

Resolution No. 11 (2020)

A RESOLUTION TO GOVERNOR POLIS AND THE MOFFAT COUNTY BOARD OF HEALTH SUPPORTING THE SAFE REOPENING OF RESTAURANTS AND BARS IN THE CITY OF CRAIG AS OUTLINED BY SOME OF THE OBJECTIVES REFERENCED IN THE MAY 1, 2020 LETTER FROM THE COLORADO RESTAURANT ASSOCIATION AND ADDRESSED TO ELECTED OFFICIALS ACROSS COLORADO AND ATTACHED TO THIS RESOLUTION.

WHEREAS the Craig City Council recognizes the importance and concern of the Colorado Restaurant Association (CRA) in asking elected officials across the State of Colorado for support in opening their businesses as soon as possible.

WHEREAS the City Council also recognizes that this group of businesses are some of the hardest hit businesses in our state and in many cases are now desperately looking for relief from the closure of their dining areas and seating areas.

WHEREAS the CRA represents some 12,500 eating and drinking establishments across the State of Colorado, including their employment of 294,000 people making up 10% of Colorado's workforce and for which the overwhelming majority of those establishments are small, locally owned businesses.

WHEREAS the City Council recognizes that 91 percent of Colorado Restaurant Operators say they have laid off or furloughed employees since the Coronavirus outbreak in March and forecast that 36 percent of operators will permanently close their doors by the end of May without any relief from the restrictions that are currently imposed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF CRAIG, COLORADO, AS FOLLOWS:

The City Council asks that Governor Polis and the Moffat County Board of Health relieve the harsh burden placed on these businesses in our community based on the extraordinary low incidence of serious COVID 19 infections and the need to balance the economic impact with the safe management and prevention of future infections by doing the following:

- 1) Allow for the safe reopening of these establishments in Craig as we work closely with the Moffat County Board of Health to implement appropriate guidelines that would encourage in-store dining along with guidelines for social distancing and employee PPE usage.
- 2) Provide the announced intent to reopen with ample notice, preferably by mid-May, so that these establishments will have time to retool for an on-time reopening.
- 3) With ample notice of a reopening date given to restaurants and bars, the City Council of Craig proposes their ongoing support through public comment, marketing and social media posts to encourage healthy patrons to eat out in

restaurants in order to support these vital businesses in our community and to prevent them from closing, as well as to boost the economy of Craig.

- 4) The City Council also proposes to hear requests from this group of businesses that would enable a faster recovery with support in managing certain city payments & fees, promoting the use of temporary signage and public banners to advertise their food offerings and specials, allow businesses to continue temporary 'stop and go' meal pick-ups outside their restaurants for a defined period of time in 2020, support licensed expansion plans for patios, parking lots or other adjacent open areas as appropriate.
- 5) **ENFORCEMENT ACTIVITY:** The City Council will support and judge all restaurants on good faith efforts to comply with these new re-opening guidelines and requirements.

This Resolution shall take effect upon adoption, shall be authenticated and shall be numbered and recorded in the official records of the City.

If any provision of this resolution or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this resolution which can be given effect without the invalid provisions or applications. The provisions of this resolution are expressly declared to be severable.

READ AND APPROVED THIS 12TH DAY OF MAY 2020 BY THE CITY COUNCIL FOR THE CITY OF CRAIG, COLORADO.

Jarrold Ogden, Mayor

Attest:

Liz White, City Clerk



May 1, 2020

Dear Colorado Local Elected Officials:

The Colorado Restaurant Association (CRA) is writing to ask for your help as we try to focus efforts on reopening Colorado, supporting those businesses that have been hit hardest and are looking toward economic recovery. As one of the largest employers in the state, the Colorado foodservice industry employs 294,000 people making up 10% of Colorado's workforce. There are more than 12,500 eating & drinking establishments in Colorado, and the overwhelming majority of those are locally owned small businesses.

Restaurants are experiencing significant hardships over the reduction in revenue because dining rooms are closed and restaurant capacity will be limited as we start to reopen. (I am attaching our most recent survey on how restaurants have been impacted – completed just a week ago.)

I am writing to ask you to work with us and help identify some temporary changes that will alleviate some of the hardships restaurants are experiencing, protect jobs and to help bring revenue to both restaurants and local governments. We have identified a few things that we ask you to consider implementing immediately.

Laws/ordinances:

- Minimum wage increases should be suspended or reversed to state levels. Any further consideration for increases should be delayed. Wage increases significantly increase operating costs and many restaurants will be unable to absorb these costs in the current economic climate.
- Suspension or forgiveness of utility payments should be implemented where a municipality has jurisdiction to do so.

Permitting:

- Allow businesses to apply for temporary permits to extend their licensed premise beyond their patios and into their parking lots. We are working with the state on relaxing their rules to ensure local jurisdictions have the ability to do so should they choose.
- Allow restaurants to work with neighboring businesses to extend patios beyond their own space and into that of their neighbor's outdoor space. On this issue, we are also working with the state on allowing flexibility here.
- Loosen all restrictions on public banners and signs that do not significantly block the public right-of-way through the end of October (ex: banners, sandwich boards). This will be key to letting restaurants advertise daily specials and menus, as well as the fact that they are open for business.
- Allow businesses to set up temporary outdoor 'stop and go' meal pick-ups outside their restaurants through the end of the summer.

Taxes/Fees:

- Forgive all local payroll or head taxes for those with employees back on their payroll – including those that are using PPP funds.
- Forgive/suspend all local sales and use taxes for Q1, Q2, and potentially Q3. If this is not viable, please consider appropriate sales tax holidays. For instance, the Colorado Restaurant Association is working to plan a Colorado Restaurant Week in conjunction with the Colorado Tourism Office. Sales taxes be suspended during this week to encourage customers to eat out and to show support for this vital industry. Also consider holidays such as Mother’s Day and Father’s Day, for example.
- Suspend all city and municipal fees through the end of September.
- Suspend taxes on “non-essential food items” like takeout/disposable containers, single-use condiments and more.
- Temporarily suspend fees for single use plastic bags – as many grocery stores (and soon restaurants) will be asking customers NOT to bring in reusable bags for the safety of their guests and staff.

Food Service Support:

- Continue to suspend parking meter payment requirements to make it easier for customers to pick up food from restaurants.
- Consider allowing restaurants to bag meters at no cost, to allow for to-go parking for their restaurants.
- Judge all restaurants on good faith efforts to comply with new re-opening guidelines and requirements.

Considerations for Reopening:

- Please adopt all state reopening timelines and guidelines to minimize confusion.
- Provide as much advance notice as possible to prepare for dining room reopening in support of employees and managers. 14 days is commonly referenced as a helpful timeframe for notice.
- A ‘safe harbor’ provision outlined by Mayors and City Councils for local businesses is necessary to set expectations amongst consumers, employees, and operators regarding COVID-19 liability issues.
- Revise current requirements for licensing processes that delay the expansion of a licensed premise to include patios, parking lots, or other open areas directly adjacent to the restaurants. Consider allowing restaurants to share this space, i.e. a common consumption area. Require local licensing agencies to process these requests within a week of the submitted request.
- In order for Common Consumption Areas to be a viable option for a restaurant to expand their licensed premise in a promising way, they would need to:
 - Allow for the sale and service of alcohol in the Common Consumption Area that is currently limited to consumption only,
 - Allow for the use of reusable, non-logo cups in the Common Consumption Area,

- Require that participating licensees designate which areas or tables are going to be used by each licensee, and;
- Make it clear that the licensee responsible for the table or area is liable for any violation of liquor law in that area or at that table.
- Although well intentioned, we have significant concerns about a local mandated curfew as it could result in the unintended consequence of increased crowding. If our goal is to maintain appropriate social distancing, we will want to think carefully about unintentional crowding as guests who may have otherwise visited a business later in the evening are limited to a smaller window of time. The result could be problematic as opposed to the alternative of providing the necessary time and space needed to operate safely for both employees and guests.
- Once restaurants can reopen dining rooms, Mayors and local officials should promote eating out in restaurants (if you are well) to boost the economy. This can be done via public comments, social media posts, and marketing.
- Offer clear direction about reopening timelines and requirements. Restaurants need timely notice, including what requirements are going to be. We need time to prepare.

Thank you for your continued support for our industry. We welcome dialogue and are happy to be a resource for your office as we work together to protect restaurants – that are so valuable to Colorado communities.

Sincerely,



Sonia Riggs, President & CEO

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