COVID-19 Emergency Ordinances

March 2020 – Beginning of COVID-19 pandemic forces indoor public spaces to close

April 2020 – ReStart WyCo economic recovery plan is developed to help local businesses through the pandemic

Fall 2020 – Board of Commissioners approves emergency ordinances to:

1. Allow outdoor dining and retail sales
2. Expand mobile vending and farmer’s markets
3. Allow outdoor taverns
4. Permit recreational “open streets”

Dec. 2020 – Extended through 2021

Dec. 2021 – Extended again through June 30, 2022
WHEREAS, securing the health, safety and welfare of residents, businesses and visitors to Wyandotte County is the Unified Government’s top priority; and

WHEREAS, Wyandotte County is facing a crisis—the pandemic and public health emergency of COVID-19—resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Wyandotte County citizens and businesses; and

WHEREAS, as a result of local and state orders pertaining to social distancing, many businesses face restrictions on the number of people who may be inside the business at any one time; and

WHEREAS, in order to accelerate the economic recovery plan set forth in ReStart WyCo: Road to Recovery, it is necessary to take certain actions in order to encourage customers to visit local businesses and in order to allow those local businesses to accommodate the number of customers that they need in order to be profitable; and

WHEREAS, the Unified Government has determined that due to the COVID-19 pandemic, and the public health, safety and welfare concerns associated therewith, that enforcement of certain provisions of the Unified Government Code of Ordinances should be suspended for a limited amount of time.

WHEREAS, vending on the public streets and sidewalks may promote the public interest by contributing to an active and attractive pedestrian environment for businesses and customers. The purpose of accommodating vending carts, sidewalk sales, and vendor persons in pedestrian-oriented commercial areas is to increase economic activity, attract pedestrians, extend their visits and enhance overall community quality of life.

WHEREAS, reasonable regulation of street and sidewalk vending is necessary to protect the public health, safety, and
COVID-19 Emergency Ordinances

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• WHEREAS, reasonable regulation of street and sidewalk vending is necessary to protect the public health, safety, and welfare.
Emergency Ordinances

- Outdoor service and sales
  - *Street cafes, outdoor taverns, walk-up market*
- Farmer’s markets
  - *Seasonal and weekly*
- Mobile vending
  - *Food trucks, food trailers, push carts*
- Mobile market
  - *Dotte Mobile Market*
- Open streets
  - *Expanded safety on residential streets*
Enumerated Businesses

- Restaurants & bars
- Food trucks & mobile vendors
- Art galleries
- Books & paper goods
- Professional services
- Plants & seeds
- Clothing
- Jewelry & accessories
- Homemade crafts & goods
- Non-profits

- Repair work outside the building is NOT allowed
Operating Standards

- All entities must have business license or 501(c)(3) status
- Hours of operation defined
- All outdoor service and retail sales limited to 4 defined areas:
  1. Sidewalks;
  2. Front/side/rear yard setbacks;
  3. On-street parklet (temporary or semi-permanent); and/or,
  4. Off-street surplus parking
Safety Standards

- Maintain ADA accessibility on sidewalk and into businesses
- 4 feet clearance from all street furniture
- Safe space for queuing
- 15 feet clearance from fire hydrants and bus stops
- ADA parking and loading zones maintained
- Sight distance triangles maintained
- Enforcement powers delegated to Fire, Public Health, Codes and Zoning
Yard (Rear/Side/Front) Standards

Yard and surplus parking service and sales in Chapter 27:

- Structures may not interfere with a building’s access to light or drainage

- Must provide clear pedestrian pathway, ingress and egress

- Administrative review for semi-permanent/permanent structures

- Mobile vending, mobile market and farmer’s markets require permission of property owner

Top to bottom:
- Jones Bar-B-Q
- Slap’s BBQ
- GG’s Barbacoa
ROW Sales Standards

Sidewalk and street service and sales in Chapter 32:

• Keep clear of street furniture and provide for ADA clearance

• Sale of alcohol allowed (outdoor service and outdoor taverns) with ABC approval

• Everything must be brought indoors while businesses are closed, except semi-permanent parklets

• Non-profits allowed with owner’s permission

Top to bottom:
Non-profits at 7th Street transit center, special event street closure farmer’s market, and outdoor service and sales
On-Street Parklets

• One (1) space allowed per parcel (if available)

• Must be 20 feet from an intersection or street corner (site lines)

• Structure can be temporary or semi-permanent

• Seating at least three (3) feet from traffic

• Only allowed on street with speed limits up to 40 mph

• Constructed to Nation Association of City Transportation Officials (NACTO) standards
On-Street Parklet Gallery
Outdoor Taverns

• Must comply with all Kansas ABC regulations

• Outdoor taverns must cease after 10:00PM in ROW and 1:00AM on private property

• Must comply with all noise ordinance regulations

• Must stay within the ABC designated areas of sale and consumption
On-Street Mobile Food Vending

• NO sales allowed on streets with a speed limit greater than 40 mph

• Must feed the meter if applicable, but does not need to conform to posted time limits

• Not allowed to park on residential streets unless invited to block party, open street or special event

• Queues must be a least five (5) feet from passing traffic

• Cannot be located in one location for more than four (4) hours at one time

• Cannot park in front of existing brick-and-mortar restaurant (unless directly associated with said business)
Farmers Markets

- Allowed in any zoning category

- Must submit a site plan for an administrative review

- Farmer’s markets must occur on improved parking lot (food trucks allowed)

- 4 times a week no more than 3 consecutive days

- Allowed from 6:00AM to 8:00PM, but no longer than 6 hours at a time

Top: Rosedale Farmers Market

Bottom: Downtown Farmers Market
Open Streets

• Provide an expanded public realm for safe recreation

• Streets must be designated as residential, neighborhood, or local to be eligible

• Allows local traffic only

• Barricades must be easily moved to allow emergency vehicle and delivery access

• Open Street Block Captain is responsible for all maintenance and administration

• Application process and barricade standards enumerated
Conclusion

• Support local businesses, expand vibrancy of our commercial corridors, and enhance public health

• Cleaned up accessory use, outdoor vending, collection facility and donation bin sections

• Will continue to monitor and enforce standards

• Will continue to conduct outreach to business community and public