



**City of Phoenix**

**DECLARATION ESTABLISHING LOCAL EMERGENCY  
TEMPORARY REVOCABLE PERMIT AND WAIVING CERTAIN  
FEES FOR USE OF RIGHT-OF-WAY**

**WHEREAS**, On March 11, 2020, the Governor of the State of Arizona, Douglas A. Ducey, determined that the COVID-19 outbreak presents conditions in Arizona that justified his declaration of a State of Emergency; and

**WHEREAS**, on March 20, 2020, the Mayor and the Council of the City of Phoenix declared local emergency to help stop the spread of COVID-19 in the City of Phoenix;

**WHEREAS**, the CDC has advised that outdoor seating with appropriate spacing may be less risky than indoor seating and has suggested that restaurants prioritize outdoor seating and increased ventilation to mitigate the risk of COVID-19 transmission; and

**WHEREAS**, as a result of the COVID-19 outbreak and the subsequent effort to prevent the spread of the virus, many commercial activities in the City of Phoenix have experienced significant slowdown; and

**WHEREAS**, restaurants are one of the commercial activities that have suffered significant slowdown; and

**WHEREAS**, restaurants within the City of Phoenix are critical for the economy and health of the City, businesses, and the community.

**NOW, THEREFORE**, BE IT DECLARED BY THE CITY COUNCIL OF THE CITY OF PHOENIX as follow:

**SECTION 1.** A Local Emergency Temporary Revocable Permit (“Permit”) is established to allow temporary use of public right-of-way for outdoor dining facilities, to follow the general form set forth in **Exhibit A**. The Permit will be issued by the Street Transportation Department and will automatically terminate when City Council terminates the local emergency that was declared on March 20, 2020.

**SECTION 2.** The Street Transportation Director is authorized to waive the fees typically associated with private use of the public right-of-way, including those fees established under Phoenix City Code §§ 31-81(A) (revocable permit application fee), 31-81(C) (revocable permit annual fee), and 36-31.2(D).

**PASSED** by the City Council of the City of Phoenix this 1st day of July, 2020.

*Kate Kelly*  
Mayor of the City of Phoenix

ATTEST:

*Juan Acosta* City Clerk



APPROVED AS TO FORM:

*C. Meyer* City Attorney

REVIEWED BY:

*Edzo* City Manager