



EO-20-04

**SUPPLEMENTAL DECLARATION OF
STATE OF MUNICIPAL EMERGENCY**

May 6, 2020

WHEREAS: On March 16, 2020, I, Jeffrey J. Mutter, issued a Declaration of State of Municipal Emergency (EO-20-01), which was ratified by the Town Council on April 6, 2020; and

WHEREAS: Governor Raimondo is expected to lift the “stay-at-home” order and permit restaurants and bars to open with restricted occupancy; and

WHEREAS: The Town of Cumberland supports its local businesses and intends to make provisions for restaurants and bars to open to the extent possible while providing a safe environment for employees and patrons; and

WHEREAS: Rhode Island General Laws §§ 30-15-12(b) and 30-15-9(e)(13) permit the Mayor to “do all other things necessary to effectively cope with disasters in the Town not inconsistent with other provisions of law.”

NOW THEREFORE, I, JEFFREY J. MUTTER, pursuant to the powers vested in the Mayor by the Rhode Island General Laws and the Cumberland Town Charter, do hereby order and direct the following:

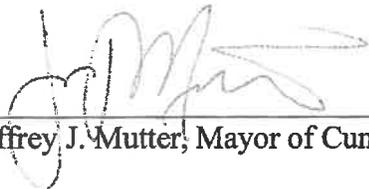
1. Restaurants and bars that choose to provide additional seating may do so once the “stay-at-home” Order is lifted under all of the following requirements:
 - a. The restaurant or bar must have written permission from the owner of the property, if applicable.
 - b. Sidewalk cafes are permitted under this Order, when the requirements of Sect. 8-36(c) of the Cumberland Code of Ordinances (the “Ordinance”) are addressed in the plans required herein. The Public Safety Chiefs may permit service of alcohol relative to sidewalk cafes, when it is safe to do so, in their discretion.
 - c. The restaurant or bar must provide a drawing to the Chief of Police, Fire Chief, and Chief of Emergency Medical Services, or their respective designees (“Public Safety Chiefs”), depicting the proposed seating chart, which must provide state-required social distancing measures, as well as vehicular traffic plans with necessary signage to direct vehicular traffic in a safe manner.
 - d. Article VIII of the Board of Licenses Rules, Regulations, Policies and Procedures (the “Regulations”) shall be addressed on the submitted plans and followed to the extent possible and as approved by the Public Safety Chiefs.
 - e. The Public Safety Chiefs shall review and approve the proposed seating chart and traffic plan, with any noted conditions (the “Approved Plans”).
 - f. The restaurant or bar may provide up to 100% of its normal seating capacity if the property accommodates such seating capacity in the sole discretion of the Public Safety Chiefs, with safe seating and traffic controls in place. In no event shall the restaurant or bar add seating over



normal seating capacity unless it applies to the Board of Licenses under applicable provisions of the Ordinance and Regulations.

- g. The Approved Plans shall be submitted to the Town Clerk, who shall provide notice of the Approved Plans to the Town Council at its next regularly-scheduled meeting and posted on the Agenda under "Report of Temporary Outdoor Seating Plans."
2. To the extent Article VIII of the Regulations and Sect. 8-36 are inconsistent with this Executive Order, particularly relating to fees, notice and hearing requirements, such provisions are suspended.
3. This Executive Order supplements and does not supercede the Governor's Executive Orders and, where any inconsistencies exist between this Order and the Governor's Executive Orders, the Governor's Executive Orders shall control.

This Declaration is effective immediately and shall remain in full force and effect until seating is increased to 100% of normal occupancy by the Governor, unless renewed, modified or terminated by subsequent Declaration.



Jeffrey J. Mutter, Mayor of Cumberland