

VILLAGE OF MAPLE PARK, ILLINOIS

RESOLUTION 2021-09

A RESOLUTION AUTHORIZING THE TEMPORARY USE OF THE PUBLIC SIDEWALK BY THE MAIN STREET AND PLEASANT STREET BARS, RESTAURANTS AND COFFEE SHOP ESTABLISHMENTS

WHEREAS, the Village of Maple Park (Village) is a non-home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and,

WHEREAS, the Governor of the State of Illinois on March 9, 2020 has declared a Disaster and on March 26, 2020 the President of the United States has accepted that declaration; and,

WHEREAS, on May 5, 2020 the Governor issued the Restore Illinois Plan in order to begin re-opening the State of Illinois, and on April 21, 2021 the Illinois Department of Commerce and Economic Opportunity provided Restore Illinois Phase 4 Guideline Facts and updated COVID-19 bar and restaurant requirements for indoor and outdoor dining that is based on spacing and vaccination confirmation; and,

WHEREAS, the Village deems it necessary and beneficial to provide the bars and restaurants along Main Street with the greatest opportunity to move closer to fully re-opening their businesses, until the “Bridge Phase” and “Phase V” of the Restore Illinois Plan are enacted, by allowing the use of public sidewalks in front of the bars and restaurants along Main Street and the coffee shop located on Pleasant Street, that the Village may provide the owners with outdoor seating that they might not currently possess; and,

WHEREAS, this Board’s action requires that the Board authorize the temporary use of the public sidewalk in front of each establishment, the permitted sidewalk use will take place between May 5, 2021 and September 8, 2021, whereas the Village Board may then again consider extending the temporary use of the public sidewalk; and,

WHEREAS, the logistics of the use of the public sidewalk will be the responsibility of the owners of the establishments and that the owners will provide and set up and take down the tables and chairs needed for the seated area, including a detailed policing of the neighborhood the day after public sidewalk use is no longer active in order to ensure all is clean;

SECTION 1. The use of the public sidewalk shall occur on May 5, 2021 from approximately 10:00 a.m. and shall continue until 12:00 Noon on September 8, 2021.

SECTION 2. The bar and restaurant owners assume full responsibility for the direction, protection, and regulation of their public sidewalk use.

SECTION 3. To the fullest extent permitted by law, the owners shall be responsible for all injuries, to persons or property, and shall indemnify and hold harmless the Village of Maple Park, its officers, employees, and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorneys’ fees and expenses) of every nature or description, arising out of, resulting from, or connected with the exercise of authority granted by the requestor, which is the subject of this resolution. This obligation is binding upon the requestor, regardless of whether or not such claim, damage, loss or expense is caused in part by the act, omission, or negligence of the Village of Maple Park or its officers, employees or agents.

SECTION 4. The bar and restaurant owners shall provide a comprehensive general liability policy and an additional named insured endorsement in the amount of \$2,000,000.00 general aggregate, \$1,000,000.00 per person, which has the Village of Maple Park, its officials, employees, and agents as insureds, and which protects them all from claims arising from the requested road closure. A copy of said policy and endorsement shall be provided to the Village of Maple Park before the public sidewalk will be available for use as outdoor seating.

PASSED by the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois at a regular Board meeting held on May 4, 2021.

AYES: Groezinger, Rebone, Speare, Ward

NAYS: _____

ABSENT: _____

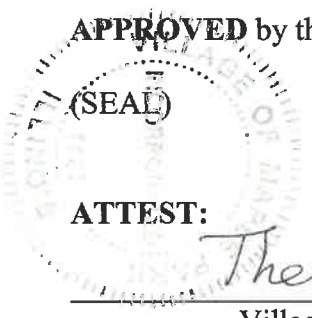
ABSTAIN: _____

APPROVED by the Village President on the 4th day of May, 2021.

(SEAL)


Suzanne Fahnestock, Village President

ATTEST:


Theresa D'Amato
Village Clerk
By Cheryl Aldridge Deputy Clerk