



2020-2021 OUTDOOR DINING AND OUTDOOR RETAIL SALES WINTER GUIDANCE

- Pursuant to Executive Order 150, municipalities are permitted to use their existing authority to allow establishments to expand their footprint to outdoor areas – on the businesses’ property, in City rights-of-way (sidewalks/streets), and on other private property. City Council created a 2020 Outdoor Dining and Outdoor Retail Sales Temporary Permit to allow for outdoor dining and retail sales to assist in the reduction of capacity and social distancing requirements per the Governor’s orders. Any business establishment who wishes participate in outdoor dining or outdoor retail sales activities must have a 2020 Outdoor Dining and Outdoor Retail Sales Temporary Permit.
- Pursuant to Executive Order 163, “food or beverage establishments are permitted to offer in-person service at outdoor areas, defined as open air spaces that either 1) have no roof or cover or 2) have a fixed roof or temporary seasonal awning or cover, with at least two open sides that would comprise over 50% of the total wall space if the space were fully enclosed.”
- Pursuant to Executive Order 194, municipalities are permitted to use their existing authority to allow establishments to use outdoor enclosed structures, such as plastic domes, to seat individual parties, provided they meet the following criteria:
 - i. The use of the structures complies with the requirements for outdoor dining contained in Executive Order No. 157 (2020) and associated guidance issued by DOH;
 - ii. Each party is limited to no more than eight (8) individuals at a time;
 - iii. The structure is ventilated and cleaned and sanitized in accordance with CDC and DOH guidance between seatings;
 - iv. The structure and use of the structures otherwise comply with all other applicable codes and regulations, including the provisions of the Fire Safety Code; and
 - v. Any necessary municipal approvals and permits are obtained prior to use of the structure.



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2020 Outdoor Dining and Outdoor Retail Sales Temporary Permit have been extended from November 30, 2020 to March 31, 2021.

In the City public right-of-way:

- **Outdoor enclosed structures (such as plastic domes i.e. igloos) and greenhouses are permitted.**
 - Enclosed structures may be placed in areas approved under the establishment's 2020 Outdoor Dining and Outdoor Retail Sales Temporary Permit.
 - Enclosed structures may not be secured to City streets or sidewalks but must be secured to the satisfaction of the Construction Department.
 - Enclosed structures may be heated by electric power only.
 - Enclosed structures must be placed at least five feet away from any building, light fixture, street furniture, or heating device.
 - Inspections by the Fire and Construction Departments are required.
 - A signed hold harmless agreement stating that the City is not responsible for any injury or damage that may occur is required.
- **Extended vestibules are permitted.**
 - A Building Permit is required to be submitted to the Construction Department.
 - A signed hold harmless agreement stating that the City is not responsible for any injury or damage that may occur is required.
 - Extended vestibules may not be secured to City streets or sidewalks.
 - Extended vestibules may be heated by electric power only.
- **Canopies are not permitted.**

Applicants must already have an approved 2020 Outdoor Dining and Outdoor Retail Sales Temporary Permit on file with the City Clerk's Office.

On private property:

- **Canopies or membrane structures with permanent anchoring systems are permitted.**
 - A Building Permit is required to be submitted to the Construction Department.
 - A signed hold harmless agreement stating that the City is not responsible for any injury or damage that may occur is required.
 - Permanent structures must be rated for use with snow loads or a snow plan must be on file.

Applicants must already have an approved 2020 Outdoor Dining and Outdoor Retail Sales Temporary Permit on file with the City Clerk's Office.