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RESOLUTION NO. 2021-21

**A RESOLUTION OF THE ALBANY CITY COUNCIL AFFIRMING
ACCEPTABLE MATERIALS FOR OUTDOOR DINING INSTALLATIONS
ON SOLANO AVENUE ONLY DURING THE ALAMEDA COUNTY
PUBLIC HEALTH COVID-19 EMERGENCY**

6 **WHEREAS**, the City of Albany has an encroachment permit process to allow for outdoor
7 dining on public right of way; and

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9 **WHEREAS**, the City Council adopted Resolution No. 2020-73 on July 6, 2020 authorizing
10 a fee waiver for outdoor dining encroachment permits during the Alameda County Public Health
11 COVID-19 Shelter-in-Place Order and allowing staff discretionary authority; and

12 **WHEREAS**, City Council adopted Resolution No. 2020-129 on December 21, 2020,
13 authorizing staff review of encroachment permits for semi-permanent outdoor dining structures on
14 Solano Avenue during the Alameda County Public Health COVID-19 Shelter in Place Order; and

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16 **WHEREAS**, outdoor dining was permitted to resume effective January 26, 2021; and

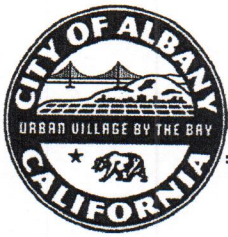
17 **WHEREAS**, the City Council considered all public comments received, the presentation by
18 City staff, the staff report, and all other pertinent information.

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20 **NOW THEREFORE, BE IT RESOLVED**, that the Albany City Council hereby affirms:

- 21 ○ **Semi-Permanent Structures.** Materials shall be limited to metal, plexiglass, and
22 wood frame construction. Plans shall be submitted to the Building Department for
23 review and permit issuance. Prefabricated structures intended for other uses (ex.
24 Carports, garden sheds) are prohibited. Installations shall have reflective materials
25 such as paint or tape to increase visibility.
- 26 ○ **Temporary Installations.** Temporary installation materials shall be limited to fire
27 rated canvas tents, wine barrels, k-rails, wood platforms, low wood fencing, metal,
28 plexiglass and umbrellas. Installations shall have reflective materials such as paint
29 or tape to increase visibility.



GE'NELL GARY, MAYOR



City of Albany

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PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF
ALBANY, The 1st day of March, 2021, by the following votes:

AYES: Council Members Jordan, McQuaid, Nason, Tiedemann and Mayor Gary

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 2nd
day of March, 2021.

Anne Hsu
CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.