

**CITY OF MERIDIAN ORDINANCE NO. 20-1889**

**BY THE CITY COUNCIL:**

**BERNT, BORTON, CAVENER,  
HOAGLUN, PERREAULT, STRADER**

**AN ORDINANCE AMENDING MERIDIAN CITY CODE SECTION 8-1-4(B)(1), REGARDING REQUIREMENTS FOR CITY OF MERIDIAN USE ZONE ENCROACHMENT PERMITS, ADOPTING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Centers for Disease Control (“CDC”) and the Central District Health Department have issued guidelines for preventing exposure to COVID-19 by maintaining six feet (6’) of distance between people in order to reduce the spread of COVID-19 through respiratory droplets produced when an infected person coughs or sneezes;

**WHEREAS**, restaurants and bars in Meridian are pursuing ways to provide adequate space for social distancing between their patrons, and may wish to do so by expanding service areas into adjacent outdoor spaces; and

**WHEREAS**, the City will continue to require Use Zone Encroachment Permits in order to ensure public safety and compliance with all applicable codes through staff review, but in order to facilitate reopening, finds it in the best interest of the business community and people of Meridian to eliminate certain application requirements;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MERIDIAN, IDAHO:**

**Section 1.** That Meridian City Code section 8-1-4(B)(1) shall be amended to read as follows:

**8-1-4: REQUIREMENTS FOR ENCROACHMENTS IN THE USE ZONE:**

\* \* \*

B. City Of Meridian Use Zone Encroachment Permit:

1. Application: Application for a City of Meridian use zone encroachment permit shall be made to the Director. Such application may be made only by the person owning or renting the property directly adjacent to the use zone on which the proposed encroachments are to be placed. Such application shall include:

- a. A completed application on the form provided by the Planning Division;
- b. Detailed site plan including locations of all existing and proposed encroachments;
- c. Photographs or illustrations showing all proposed encroachments;
- d. Proof of written notice to abutting property owners;
- e. Application fee as set forth in the fee schedule of the Planning Division;
- f. ~~Affidavit of legal interest in the property abutting the use zone where the proposed encroachments are to be placed;~~
- g. Proof of an insurance policy with minimum limits of five hundred thousand dollars (\$500,000.00) per person bodily injury, five hundred thousand dollars (\$500,000.00) per

occurrence bodily injury, and one hundred thousand dollars (\$100,000.00) per occurrence property damage, naming the City as additional insured; and  
h. Other materials as may be reasonably required by the Planning Director.

**Section 2.** That all ordinances, resolutions, orders, or parts thereof or in conflict with this ordinance are hereby voided.

**Section 3.** That this ordinance shall be effective immediately upon its passage and publication.

**PASSED** by the City Council of the City of Meridian, Idaho, this \_\_\_\_ day of \_\_\_\_\_, 2020.

**APPROVED** by the Mayor of the City of Meridian, Idaho, this \_\_\_\_ day of \_\_\_\_\_, 2020.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Robert E. Simison, Mayor

\_\_\_\_\_  
Chris Johnson, City Clerk

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO  
ADEQUACY OF SUMMARY OF ORDINANCE NO. 20-1889**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the below summary of Ordinance no. 20-\_\_\_\_\_ of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
William L.M. Nary, City Attorney

**PUBLISHED SUMMARY OF ORDINANCE PURSUANT TO I.C. § 50-901A  
CITY OF MERIDIAN ORDINANCE NO. 20-1889**

An ordinance amending Meridian City Code section 8-1-4, regarding requirements for City of Meridian Use Zone Encroachment Permits, adopting a savings clause; and providing an effective date.