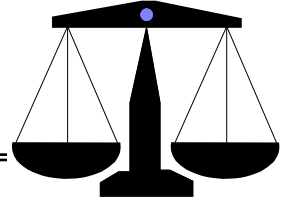


Department of Law



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Lockport Municipal Building
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Lockport, New York 14094
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MEMORANDUM OF UNDERSTANDING

Whereas, on March 7, 2020, the Governor of the State of New York, Andrew M. Cuomo, by Executive Order No. 202, Declared a Disaster Emergency in the State of New York due to the COVID-19 pandemic; and

Whereas, due to the COVID-19 pandemic requiring emergency action on behalf of the City of Lockport in order to protect the health and safety of the residents of the City of Lockport, but also the City's desire to assist small businesses and restaurants that are attempting to reopen pursuant to the Phases instituted by the Governor; and

Whereas, it is the intent of the Common Council to solely authorize the Mayor, following consultation and consent with the Corporation Counsel and Alderwoman at Large, to sign any and all documents and/or contracts necessary to protect the City of Lockport residents from COVID-19; and

Whereas, the Governor has permitted restaurants in the State of New York, and in the City of Lockport, to utilize outdoor seating for its patrons, subject to the laws of the State of New York and the City of Lockport; and

The undersigned agree to the following on behalf of the City of Lockport:

Restaurants in the City of Lockport are hereby permitted to utilize their own private property: be it green space, parking lots, or patios, for the purposes of outdoor seating; and are hereby permitted to likewise utilize rights of way and property belonging to the City of Lockport for the purposes of outdoor seating, as long as the owners abide by the following requirements:

- (1) Owners must file a certificate of insurance with the City Clerk;
- (2) Restaurants' outdoor seating areas must be approved by the building inspector;
- (3) Owners must follow NYS guidelines for the duration of Covid-19 response to the State of Emergency;
- (4) Owners must follow State and local liquor authority guidelines for the duration of Covid-19 response to the State of Emergency;
- (5) If the owner is utilizing city property, residents must still be able to freely traverse the area where the tables are set up;

(6) This is temporary for City restaurants until the Governor advises of the next stage, or, until the Mayor, Corporation Counsel and the Alderwoman at Large rescind or modify this Memorandum of Understanding.

DATED: June 5, 2020

LOCKPORT, NEW YORK

Michelle Roman

Michelle Roman
Mayor, City of Lockport

Laura Miskell Benedict

Laura A. Miskell Benedict
Corporation Counsel

Ellen Schratz

Ellen Schratz
Alderwoman at Large

*** The full guidelines by the Governor, which must be followed by City of Lockport restaurant owners, may be found at the following website:
<https://www.governor.ny.gov/sites/governor.ny.gov/files/atoms/files/OutdoorTakeoutDeliveryFoodServicesMasterGuidance.pdf>