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**LUDLOW EXECUTIVE ORDER 2020-2**

**AN EXECUTIVE ORDER OF THE CITY OF LUDLOW, KENTUCKY, ISSUING TEMPORARY DIRECTIVES AND GUIDANCE REGARDING OUTDOOR DINING, CURBSIDE PICK-UP AND DRIVE THRU FACILITIES, DURING THE CORONAVIRUS (COVID-19) PANDEMIC.**

**WHEREAS**, on March 6, 2020, Governor Andy Beshear declared a state of emergency in the Commonwealth of Kentucky, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a pandemic, on March 13, 2020 President of the United States Donald J. Trump declared a National Emergency, on March 13, 2020 Kenton County Judge/Executive Kris Knochelmann declared a state of emergency in Kenton County, Kentucky, and in March 2020 the City of Ludlow indicated that the Coronavirus, aka COVID-19, presented a severe and complex threat to the public health, safety and welfare of our citizenry and declared that extraordinary emergency measures are warranted; and

**WHEREAS**, since then many businesses have been shuttered and stringent advisories on essential businesses have been issued to persuade people to isolate and follow social distancing practices, and to use any and all other precautions to avoid serious personal risks in order to “Flatten the Curve” and prevent overwhelming our ability to adequately care for and treat those who may become infected by the virus; and

**WHEREAS**, the time has now come for measures to be taken to re-open the economy before any further irreparable harm occurs affecting those who live, work, and own businesses in our community as a result of the economic engines of our society ceasing to exist; and

**WHEREAS**, the City of Ludlow wishes to encourage businesses to safely, and responsibly, begin operations; and

**WHEREAS**, the City of Ludlow wishes to provide for the temporary establishment of outdoor dining, curbside pick-up, and drive thru options to restaurants that currently are located within commercial zones that do not provide for such an experience or for restaurants that currently do not have any such type of seating and/or services; and

**WHEREAS** JOSH BOONE, the Mayor of the City of Ludlow, KY has the authority of KRS Chapter 39A and 39B of the Kentucky revised statutes and the additional authority granted by Executive Order 04-2020.

**NOW, I AS MAYOR, AM HEREBY EXERCISING MY AUTHORITY AS FOLLOWS:**

1. The City of Ludlow will temporarily allow all existing restaurants in all zones to establish outdoor dining options in addition to offering carryout, curbside pick-up, and other drive thru services whenever feasible; and

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2. All restaurants are called upon to continue to operate in the safest manner possible and in accordance with all rules and regulations governed by the Northern Kentucky Health Department; and
3. All restaurants are encouraged to maintain clear and unobstructed ingress and egress paths for all workers, as well as, for the public; and
4. All restaurants are encouraged to be compliant with the American with Disabilities Act (ADA); and
5. The erection of temporary structures, canopies, and/or tents for protection of outdoor diners and services from inclement weather will be allowed in accordance with all building and fire codes, rules and regulations. Permits will be required and issued by our Building Inspector in collaboration with the Ludlow Fire Chief; and
6. The outside amplification of sound is not prohibited but rather subject to any and all public nuisance ordinances, with leniency encouraged, and oversight provided by the Ludlow Police Department; and
7. Adequate Fire Lanes and access to all Fire Hydrants must be provided and determined sufficient by the Ludlow Fire/EMS Department; and
8. All outdoor dining seating areas must be clearly designated for pedestrian use and signed and barricaded to vehicular traffic in order to reduce the risk of injury and accident; and
9. All restaurants that are currently licensed to sell Alcoholic Beverages in the City of Ludlow may extend those sales to outdoor diners without further restriction or licensing from the City of Ludlow but are hereby advised to be compliant with all rules and regulations currently imposed by the Commonwealth of Kentucky's Office of Alcoholic Beverage Control.
10. Temporary outdoor dining shall not be limited to any specific day of the week, or specific times.

This executive order shall remain in effect, and governed by the full force of the law, until modified and/or repealed, and is hereby enacted this 18<sup>th</sup> day of May 2020.

CITY OF LUDLOW, KENTUCKY

By: Joshua C. Boone  
Josh Boone, Mayor

ATTEST:

Laurie Sparks  
Laurie Sparks, City Clerk