

Borough of East Stroudsburg Pennsylvania

Borough of East Stroudsburg's **BUSINESS RECOVERY PROGRAM** A post-COVID-19 Business Recovery Plan

Purpose:

1. The purpose of this plan is to provide temporarily relief to our local small businesses, especially our restaurants and retailers, to allow them to recover from the closure of their businesses during the COVID-19 pandemic. **This plan is designed to be used by businesses throughout the Borough, not just in the downtown/Crystal Street area.**
2. The plan allows small Borough businesses to temporarily expand their respective footprints to help alleviate the expected effects to the state-mandated social distancing requirements. The goal is to provide more area in which businesses may temporarily operate while continuing to deter the spread of the coronavirus.
3. This plan will be offered for Wednesday through Sunday. Hours to be determined depending on the number and types of businesses that participate.
4. This plan will be offered while the Borough operates in the yellow and green phase of the Governor's Orders. This plan will sunset at 10:30 p.m. on November 1, 2020. The Borough will monitor the plan for efficacy and safety and reserves the right to modify the terms and conditions at any time including the cessation of the plan altogether. The Borough requires small business to file applications with the Borough in order to participate in the plan. Be advised that a Borough approval to participate in the plan does not constitute a property right but rather temporary permission to participate so long as all conditions of the plan, as currently exist or may be modified, are met by the participating business and the plan remains in effect.
5. The plan includes the ability to temporarily close streets and/or temporarily close Parking Bays (Parklets) if approved by Borough Council. Currently, the Borough will consider closing all or parts of streets or parking bays to vehicular traffic in the central business district to allow safe pedestrian access to businesses while maintaining recommended social distancing protocols – **6 feet or more between patrons and tables in restaurants and 6 feet separation for retailer displays at all times while outdoor usage is allowed.**
6. **A non-obstructed thirty-six inch (36) or three (3) foot pedestrian walk way shall be maintained at all times on the sidewalk.**

Businesses that wish to participate in this plan must register their business and include a map and diagram of where product racks or table/chairs and trash facilities will be placed.

Regulations:

1. All businesses participating in this recovery plan must be fully licensed by the Borough of East Stroudsburg and shall be subject to all applicable inspections as well as applicable laws, rules, and regulations affecting the businesses licenses and permits.
2. OWNERS AND EMPLOYEES of said businesses will be required to have their customers practice social distancing and wear masks in accordance with the Governor's Executive Orders and Guidance for the specific business wishing to participate in the plan. **Failure to enforce social distancing protocols will result in forfeiture of the business' outside dining permit.**
3. If said business is primarily a drinking establishment or a restaurant that becomes a drinking establishment after serving meals, the business owner and employees **MUST ENFORCE THE SOCIAL DISTANCING PROTOCOLS** as established by the Governor's Executive Orders and Guidance. The congregation of large groups of people on sidewalks and right of ways not practicing social distancing will not be tolerated. **It is the responsibility of the businesses to police their services to ensure compliance.**
4. Restaurant owners must provide their own tables, chairs linens, eating utensils, and trash receptacles, and retailers must provide their own display racks/shelves.
5. As per the Governors Order for outdoor dining, in the Yellow Phase a maximum of 50% of the indoor dining capacity and during the Green Phase a maximum 75% of the indoor dining capacity shall be allowed for outdoor dining if the restaurant is fire protected with a sprinkler system. For restaurants that are NOT fire protected with a sprinkler system, in the Yellow Phase a maximum of 12 seats per 1000 square feet of indoor dining area shall be allowed for outdoor dining. In the Green Phase a maximum of 18 seats per 1000 Square feet of indoor dining area shall be allowed for outdoor dining.
6. This plan allows for disposable plates or flatware. If non-disposable utensils and plates are used, they must be cleaned in a commercial dishwashing machine. Disposable cups may be used. All menus **MUST BE** single use menus.
7. Tables and chairs cannot extend into the vehicular lanes to allow for emergency vehicles and a location diagram of tables and chairs must be included in the application and approved by the Borough.
8. Tables and chairs shall not extend beyond the host's lateral property line. (this may be amended by request, with written permission of neighboring businesses).
9. Parklets shall only be allowed on streets with a posted speed limit of 25 MPH or less.
10. Parklets, a minimum of two (2) Parking Bays and a maximum of four (4) Parking Bays may be reserved as a Parklet for outdoor dining usage. A map showing the Parking Bays being requested for usage as a Parklet must be provided with the permit showing location of Parking Bays, location of tables and seats and barrier location and design/material.
11. Where more than one restaurant may be in the same area the Borough will provide the location for participating restaurants. Sharing of Parklets for businesses with differing hours is encouraged. Tables, chairs, and retail displays must be out of the right of way by 10:30 p.m. on the days the recovery plan is in effect and shall not be in any portion of the right of way on all other days.
12. If parking bays are to be utilized, barriers are required to separate the dining area from an area where a vehicle may travel.

13. Barricades shall be a minimum of Twenty-seven (27) inches tall and a maximum of forty-eight (48) inches tall.
14. All business owners will be responsible for sanitizing and cleaning all eating surfaces and furniture after each use.
15. All business owners will be responsible for cleaning up and collecting and disposing all trash at the end of their operating hours. Municipal trash receptacles shall not be used for the disposal of restaurant and or retail waste.
16. All tables and backs of chairs (when a person is seated in them) will be at least 6 feet apart and 6 feet from doors, ADA ramps, Borough facilities (benches and trash receptacles) and other businesses facilities.
17. All operation requirements included in the Governor's Executive Orders and Guidance apply to this recovery plan.
18. All applicable PA Liquor Control Board rules and regulations will apply and will be monitored by the PA Liquor Control Enforcement division.
19. Masks must be worn by **all employees** of the business.
20. Reservations are encouraged by individuals using the expanded outdoor spaces. This regulation is to aide the restaurant in knowing how many patrons it will be serving on a given night in order to plan in accordance with the Governor's Executive Orders and Guidance. A list of all patron's names, addresses and a way to contact shall be kept for all patrons utilizing the outdoor dining facilities.
21. If a business is using a tent, they must meet all building and health code requirements for safe operation including weights to prevent the tent from becoming airborne during high winds. The tent may not have walls which will allow for open air flow. Absolutely no cooking shall be done under a tent, even if it is fire-retardant.
22. Additional outdoor dining and sidewalk permits will not be required for the duration of this recovery plan.
23. Fire lanes, hydrants, and ADA accessible pedestrian routes cannot be blocked at any time.
24. Propane heaters shall not be closer than 10 feet to any entrance/exit of any structure and never under a non-fire rated tent or umbrellas.
25. **Smoking is strictly prohibited** in all temporary outdoor spaces and it is the responsibility of the business to enforce.
26. The Borough is not responsible for theft or damage of any equipment utilized by the businesses at any time. Business owners are encouraged to protect their property and secure same after normal business hours.
27. Each applicant must provide proof of property and liability insurance and agree that the Borough will be held harmless and indemnified from any claims as a result of use by providing the Borough a Certificate of Insurance naming the Borough as an Additional Insured.
28. There will be no selling of alcoholic drinks outside the business premises if the business is not a dining establishment. Alcohol sales are limited to restaurants and/or diners that have proper PLCB licensing. Alcohol Sales prohibited in the Borough Right of Way (Parking Bays or Bump Outs within the Right of Way)

29. This program may be difficult to introduce for some businesses and the Borough will work with all in the spirit of cooperation, but the Borough reserves the right to deny road closures or restrictions on certain streets in its sole discretion.
30. As a result of ever evolving policies during these unprecedented times, the Borough reserves the right to unilaterally revise these guidelines and to cancel or suspend this recovery plan at its discretion.
- 31. Failure to follow social distancing protocols and the Governor's Executive Orders and Guidance will result in a revocation of permission for the business to participate in the recovery plan.**
32. There are no additional outdoor usage permit fees for this recovery plan.

The Borough of East Stroudsburg understands that this recovery plan may be inconvenient to the automobile traffic flow in areas around any business that participates in this plan and will make every effort to make road closures and restrictions as limited as possible. We ask motorists to be patient and understanding. Street closures/restrictions will be limited to Wednesdays through Sundays at times to be established but no earlier than 4 p.m. each day and no later than 10:30 p.m. Parking Bay Closures/ Parklets shall be limited to Wednesday Through Sunday from the hours of 8 a.m. each day and no later than 10:30 p.m.

Business considering the use of this plan should contact the Codes/Zoning and Health department with any questions that may have about code compliance.

Potential Street Closures – whether the Borough Council temporarily closes a street as part of the recovery plan will depend on the number of businesses participating in the area. An example of such plan would be for the central business district which could experience full or partial temporary closures of the following streets:

Central Business District (provided examples only):

Crystal Street

The first block of (1-99) Washington Street

Others to be determined depending on participating businesses

Non-Central Business District:

To be Determined depending on participating businesses

Any additional streets that may have been overlooked can be added by Borough Administration.

An Application form is available and must be completed before permission is granted to enter the recovery plan.

There will be no charge for existing businesses to apply for an outdoor usage permit.

No business shall utilize any portion of the Borough Right of Way prior to approval and issuance of a physical permit.

PARKLET DESIGN

Outdoor dining in Parking Bays (Parklets) normally occupy two parking spaces and extend 6 feet into the parking strip for parallel parking and 15 feet for diagonal parking. Parklets must have a visible barrier with the road, wheel-stops at each end, soft stop posts for directing traffic, public seating areas, curb drainage, provide vertical elements such as a canopy or umbrellas, and provide access to persons in wheelchairs.

The Parklet shall:

- Utilize a minimum of 2 parking spaces and a maximum of 4 parking spaces (longer or shorter will be considered).
- Not extend beyond the host's lateral property line (this may be amended by request, with written permission of neighboring businesses).
- No more than 20% of parking on any block face may be used.
- Block faces with fewer than 10 stalls will be treated on a case by case basis.
- Not extend more than 6 feet into parallel parking stalls.
- Provide 2.5 foot setbacks on either side to buffer the Parklet from adjacent parking spaces.
- Not be located in front of a fire hydrant, manhole cover or utility access, or within 10-feet on either side of a fire hydrant, in accordance with East Stroudsburg Borough Code.

See Figures 1-4 below for visual design standards.

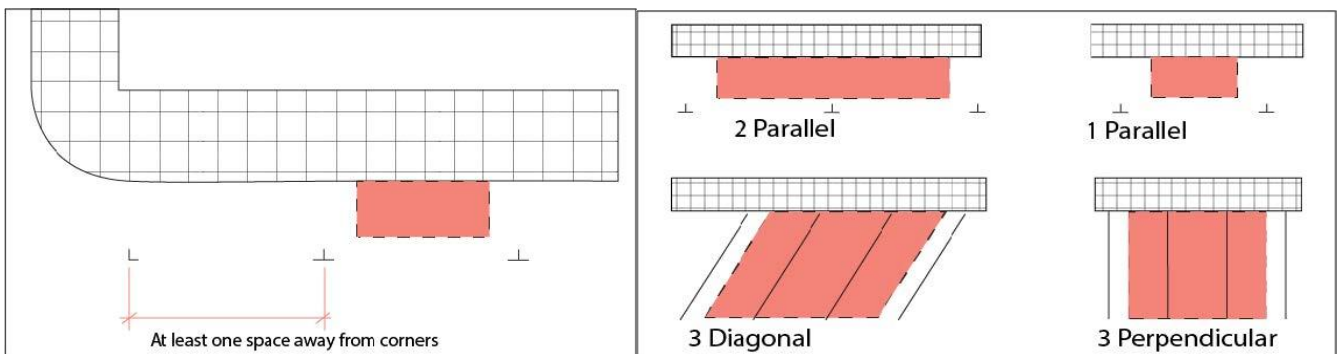


Figure 1. Corner setback.

Figure 2. Parking Bay layout.

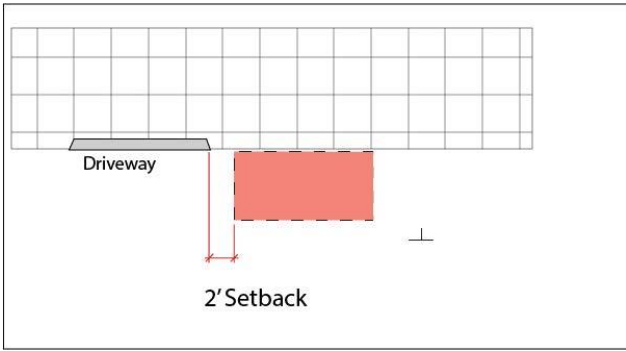


Figure 3. Driveway setback.



Figure 4. Picture of a 2 parking bay setup, white dashes are location of barriers

DESIGN OF BARRIERS

Barriers are meant to demarcate the section provided for tables, chairs and umbrellas, for temporary use in the Parking Bays. Barriers may include but not limited to removable fences, freestanding fences, hedges, planters, trees, removable columns, and other. See figures 1-3 for acceptable barrier styles.



Figure 1. Wood and metal planters as a barrier.



Figure 2. Freestanding glass & metal fence.



Figure 3. Metal and fabric or canvas Insert.
Only the Business name or logo may be placed on the fabric or canvas.

Prohibited Barriers: Chain link fencing, Cones, Cones or Stanchions with caution tape or rope or chain, Chicken Wire or Cyclone Fencing.