

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2021, Legislative Day No. 12

Bill No. 56-21

Introduced by Mr. Volke

By the County Council, May 20, 2021

Introduced and first read on May 20, 2021
Public Hearing set for June 7, 2021
Bill Expires on August 23, 2021

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN EMERGENCY ORDINANCE concerning: Food Service Facilities – Outdoor Seating
2
3 FOR the purpose of allowing outdoor seating for a food service facility as a temporary use
4 under certain circumstances; providing conditions for the temporary use; providing for
5 applicability of this Ordinance; and making this Ordinance an emergency measure.
6

7 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
8 That outdoor seating for a food service facility, as defined in § 21-301 of the Health-
9 General Article of the State Code, is allowed as a temporary use, without the necessity for
10 a permit, if the facility complies with all of the following requirements:
11

12 (1) If the outdoor seating includes the use of sidewalks, grassed areas, parking pads,
13 a parking lot, or parking lots, the outside seating area shall be clearly delineated as outside
14 seating through the use of bollards, posts, landscaping planters, fencing, or the like;
15

16 (2) If outdoor seating includes the use of a parking lot or parking lots:

17 i. ADA accessible parking spaces may not be used;

18 ii. Traffic flow in and out of the site may not be blocked; and

19
20 iii. Fire lanes for emergency vehicles shall remain unobstructed to maintain
21 adequate clearance to meet Fire Code standards;
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23 (3) If indoor restrooms are to be used, the facility shall provide points of access to
24 the restrooms, and the outdoor seating area may not be located more than 500 feet from the
25 restrooms;
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27 (4) The facility shall obtain a building permit for any tent over 200 square feet;
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1 (5) The use of outdoor electric or plumbing shall comply with all Code
2 requirements;
3 and
4

5 (6) The facility shall obtain approval from the Board of License Commissioners for
6 any alcohol sales or service, if required.
7

8 SECTION 2. *And be it further enacted*, That the provisions of this Ordinance shall
9 remain in effect until October 31, 2021, after which it shall stand repealed and, with no
10 further action required by the County Council, be of no further force and effect, and, unless
11 the food service facility obtains all permits and permissions required by law, the outdoor
12 seating facilities shall be removed by November 7, 2021.
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14 SECTION 3. *And be it further enacted*, That this Ordinance is hereby declared to be an
15 emergency ordinance and necessary for the immediate preservation of the public peace,
16 health, safety, welfare, and property, and being passed by the affirmative vote of five
17 members of the County Council, the same shall take effect from the date it becomes law.