WINTER COVID-19 TENTS AND OUTDOOR DINING GUIDANCE

Revised 1/6/2021

As we enter the winter months, this document provides guidance for restaurants on private property or the public right-of-way to continue operating outdoors safely and responsibly. As a reminder, all outdoor dining spaces must have:

1. A Sidewalk Café Permit and/or a Recovery Zone Application and Agreement;
2. A Tent, Stage or other Temporary Structure Permit (https://www.annapolis.gov/DocumentCenter/View/884/Tent-Stage-or-Other-Temporary-Structure-Permit-PDF)
3. An Electrical Permit if a heater or lighting will be used.

Temporary outdoor structures, including tents, are allowed on private property or the public right-of-way under the following regulations.

General:

- Temporary structures such as tents can be considered "outdoor dining" as long they have at least two sides open to allow air flow and at least one of the two sides is completely open and does not have the capability to be closed. They must meet Anne Arundel County capacity requirements (currently 75% with 6-foot minimum spacing and a limit to 6 persons per table or one household). The capacity for tents will be calculated separately than the brick and mortar capacity.
- Fully enclosed tents are permitted but are considered "indoor dining" and must meet Anne Arundel County capacity requirements (currently 25% with 6-foot minimum spacing and a limit to 6 persons per table or one household). The capacity for tents will be calculated separately than the brick and mortar capacity.
- All temporary structures to be used for dining must obtain a Department of Planning and Zoning-issued permit. The application must include a drawing showing the location of the tent with relation to the other structures and the seating layout. Please indicate the size (length and width) of the tent and the location of all fire lanes, Fire Department Connections (FDCs), the location of portable fire extinguishers, and accessible parking spaces if applicable. A 36 in. (3ft) clear space must be maintained around the circumference of the tent, around all fire hydrants and in front of FDCs
- Tents or covering may not be over the sidewalk nor may the tents be attached to the buildings. The air space above the sidewalks must be kept clear. All sidewalks must be kept clear for pedestrian access and fire department access
- After dusk for open tents or for all enclosed tents, emergency lighting and exit signs are required. Verify all locations with Electrical Inspector (410-263-7946) and Fire Marshal (410-260-2202). Exit signage above a 3-foot wide, unobstructed, and remote exit openings and emergency lighting must be provided.
- Temporary structures must be weighted, anchored or secured to the ground, <u>but cannot be anchored with any method that requires screwing, cutting or drilling into the public way or to buildings</u> (i.e. on streets or sidewalks)
- All structural materials shall have a fire-resistant certification or a flame certification showing material is fire-rated or noncombustible. All tents must bear their own permanent fire retardant labels.
- Use of tents and other temporary structures may be deemed unsafe and prohibited during severe weather events (wind, snow, etc.). Tents and structures may need to be removed at these times.
- All advertising must be on the inside of the tent or structure except that sidewalk signs are allowed if applicable permits have been obtained and tents may display the name of the business
- In the Historic District only, all tents should be clear or white

- Seasonal decorations shall be allowed without advertising (i.e. hay bales/pumpkins). To enhance a sense of unity, it is recommended that business owners coordinate decoration themes.
- Post permit card on-site at least 24 hours before structures are erected.
- In the event of a building fire in or near the recovery zones, please note that the Fire Department MAY cut the tents or poles in order to gain access to the buildings. The City will not be responsible for any damage associated with any damage associated with such an action.
- Temporary structure applications on private property must submit a permission letter from the Management Company or property owner.

Heating Devices:

Heating Devices are allowed but must meet the following operational regulations:

- Open flame devices are prohibited inside a tent or covered area.
- Heating equipment must be shown on site plans and product specification information must be submitted with the permit application
- If applicable, Liquified Petroleum Gas tanks shall be chained in the upright position to properly support them from falling. They shall be installed not less than 5 feet from the edge of the tent.
- The recommended heating method is a forced air gas heater placed outside the tent with a diffuser that blows heat under the tent side.
- Propane heaters shall be used in the manner approved by the specific product manufacturer's guideline. All propane cylinders (D size) must be secured. Contact Fire Marshal (410-260-2202).
- Carbon monoxide detectors shall be provided within the tent.
- Electrically-powered heating devices are permitted; they must be installed by a licensed electrical contractor, who must obtain an electrical permit. Electrical heating equipment must be marked "UL listed" or "UL classified" All cords must be covered or fastened down.
- Operators shall abide by any recommended safety guidelines issued with a specific product (see the product's operations manual)
- Heating equipment shall be unplugged or disconnected for overnight storage, and employees shall be trained in proper installation of fuel tanks and in detecting leaks
- Establishment shall maintain clearance between heaters and all other objects, including tent sides. Required minimum clearance distance depends on the heating device.

Safety Considerations:

- Provide at least one 2A:10BC rated fire extinguisher for each tent less than 60' x 70'. Larger tents shall have at least two 4A:10BC or four 2A:10BC rated extinguishers.
- Restaurants will need inclement weather plans in writing and trained staff to prevent any injuries in storms, snow, or other unsafe situations. The tent applicant is responsible for all snow and ice removal from the tent and tent area. Please coordinate with the Department of Public Works (DPW) for more information about inclement weather plans (410-263-7949) DPW has the right to require a provision for disposal of the snow with the recovery zone and sidewalk area by the businesses.
- Restaurants will need to ensure that the building numbers are visible outside the tents from the street

Note – this guidance is subject to change.