



Acting Mayor  
PAUL ESPOSITO

City Clerk  
MICHAEL SHADLEY

City Administrator  
AMY MARRERO

## CITY OF OAKBROOK TERRACE

17W275 BUTTERFIELD ROAD  
OAKBROOK TERRACE, IL 60181  
630-941-8300 FAX 630-617-0036

Alderman  
Ward 1  
PAUL ESPOSITO  
CHARLIE BARBARI

Alderman  
Ward 2  
FRANK VLACH  
DENNIS GRECO

Alderman  
Ward 3  
ROBERT PRZYCHODNI  
ROBERT RADA

May 27, 2020

Dear Restaurant Owner/Manager,

On May 20, 2020 Governor Pritzker announced that Illinois bars and restaurants will be allowed to offer outdoor dining. The City of Oakbrook Terrace embraces this opportunity for our restaurants to welcome back customers.

Attached is an application package that will allow the City of Oakbrook Terrace to process and approve your outdoor dining request. This application package provides guidance for restaurants with a full kitchen to support a safe environment for your workers and customers. As the economy starts to move slowly towards reopening, the City encourages best practices. This application package should be used in tandem with information from the Illinois Department of Health, DuPage County Health Department, Illinois Department of Commerce and Economic Opportunity (IDCEO), National Restaurant Association, and the Centers for Disease Control (CDC).

These guidelines and their conclusions and recommendations reflect the best available information at the time they were prepared. The results of future studies may require revisions to the recommendations of these guidelines.

Additionally, included in this package are the following documents needed for the City to approve your application.

- COMPLETED CITY OF OAKBROOK TERRACE OUTDOOR DINING APPLICATION
- A DETAILED RENDERING OF THE OUTDOOR SEATING AREA (EXPANDED ONLY):
  - Detailing where tables will be located.
  - How the flow of customers will be directed.
  - Detailing where emergency vehicles could have access.
- COMPLETED HOLD HARMLESS AGREEMENT
  - Certificate of Insurance naming the City as an additional insured.

Restaurants wishing to offer outdoor dining is voluntary, but for those who do open ***shall adhere to these minimum guidelines***. Furthermore, the City strongly recommends that restaurants conduct an internal analysis to determine other steps that can be taken to ensure employee and customer safety.

The City of Oakbrook Terrace may revoke a restaurants temporary off-premises (outdoor) dining for failure to comply with the criteria in this application package. Any direction by the Liquor Commissioner to modify or discontinue the use due to safety concerns should be followed immediately.

Please complete the attached documents needed to approve your outdoor dining. Once the application and other required documents are submitted to the City, the Code Enforcement Officer will inspect each site and issue an approval if the space meets the City's guidelines.

Please complete the application and other required documents, and email it to the City of Oakbrook Terrace at **Reopen@oakbrookterrace.net**.

Thank you for your continued dedication to our community, and if I can be of any assistance feel free to contact me at any time.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Esposito", with a long horizontal flourish extending to the right.

Paul Esposito  
Acting Mayor  
(630) 941-8300 x208



## CITY OF OAKBROOK TERRACE OUTDOOR DINING APPLICATION

Business Name	Management Contact Name
Address	Telephone Number

Please provide the following:

# Of Tables	Size Of Tables
# Of Chairs	
# Of Tents	Size Of Tent(s)
Type of Lighting Capacity	

If you plan on offering outdoor dining, and the restaurant is located within a shared use, please attach confirmation from the property owner/manager of their consent to allow outdoor seating at this location. Also a rendering of the outdoor seating location must be attached to the application.

I \_\_\_\_\_, as the owner/manager of such restaurant property within the City of Oakbrook Terrace do hereby make application for outdoor seating as weather permits.

The Application Checklist below must be completed and the Code Enforcement Officer must inspect the site and approve the outdoor dining area before the restaurant opens to the public. ***In order to schedule an inspection please contact Mark Collins directly at (630) 669-1622.***

\_\_\_\_\_  
Signature Title Date

**Application Checklist:**

1. The application should be completed by the restaurant owner or manager.
2. The Outdoor Dining Hold Harmless Agreement must be signed and attached with proof of commercial and liquor liability insurance naming the City of Oakbrook Terrace as an additional insured.
3. A rendering of the outdoor seating location must be attached to this application. The rendering must detail where the tables will be located, how many tables, size of tables, placement and size of tents, dimensions of expanded eating area, and how the flow of customers will be directed. Finally, please indicate where emergency vehicles can be parked if an emergency were to happen.
4. If the restaurant is located within a shared use area, then please attach the owner's consent to allow outdoor dining.
5. Before restaurants may welcome guests in the outdoor dining area, the City of Oakbrook Terrace Code Enforcement Officer must inspect and approve each outdoor dining area.



**City of Oakbrook Terrace  
OUTDOOR DINING  
HOLD HARMLESS AGREEMENT**

Whereas, \_\_\_\_\_ (name of "Organization") desires to open their establishment located at \_\_\_\_\_ ("the Premises") for outdoor dining .

Whereas, the City of Oakbrook Terrace agrees to allow the Organization to use the Premises for outdoor dining in consideration of the Organization agreeing to assume all risk and liability pertaining to outdoor dining. Now therefore, the Organization agrees as follows:

To the fullest extent permitted by law, the Organization hereby indemnifies, defends, and holds harmless the City of Oakbrook Terrace and its officials, employees, agents and volunteers from and against any and all liability or claim of liability, loss or expense, including defense costs and legal fees and claims for damages of whatsoever character, nature and kind, whether directly or indirectly arising from outdoor dining or connected with an act or omission of the Organization, or an agent, invitee, guest, employee, or anyone in, on or about the Premises invited by and/or with the permission and consent of the Organization, with respect to the Premises or the operations, activities or services, of any nature whatsoever, of outdoor dining, including, but not limited to, liability expense and claims for: bodily injury, death, personal injury, or property damage caused by the negligence, creation or maintenance of a dangerous condition of property, or intentional infliction of harm or violation of state and federal laws.

Nothing set forth in this Agreement shall be deemed a waiver by the City of Oakbrook Terrace of any defenses or immunities that are or would be otherwise available to the City of Oakbrook Terrace or its officials, employees, agents or volunteers under the provisions of the Illinois Local Government and Governmental Employees Tort Immunity Act, or that are otherwise available to local governments and their corporate authorities, officers, employees, agents and volunteers under the common law of the State of Illinois or the United States of America. The provisions of this Section shall survive the expiration or earlier termination of this Agreement or renewal thereof.

Without limiting the Organization's indemnification of the City of Oakbrook Terrace as provided above, the Organization shall provide and maintain at its own expense for outdoor dining the below listed policies of insurance or liability coverage covering the activities, services or operations relating to outdoor dining. All such insurance of the Organization and the insurance of the owners/operators shall be secured through a carrier(s) satisfactory to the City of Oakbrook Terrace. Satisfactory evidence of such insurance and any required endorsements, including the insurance required of the owners/operators, will be delivered to the City

of Oakbrook Terrace Administrator five (5) days before outdoor dining is offered as a seating option. The City of Oakbrook Terrace's insurance or liability coverage shall always be deemed excess over any other insurance or liability coverage whether primary, excess, pro rata, contingent or any other basis.

- a. Commercial General Liability: \$2,000,000 combined single limit per occurrence for bodily injury, property damage and personal injury with a general aggregate of \$4,000,000 limit. The City of Oakbrook Terrace, its officials, employees, agents and volunteers shall be named as an additional insured on a primary and non-contributory basis under the policy or coverage by original endorsement signed by a person authorized to bind coverage.
- b. Liquor Liability: maintain a minimum of \$2,000,000 per occurrence for its sale of alcoholic beverages and require that any other party selling or serving alcoholic beverages during the Outdoor dining shall provide Liquor Liability insurance in the same amount with the City of Oakbrook Terrace, its officials, employees, agents and volunteers named as additional insured on a primary and non-contributory basis by original endorsement signed by a person authorized to bind coverage.

All policies of insurance or liability coverage shall contain a waiver of subrogation as against the City of Oakbrook Terrace, its official, employees, agents and volunteers except with respect to the sole negligence of the City of Oakbrook Terrace.

The invalidity or unenforceability of any of the provisions hereof shall not affect the validity or enforceability of the remainder of this Agreement.

The undersigned represents it has full authority to execute this Use of Property and Hold Harmless Agreement on behalf of the \_\_\_\_\_.

Agreed this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
(Name of Organization)

\_\_\_\_\_  
Signature of Authorized Person

\_\_\_\_\_  
Title

# CITY OF OAKBROOK TERRACE OUTDOOR DINING GUIDELINES

## **OUTDOOR DINING (Existing and/or Expanded)**

Restaurants with existing outdoor dining and restaurants that wish to temporarily expand an outdoor dining area by using parking spaces or other areas shall abide by the following:

- Restaurants shall comply with protocols or guidelines issued by all other official agencies.
- By means of signage, signs for face covering requirements, social distance guidelines, and cleaning protocols should be displayed. Social distancing markers should be placed in key areas, such as restrooms, bar area and take out order lines.
- Bar areas will be permitted, but should allow for at least 6-feet of separation from seated customers. Bar areas are to be used for the restaurants functionality. Customers will not be able to congregate at the bar area.
- Take out areas are still permitted, and should also allow for at least 6 feet of separation from seated customers.
- Outdoor dining areas should be open (no side walls), but may utilize tents or other top coverings that meet City guidelines.
- Indoor space where 50% or more of a wall can be removed via the openings of windows, doors, or panels, provided that dining tables are within 8 feet from such opening will be allowed.
- The outdoor dining area shall be closed no later than 10:00 p.m. Sunday through Thursday, and no later than midnight (12:00 a.m.) on Friday and Saturday.
- Restaurants should try to avoid using anything that could be shared. It is recommended to use anything disposable to eliminate possible spread of contamination. Items such as napkins, food ware, silverware, beverage glasses, salt and pepper shakers or condiments. If practical, implement touchless transactions!
- Provide disposable menus or make them digitally available so customers can view on an electrical device. If disposable menus cannot be provided, properly disinfect menus before and after customer use.
- If disposables will not be utilized, reusable items such as utensils, plates and glasses, must be properly washed, rinsed and sanitized. Additionally, all items should be stored away from all customers and the public.
- Restaurants should eliminate refilling customer beverages altogether and should use a new glass that has been properly washed, rinsed and sanitized.
- Customers should handle their own leftover food to be taken to go.
- For pre-rolled napkins, employees must wash hands before pre-rolling. The pre-roll napkins should be stored in a clean container.

# CITY OF OAKBROOK TERRACE OUTDOOR DINING GUIDELINES

- Adequate safeguards shall be in place for security, crowd control, lighting control, and the protection of minors.
- Except for restroom visits and takeout orders, indoor premises are closed for public use.
- Masks shall be required for customers/public to enter the indoor premises.
- Outdoor trash receptacles shall be provided and maintained.
- Tables should be spaced to allow for a minimum of a 6-foot separation. Public seating and eating areas NEED to be reduced and/or reconfigured to allow for the minimum separation of 6 feet.
- The number of customers allowed at a single table shall be limited to a household unit or customers who have asked to be seated together. People in the same party seated at the same table, do not have to be 6 feet apart.
- Customers should wear face masks, except while eating and drinking at tables.
- Implement a reservation or call ahead model.
- Customers should wait for services off premises in their vehicles. When a table is available customers should be seated immediately.

## **OUTDOOR DINING (Additional Guidelines for Expanded)**

Restaurants seeking to temporarily add or expand outdoor dining areas by using a parking lot or other outdoor areas:

- Restaurants need to submit a rendering detailing where tables will be located, and how the flow of customers will be directed. Recommended dividers should be put in place to show incoming traffic to walk on one side of entry, and outgoing on the other side.
- Restaurants may not expand outdoor dining in front of neighboring businesses without written consent from the neighboring business and/or property owner.
- Restaurants may utilize up to 25% of their parking lot.
- If the expanded dining area is in a parking lot, a temporary physical barrier shall separate the outdoor dining area from the rest of the parking lot.
- Restaurants that do not own their parking lot or other outdoor area shall secure correspondence from the property owner or property manager granting permission to use the area for outdoor dining.
- Restaurants with a strip mall, plaza, shopping center or other multi-tenant space shall secure correspondence from the property manager/owner prior to expanding outdoor dining into common parking, pedestrian or greenspace areas.

# CITY OF OAKBROOK TERRACE OUTDOOR DINING GUIDELINES

- Driveways, drive aisles, drive through or other means for traffic circulation may not be impeded.
- No permanent barriers may be installed without proper permits.
- Permanent plumbing, electrical, and lighting fixtures shall not be installed.
- Any temporary lighting shall be directed in a manner to not impair visibility on nearby streets and not shine into nearby residences.
- ADA parking spaces are required, and cannot be part of the extended dining area.
- The extended outdoor area should be accessible to the disabled and comply with all applicable federal, state and city laws and regulations.

## EMPLOYER GUIDELINES

- Sanitize and disinfect tables, chairs, and counters (if bar area is used) after each use, and again at closing time.
- The following areas shall be disinfected regularly during the day and upon indication of additional need:
  - ✓ Breakrooms
  - ✓ Restrooms
  - ✓ Workstations
  - ✓ Employee-Only Areas
- Restaurants should be thoroughly cleaned during non-operating hours, and should be conducted in compliance with CDC protocols on a routine basis.
- In restrooms, every other sink and urinal shall be taped off and signage shall be posted to encourage proper hygiene.
- Sanitizing wipe packets, and/or hand sanitizer shall be available at designated entrances.
- Recommended to have designated staff that are responsible for cleaning only.
- Staff should wash hands or utilize hand sanitizer after each customer transaction. Allow frequent breaks for handwashing with soap and water for at least 20 seconds.
- Staff should be provided face masks, gloves and aprons, and should change them for new ones frequently.
- Provide time for staff to implement cleaning practices during their shift.
- Post signage reminding staff of CDC hygiene and safety guidelines.

# CITY OF OAKBROOK TERRACE OUTDOOR DINING GUIDELINES

## HEALTH MONITORING

- Employers should make temperature checks available for employees, upon entry into workplace and mid-shift screening. Employees with body temperature greater than 100.4 F shall be directed to return home.
- Employers should post information about the symptoms of COVID-19.
- If an employee does contract COVID-19, they should remain isolated at home for a minimum of ten (10) days after symptom onset and can come back to work after being fever free for at least 72 hours, OR has 2 negative COVID-19 tests in a row, with testing done at least 24 hours apart.
- If an employee is identified as being COVID-19 positive by testing, CDC cleaning and disinfecting should be performed as soon after the confirmation of a positive test is practical.
- Any employee who has had close contact with a co-worker or any other person who is diagnosed with COVID-19 is required to quarantine for 14 days after the most recent contact with the infected individual, and should be encouraged to seek a COVID-19 test.