

EXHIBIT “A” – TEMPORARY COVID-19 CITY OF ANKENY OUTDOOR PATIO REGULATIONS

Regulations expire 30 days after the state wide public health emergency has been lifted respecting the operation of food service establishments and bars.

In addition to all State guidelines, the City of Ankeny has created the following guidelines to temporarily allow bars and food service establishments to expand their business footprint onto private parking areas and the public rights-of-way without application of certain City Code and permit requirements.

1. Private parking lots on the same lot as the food service establishment.
 - a. Provide written permission from the property owner.
 - b. Outside area limited to 30% of the parking spaces or 50% of the allowed interior seating whichever is less.
 - c. Adjacent to, or within a reasonable distance from the access to the building.
 - d. A six-foot unobstructed ADA compliant sidewalk must be maintained from the remaining parking area to the entrance to the food service establishment and outdoor seating area.
 - e. Tables and chairs must be placed with 6’ separation and 6’ separation from the ADA compliant sidewalk.
 - f. No more than 6 people may be seated at a table.
 - g. Hours of operation for the temporary outdoor seating area shall be consistent with the approved Special Use Permit for the premises, if applicable, otherwise no later than 10:00pm.
 - h. Provide adequate lighting of the service area facing downward and shielded to prevent any light spill onto adjoining property.
 - i. If there is service of alcohol and is either within 500 feet of residential uses or contains amplified sound, the applicant must secure a Special Use Permit for the outdoor service area as well as meet the liquor license requirements of the State of Iowa.
 - j. Violation of any provisions of the Resolution of this Exhibit “A” will be considered a nuisance and enforceable as such.
2. Private sidewalk areas adjacent to a food service establishment.
 - a. Seating for the food service establishment may be placed in front of a neighboring business with the written permission of the property owner and lease holder.
 - b. Adjacent to, or within a reasonable distance from the access to the building.
 - c. A six-foot unobstructed ADA compliant sidewalk must be maintained from the remaining parking area to the entrance to the food service establishment and outdoor seating area.
 - d. Tables and chairs must be placed with 6’ separation and 6’ separation from the ADA compliant sidewalk.
 - e. No more than 6 people may be seated at a table.
 - f. Hours of operation for the temporary outdoor seating area shall be consistent with the approved Special Use Permit for the premises, if applicable, otherwise no later than 10:00pm.

- g. Provide adequate lighting of the service area facing downward and shielded to prevent any light spill onto adjoining property.
 - h. If there is service of alcohol and is either within 500 feet of residential uses or contains amplified sound, the applicant must secure a Special Use Permit for the outdoor service area as well as meet the liquor license requirements of the State of Iowa.
 - i. Violation of any provisions of the Resolution of this Exhibit "A" will be considered a nuisance and enforceable as such.
- 3. Public right-of-way/sidewalk adjacent to a food service establishment.
 - a. Seating for the food service establishment by be placed on the public sidewalk directly in front of the establishment.
 - b. A six-foot unobstructed ADA compliant sidewalk must be maintained in front of the establishment.
 - c. Proof of insurance in type and amount as required by the City, and indemnification of City must be provided to cover the expanded area.
 - d. Tables and chairs must be placed with 6' separation and 6' separation from the ADA compliant sidewalk.
 - e. No more than 6 people may be seated at a table.
 - f. Hours of operation for the temporary outdoor seating area shall be consistent with the approved Special Use Permit for the premises, if applicable, otherwise no later than 10:00pm.
 - g. Provide adequate lighting of the service area facing downward and shielded to prevent any light spill onto adjoining property.
 - h. If there is service of alcohol and is either within 500 feet of residential uses or contains amplified sound, the applicant must secure a Special Use Permit for the outdoor service area as well as meet the liquor license requirements of the State of Iowa.
 - i. Violation of any provisions of the Resolution of this Exhibit "A" will be considered a nuisance and enforceable as such.
- 4. Bars
 - a. Must follow all requirements set out above.
 - b. May not locate on public streets.
 - c. Violation of any provisions of the Resolution of this Exhibit "A" will be considered a nuisance and enforceable as such.

Should a business fail to comply, they will be subject to an order to immediately vacate the outdoor seating area.