the Mayor's Orders issued in response to the pandemic, many District businesses have changed or ceased their business operations in whole or in part. To assist these businesses, while at the same time protecting the health, safety, and welfare of District residents, and visitors, the Council passed emergency legislation to establish guidelines that would allow these businesses to modify their business model or return to partial operation.

(c) Since declaring a public emergency and a public health emergency in March 2020, the Mayor has taken concerted steps to reopen the District so that businesses can safely return to operation.

(d) On May 27, 2020, the Mayor issued Mayor's Order 2020-67 announcing that the District had entered into Phase One of the District's Reopening plan. Among other things, in Phase One of the District's Reopening plan, restaurants and other on-premises licensees were permitted to serve seated patrons for dining on outdoor public or private spaces.

(e) On June 19, 2020, the Mayor issued Mayor's Order 2020-75, announcing that the District had entered into Phase Two of the District's Reopening plan. Mayor's Order 2020-75 superseded Mayor's Order 2020-67 by, among other things, allowing restaurants and other on-premises licensees to resume serving seated patrons for dining indoors as long as they comply with specific guidelines.

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(f) Despite being allowed to resume operations at their licensed premises, many alcoholic beverage licensed establishments are struggling financially. The pandemic and the resulting closures have had a dire impact on these establishments. Many establishments have ceased operations, resulting in vacant stores throughout the District. To aid these establishments, on-premises licensees will be permitted, on a temporary basis, to offer beer, wine, or spirits for on-premises indoor consumption or in closed containers along with at least one prepared food item for carryout or delivery from up to 2 additional locations.

(g) The Mayor's Phase One of the District's Reopening plan allows restaurants and other on-premises licensees to serve patrons on outdoor public or private space. Many restaurants and on-premises licensees in the District do not currently have outdoor public or private spaces on their alcoholic beverage licenses. In an effort to assist these establishments, restaurants and other on-premises licensees shall be permitted to register with the Board to be allowed to sell beer, wine, or spirits, on a temporary basis, on expanded or new ground floor or street level outdoor public or private space for outdoor dining.

Sec. 3. The Council of the District of Columbia determines that the circumstances in section 2 constitute emergency circumstances making it necessary that the Streatery Program and Pop Up Locations Emergency Amendment Act of 2020 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.