



Legislation Details (With Text)

**File #:** 63857      **Version:** 1      **Name:** Extending the Streatery Program until April 14, 2022  
**Type:** Resolution      **Status:** Passed  
**File created:** 1/23/2021      **In control:** Attorney's Office  
**On agenda:** 2/23/2021      **Final action:** 2/23/2021  
**Enactment date:** 3/3/2021      **Enactment #:** RES-21-00156  
**Title:** Extending the Streatery Program and all approvals granted until April 14, 2022  
**Sponsors:** Satya V. Rhodes-Conway, Christian A. Albouras, Michael E. Verveer, Grant Foster, Syed Abbas, Lindsay Lemmer, Sheri Carter

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/23/2021	1	COMMON COUNCIL	Adopt Unanimously	Pass
2/2/2021	1	COMMON COUNCIL	Refer to a future Meeting to Adopt	Pass
1/23/2021	1	Attorney's Office	Referred for Introduction	

**Fiscal Note**

The proposed resolution extends the end date of the Streatery Program until April 14, 2022. Adopted RES-20-00439 (File 60695) allowed restaurants and taverns to expand outdoor service areas and adopted RES-21-00079 (File 63529) extended the waiver of street vending fees for the 2021-2022 season. As stated in RES-20-00439, there will be minor negative fiscal implications from the waiver of application fees associated with zoning, temporary liquor license expansions, and street occupancy permit applications (\$50, \$25, and approximately \$200 per application, respectively). Any remaining fiscal impact would come from the monthly fee associated with taking over a parking area through a street occupancy permit, if an eating area expands into the roadway.

**Title**

Extending the Streatery Program and all approvals granted until April 14, 2022

**Body**

WHEREAS, on March 17, 2020, Public Health Madison & Dane County announced that community spread of COVID-19 was occurring in Dane County, with the first confirmed community death being reported on March 25; and,

WHEREAS, COVID-19 has come with unprecedented challenges to our local economy, including to restaurants and taverns, which were unable to serve indoor or outdoor customers from March 23, 2020 to May 26, 2020; and,

WHEREAS, on May 26, 2020, Public Health Madison and Dane County (PHMDC) issued Emergency Order #3, allowing restaurants and taverns to resume indoor service at 25% capacity and outdoor seating, provided that stools inside taverns are spaced six (6) feet apart and tables inside and outside of restaurants and taverns are spaced six (6) feet apart with a limit of six (6) people per table who are members of the same household; and

WHEREAS, since May 26, 2020, PHMDC has issued additional superseding public health orders with similar indoor capacity restrictions for restaurants and taverns; and

WHEREAS, Mayoral Emergency Order and Common Council Resolution (RES-20-00439 (Legistar File 60695)) allowed restaurants and taverns to establish or expand outdoor service areas on private property and city streets and sidewalks, including the roadway, in order to serve more customers outside while adhering to PHMDC Orders, requirements, and guidelines (the "Streatery Program"); and,

WHEREAS, Common Council Resolution (RES-20-00681)(Legistar File 61932) extended the Streatery Program through April 21, 2021 and added additional requirements related to, among other things, conducting Streateries during the winter months; and

WHEREAS, the Mayoral Emergency Order and two resolutions cited above waived or changed a variety of rules and permit fees to facilitate the Streatery Program; and

WHEREAS, sidewalk café license fees will continue to be waived for the 2021-2022 Street Vending Season pursuant to another resolution (RES-21-00079, File No. 63529); and

WHEREAS, since its creation, the Streatery Program has proven to be a very popular and integral part of the City's economic and cultural response to COVID-19, allowing restaurants and taverns the opportunity to earn additional revenue in the midst of a public health and economic crisis while providing Madison residents with a safer option for being together during a Pandemic that requires varying levels of isolation as a means of combatting the virus; and

WHEREAS, as of January 21, 2021, approximately 140 Madison businesses are participating in the Streatery Program; and

WHEREAS, the severe consequences of COVID-19 are expected to continue well into 2022 as local, state, and federal governments work to, among other things, distribute COVID-19 vaccines; and

WHEREAS, restaurant and tavern owners have expressed a desire for the City to extend the Streatery Program beyond April 21, 2021 in order to continue aiding their response to and recovery from the Pandemic; and,

WHEREAS, extending the Streatery Program through April 14, 2022 will continue aiding in the recovery of the local economy while ensuring adherence to PHMDC's Orders, requirements, and guidelines; and

WHEREAS, extending the Streatery Program through April 14, 2022 will allow city staff time to assess the possibility of creating a permanent version of the Streatery Program for policy makers to consider for implementation.

NOW THEREFORE BE IT RESOLVED that the Streatery Program and all approvals granted pursuant to it shall be extended until April 14, 2022 provided that the establishments are in compliance with the regulations of the Streatery Program, including the minimum requirements contained in the Mayoral Order and Common Council Resolutions RES-20-00439 and RES-20-00681; and,

BE IT FURTHER RESOLVED that the City of Madison Ordinances listed in the Mayoral Order and Common Council Resolutions RES-20-00439 and RES-20-00681 shall remain suspended as provided therein until April 14, 2022; and

BE IT FURTHER RESOLVED, that all Streatery requirements listed in Mayoral Order and Common Council Resolutions RES-20-00439 and RES-20-00681 are hereby extended until April 14, 2022;

BE IT FURTHER RESOLVED, that approval of any expanded sidewalk café license, outdoor eating area, alcohol license expansion, or street occupancy permit is temporary and are subject to continued compliance with all applicable federal, state and local laws and Public Health Madison and Dane County Orders, requirements, and guidelines; and would require future, additional approval if the City establishes a permanent Streatery Program; and

BE IT FINALLY RESOLVED, that this Resolution will remain in effect until April 14, 2022.