



# Town of South Kingstown, Rhode Island

## Office of the Town Manager

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**Robert C. Zarnetske**  
Town Manager

### EMERGENCY MANAGEMENT DIRECTOR EXECUTIVE ORDER 2020-02 (FOURTH AMENDMENT)

WHEREAS, on March 9, 2020, the State of Rhode Island Governor Gina M. Raimondo issued Executive Order 20-03 declaring a state of emergency due to the outbreak of COVID-19; and the Town Council of the Town of South Kingstown declared a state of emergency through an emergency ordinance enacted on March 15, 2020, and extended through September 14, 2020 to deal with the COVID-19 pandemic; and

WHEREAS, pursuant to the emergency powers granted by the Rhode Island General Laws, and any other applicable provisions of state or local law, the Town Manager can issue additional directives, orders, and recommendations as circumstances require; and

WHEREAS, the pandemic has adversely affected the restaurant industry; and

WHEREAS, Governor Raimondo has announced that as of May 18, 2020 restaurants may resume limited outdoor dining service, and as of June 1, 2020 restaurants may resume limited indoor dining service; and

WHEREAS, the Town of South Kingstown needs to take additional measures to support local restaurants;

NOW, THEREFORE, I, Robert C. Zarnetske, Town Manager of the Town of South Kingstown, by virtue of the authority vested in said office pursuant to the Rhode Island General Laws, including but not limited to Title 30, Chapter 15 of the General Laws, and pursuant to the authority delegated to me by the Town Council, do hereby order and direct the following:

1. Restaurants located in the Town of South Kingstown are authorized to temporarily expand their service areas, in accordance with Sec. 9-21 and Sec. 12-11 of the Town Code, and Sec. 907(c) of the Zoning Ordinance, as amended by the Town Council on June 8, 2020, subject to the following conditions:
  - Expansion must be pursuant to and in accordance with any current or future executive order(s) issued by Governor Gina Raimondo, directives of the Rhode Island Dept. of Health, Dept. of Business Regulation, or any other state agency, including without limitation all of the rules set forth in the document entitled 'Phase I Guidelines for Restaurants', 'Phase II Guidelines for Restaurants', and 'Phase III Guidelines for Restaurants' available at [www.reopeningri.com](http://www.reopeningri.com)
  - Expansion shall be strictly temporary and shall be permitted only so long as any executive orders, directives, and/or guidelines related to COVID-19 and social distancing are in effect. The Town reserves the right to take enforcement action with respect to licensing and/or zoning against any establishment that fails to restore the conditions of the premises to what was permitted before social distancing measures were required.
  - Expansion must be administratively approved by the Town Manager, Building Official, and Town Engineer. Restaurants wishing to expand must apply for approval via the Town's online permitting system available at <https://southkingstownri.viewpointcloud.com/>
  - All applicable life safety codes must be satisfied.

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- Expansion shall not result in an increase in capacity beyond what is currently permitted.
  - For restaurants wishing to temporarily convert a portion of off-street parking areas into service areas, a parking plan shall be required.
  - Where expansion into an adjacent area not owned by the restaurant is proposed, the applicant shall provide written authorization from the landowner.
  - Before temporary expansion into public property or a public right of way is authorized, the applicant shall provide proof of liability insurance from a company licensed to do business in the state and in a form satisfactory to the town solicitor, of no less than \$1,000,000 protecting the town for all claims and causes of action for personal injury or property damage resulting from such temporary expansion.
  - Fees for building permits, etc. set by the Town shall not be required.
  - The applicant shall agree in writing that temporary authorization to expand shall not confer any vested rights to continue such expanded use after social distancing measures are no longer in effect.
2. The section of the Town Council's Liquor License Rules and Regulations entitled 'Expansion of Liquor Services' is hereby suspended, only in connection with a duly-authorized temporary expansion of a restaurant service area and subject to the case by case approval of the Town Manager.
  3. An applicant denied permission to temporarily expand service area may appeal such decision to the Town Council.

Further, the South Kingstown Police Department is authorized to enforce these regulations in accordance with state directives and the Emergency Management statute.

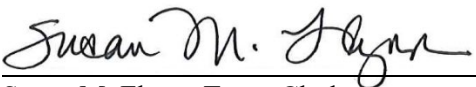
This executive order 2020-02 shall remain in effect until October 31, 2020. This executive order 2020-02 may be further extended if necessary by a subsequent executive order.

Issued July 14, 2020.



Robert C. Zarnetske, Town Manager

Attest:



Susan M. Flynn, Town Clerk