

**CITY OF MONROE**  
**ORDINANCE NO. 023/2020**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, APPROVING AND ADOPTING BY REFERENCE THE MAYOR'S EMERGENCY EXECUTIVE ORDER NO. 2020-010; APPROVING THE ESTABLISHMENT OF A PERMIT PROCESS AND ASSOCIATED STANDARDS TO AUTHORIZE THE TEMPORARY USE OF CERTAIN ON-STREET PARKING SPACES BY LOCAL RESTAURANTS FOR OUTDOOR DINING PURPOSES; PROVIDING FOR SEVERABILITY; DECLARING A PUBLIC EMERGENCY; AND ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, local business, particularly restaurants, have been severely impacted by the 2020 COVID-19 pandemic and the associated restrictions imposed by the State of Washington; and

WHEREAS, in response to the recent surge in COVID-19 cases, Governor Inslee issued Proclamation No. 20-25.8 on November 15, 2020, which imposed several new restrictions on businesses, including a categorical prohibition on indoor dining at restaurants; and

WHEREAS, Proclamation No. 20-25.8 does not prohibit restaurants from offering outdoor dining in compliance with the Outdoor Dining Guidance established by the State; and

WHEREAS, on November 18, 2020, Monroe Mayor Geoffrey Thomas issued Emergency Executive Order 2020-010, which establishes a permit process and standards, set forth in Chapter 12.30 MMC, for authorizing restaurants to utilize certain on-street parking spaces for outdoor dining; and

WHEREAS, pursuant to MMC 2.60.050(C), Emergency Executive Order 2020-010 was presented to the City Council at the December 8, 2020 Council meeting; and

WHEREAS, the City Council desires to approve and, by passage of this ordinance, adopt by reference Emergency Executive Order 2020-010 as a formal enactment of the Council;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts the above recitals, together with the content of Agenda Bill AB 20-224 and the Discussion items set forth in Emergency Executive Order No. 2020-010, as legislative findings in support of this ordinance.

Section 2. Approval and Adoption by Reference of Emergency Executive Order No. 2020-010; Superseding Effect. The City Council hereby approves and adopts by reference Emergency Executive Order No. 2020-010 as contained in Exhibit A, attached hereto and incorporated herein by this reference as if set forth in full. Without limitation of the foregoing, by this enactment it is the City Council's express intent that the substantive content of Emergency Executive Order No. 2020-010 shall: (i) have the force and effect of a City of Monroe ordinance; (ii) be deemed to supersede any conflicting provision of the Monroe Municipal Code, to the limited extent of such conflict; and (iii) be liberally construed and administered in a manner consistent with its purpose.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Declaration of Emergency; Effective Date; Sunset. Based upon the findings set forth above, the City Council hereby declares a public emergency requiring this ordinance to take effect immediately. This ordinance shall accordingly be in full force and effect immediately upon passage, and shall remain effective for a period of six months unless terminated earlier or subsequently extended by the City Council.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe, at a regular meeting held this 8 day of December, 2020.

First Reading: December 8, 2020  
Adoption: December 8, 2020  
Published: December 11, 2020  
Effective: December 16, 2020

CITY OF MONROE, WASHINGTON:

  
[Geoffrey Thomas \(Dec 9, 2020 18:08 PST\)](#)

Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:



Rabecca R. Hasart, City Clerk

  
[Zach LeIl \(Dec 10, 2020 08:15 PST\)](#)

J. Zachary LeIl, City Attorney









# Ordinance 023 2020 Outdoor Dining

Final Audit Report

2020-12-10

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