

Application for Temporary Outdoor Dining Structure

Permit No. _____



152 W Cedar Street
(360) 683-4908
www.sequimwa.gov

Submit this application form and site plan to buildingdept@sequimwa.gov.

Business Name _____

Business Address _____

Contact Person _____ Phone _____ Email _____

Project Description _____

Please draw a scaled site plan with dimensions and include existing structures, driveways and parking areas, and types of structures that you intend to add (tents, etc.). Include dimensions of the structures you intend to add.

A large grid for drawing a site plan. In the center of the grid is a north arrow pointing upwards, with the letter 'N' below it.



AUTHORIZATION FOR OUTDOOR DINING IN RIGHTS-OF-WAY DUE TO COVID-19 RESTRICTIONS

Date: _____

Name: _____

Address: _____

You have asked for permission for your establishment to use the City’s right-of-way and/or private rights-of-way or property for outdoor dining due to restrictions on indoor dining issued by the State of Washington in response to the ongoing COVID-19 emergency.

To obtain this authorization you must meet the following conditions:

- If you plan to use private property or rights-of-way, you must obtain written permission from the property owner(s) for your specific intended use and provide a copy of the permission letter(s) to the City prior to the use.
- You must conform with the outdoor seating requirements issued by the Washington State Department of Labor & Industries and Department of Health (Attachment A).
- Your outdoor dining area must not extend beyond parking space markings.
- If you are using the City’s right-of-way, you must use reflective devices provided by the City to delineate dining areas and maintain those devices in good condition.
- You must prominently post “step up/step down” signage where street curbing exists.
- If using the City’s right-of-way, you must submit to the City no later than 10 business days from the date of this letter a Certificate of Insurance and endorsement language showing that you have Commercial General Liability insurance in the amount of \$1 million per occurrence, \$2 million aggregate. You must have the City of Sequim listed as an additional insured on the policy, and the Certificate must describe your operations being conducted in the City’s right-of-way.
- If tents are used, they must meet the fire code requirements in Attachment B. In addition, to constitute outdoor dining the tents must allow unobstructed entry, exit, and ventilation from at least two sides or otherwise conform to the Governor’s November 15, 2020 guidance.
- All electrical connections to outdoor facilities must comply with relevant code and must be properly fixed to the surface of the earth.

- [OPTIONAL] You must comply with the additional specific requirements of the City’s Building Official contained in Attachment C.

This Authorization is granted based on Emergency Order 2020-27 establishing the City’s “Open Streets & Special Events Initiative.” EO 2020-27 allows the City to temporarily waive certain municipal code requirements in order to help local businesses continue to serve the public safely in compliance with Statewide restrictions and guidelines.

Please note that this Authorization is specifically intended to allow dining establishments to operate under Governor Inslee’s November 15th restrictions on restaurants and will expire on March 1, 2021.

This Authorization will not automatically renew if the Governor extends the November 15th restrictions beyond March 1, 2021. You will need to request a new Authorization if that happens, and the City will not issue one if you are not in full compliance with all conditions or State regulations and guidance in effect at the time of your request.

If you violate any condition of this Authorization, your permission to use the right-of-way will be immediately revoked and you may be subject to enforcement action if you continue to use the right-of-way after notice of the violation.

When the Statewide restrictions are lifted or this Authorization is otherwise revoked or terminated, you will be given 5 business days to remove all structures and signage within the rights-of-way that were allowed under this Authorization.

Sincerely,

Charles P. Bush
City Manager

Attachments:

- A – Requirements for Outdoor Seating
- B – Requirements for Tents
- C – [Optional] Specific Requirements from City Building Official

ATTACHMENT A

Outdoor Seating Requirements for Restaurants, Taverns, Breweries, Wineries, and Distilleries

Restaurants, taverns, breweries, wineries and distilleries must ensure strict adherence to all measures established by the [Department of Labor & Industries \(L&I\) Coronavirus \(COVID-19\) Prevention: General Requirements and Prevention Ideas for Workplaces](#), and the [Washington State Department of Health Workplace and Employer Resources & Recommendations](#) (DOH). All businesses are required to make their customers to wear cloth face coverings when interacting with their staff.

Outdoor seating occurs on sidewalks, patios, courtyards, or other similar outdoor areas adjacent to restaurants, taverns, breweries, wineries and distilleries. Outdoor structures for dining include tents, green houses, pods, igloos, and other similar structures. If previously used for activities other than dining, the structure must be completely cleaned and disinfected prior to use.

1. Before adding outdoor seating or using outdoor structures for dining, make sure your plans will comply with local building codes, your local health jurisdiction, and L&I requirements.
2. Party/table size is limited to five people.
3. For liquor licensees who want to add outdoor seating to their premises, please go to the Washington State Liquor and Cannabis Board (WSLCB) website, here, to access the Liquor Alterations Request Form. Please submit completed forms to liquoralterations@lcb.wa.gov.
4. Outdoor structures should have no more than two walls to provide appropriate ventilation unless they meet one of these ventilation requirements:
 - a. Structures can have three walls if another opening exists that is large enough to create cross ventilation.
 - b. Smaller outdoor dining structures, such as pods/igloos must:
 - i. Ensure the sanitation guidance in the [DOH COVID-19 Guidance for Food Establishments](#) is followed.
 - ii. Be limited to one dining party (five people) at a time.
 - iii. Keep doors and windows open when the structure is inhabited.
 - iv. Ensure the structure is aired out between dining parties. Wait 10 minutes to air the structure out before cleaning and sanitizing. A new party may not be seated until after sanitizing.
 - v. Be as open as possible during cleaning and sanitizing and at a minimum, employees shall wear disposable masks (for medium risk).
 - vi. Ensure orders and food delivery occur outside of the structure if possible.
5. Lighting, electrical, ventilation and heating must not create a hazard for employees. Use caution with electrical cords; heaters must not produce carbon monoxide (such as propane heaters). As noted above, plans need to comply with state and local requirements/permits. Adequate lighting for tasks such as cleaning and sanitizing must be provided.

ATTACHMENT B

TENT/MEMBRANE STRUCTURE REQUIREMENTS

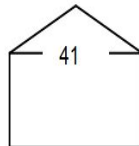
Attachment "A"

Tents are generally larger structures with side walls and erected with frames and treated cloth type membranes.

Canopies are generally 10' x 10' pop up structures with 4 corner posts that can have removable sides. The membranes are generally a treated or synthetic material. They can be purchased at locations like Wal-Mart, Home Depot, Costco, Swains, or The Co-op.

All tents, membrane structures, and canopies shall be erected and maintained in accordance with the *International Fire Code, 2015 Edition, Chapter 31* and the following requirements.

- 1) Tents/canopies shall be anchored adequately to withstand the elements and prevent collapsing.
- 2) Tents shall provide adequate exiting doors and aisles for the occupant load in the structure. More specific information is available when a specific size is determined.
- 3) All tent/structure membranes, and all combustible decorative materials (sheers, curtains, draperies, flooring, tarps, blinds, etc.), shall be treated or constructed from a material that is flame resistant and has the appropriate label permanently attached to all sections of fabric. **NFPA 701, CPAI 84, and California Fire Marshal Title 19** labels are accepted as approved.
- 4) Smoking shall not be permitted inside any structure and no smoking signs shall be provided when required by the fire code official.
- 5) Open flames shall not be allowed inside any structure unless prior approval is given by the fire code official.
- 6) Fireworks shall not be used within 100 feet of any structure.
- 7) Generators used for power sources shall be a minimum of 20 feet from structures and be protected from contact with the public.
- 8) Provide each booth with their number to be attached to the front of the canopy, above the structure opening. Numbers to be a minimum 4 inches tall. - N/A for outdoor dining tents.



- 9) Do not block access to fire hydrants in the areas of the events.
- 10) Electrical power cords subject to foot or vehicular traffic or impact damage shall be protected from damage with cord protectors.
- 11) Flammable and combustible liquids shall be stored outside in an approved manner not less than 50 feet (15 240 mm) from tents or membrane structures.
- 12) Refueling of equipment using flammable or combustible liquids shall be performed in an approved location not less than 20 feet (6096 mm) from tents or membrane structures.



3. Pressed Board,
Curtains, Valances &
Carpet

1.

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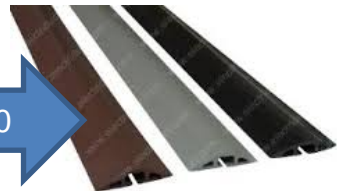
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ATTACHMENT C

[Optional]

SPECIFIC REQUIREMENTS FROM BUILDING OFFICIAL, IF ANY