



## FALL AND WINTER COVID-19 OUTDOOR DINING GUIDANCE

This document provides guidance for outdoor operations outdoors. Businesses must follow the COVID-19 Risk Reduction Order set by the County of Santa Clara Public Health Officer [www.sccgov.org/covid19](http://www.sccgov.org/covid19)

Outdoor spaces on public property must have an encroachment permit. If you wish to expand your outdoor footprint, add shade structures or heating devices, you need to amend your permit. Outdoor spaces on private property need to obtain permission from the property owner and follow the guidelines.

### Temporary Structures (tents and canopies)

- Temporary structures must be weighted, anchored, or secured to the ground, but cannot screw, cut or drill into the public right of way (i.e. on streets or sidewalks)
- Temporary structures less than 100 square feet require a minimum of 40 lbs. of anchor weight per leg
- Temporary structures larger than 100 square feet must be installed by a licensed tent vendor or structural calculations provided to the City
- Temporary structures covering an aggregate of over 700 square feet without walls or 400 square feet with a single wall, will require the Fire Marshal to permit and inspect
- If heating devices will be used under the structure, structure shall have a fire-resistant certification or flame certification showing material is fire-rated or noncombustible
- Temporary outdoor structures must have at least 50% of the sides open to allow airflow
- Layout of temporary outdoor structures must be shown on encroachment application diagram

### Heating Devices under tents and canopies

- Heating equipment must be shown on encroachment permit application diagram
- Propane heaters are not allowed inside/under tents or canopies
- Propane heaters must always be outside tents or canopies and kept 3 feet from combustible materials
- Heating devices must be listed for the application and used in accordance with applicable Code and Standards
- Fire Marshal will inspect heating devices in tents and canopies of all sizes
- Extension cords must be protected by a Ground Fault Circuit Interrupter and covered in compliance with American with Disabilities Act (ADA)

### Safety Considerations

- Heating equipment and other related components used under tents or canopies shall be installed in accordance with the California Mechanical Code and shall be approved by the fire code official
- 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
- Heating devices must keep away from combustible materials, such as tents, at all times
- Enclosed areas with heating devices must have clearly marked entrances and exits
- Businesses must have sufficient fire extinguishers to cover indoor and outdoor spaces
- Restaurants will need inclement weather plans in writing and trained staff to prevent any injuries in storms or other unsafe situations



**Temporary Encroachment Permit  
Amendment Application for Tent Structure**

Name of Business: \_\_\_\_\_

Physical Address of Business: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Name of On-Site Manager: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Are you expanding your outdoor space? Yes \_\_\_\_\_ No \_\_\_\_\_

Are you adding temporary structures (tents, canopies) to your outdoor space? Yes \_\_\_\_\_ No \_\_\_\_\_

How many temporary structures (tent, canopies) are you adding and how big are they?

\_\_\_\_\_

Explain how will the temporary structure be anchored? (weights, ropes, braces, etc.)

\_\_\_\_\_

Are you adding heating devices? Yes \_\_\_\_\_ No \_\_\_\_\_

**Site Diagram:** Attach a simple diagram with dimensions of the outdoor space. Include: the location and size of structures; location and type of anchor system, and; location, type and power source for heaters.

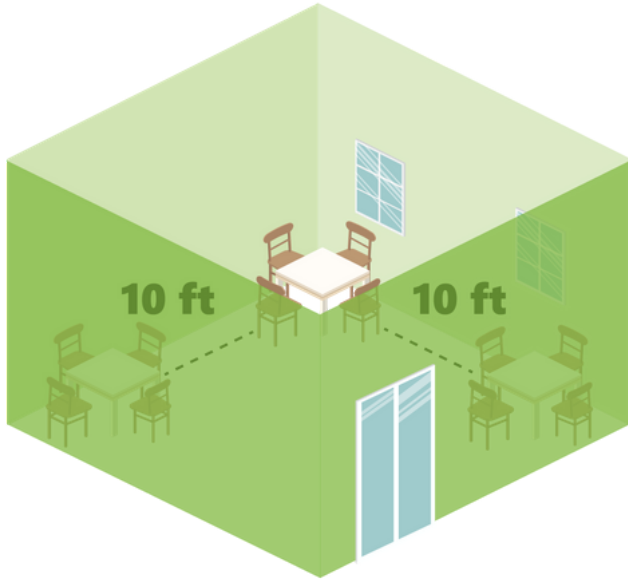
**Applicant agrees to provide the City required documentation for tent structure calculations, fire resistance certifications, vendor permission to use heaters, acknowledges that temporary tent structure(s) and heating device(s) will meet local and state codes, and will obtain necessary insurance and hold the City of Morgan Hill harmless in the event of a structure failure.**

Signature \_\_\_\_\_

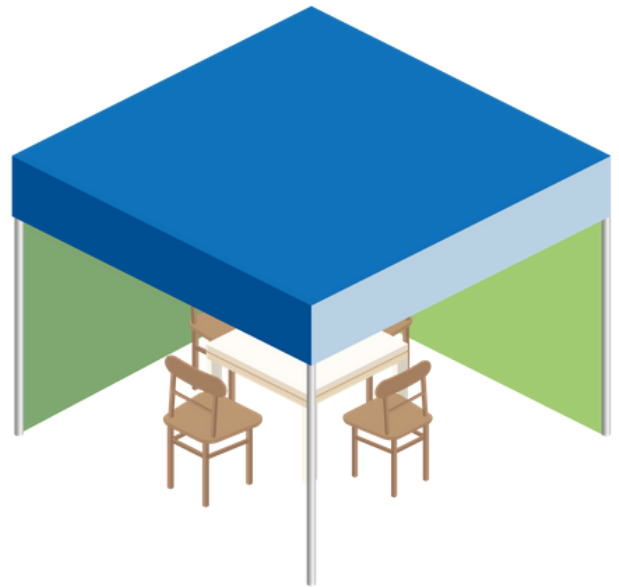
Date: \_\_\_\_\_

Please e-mail completed application to [hilary.holeman@morganhill.ca.gov](mailto:hilary.holeman@morganhill.ca.gov)

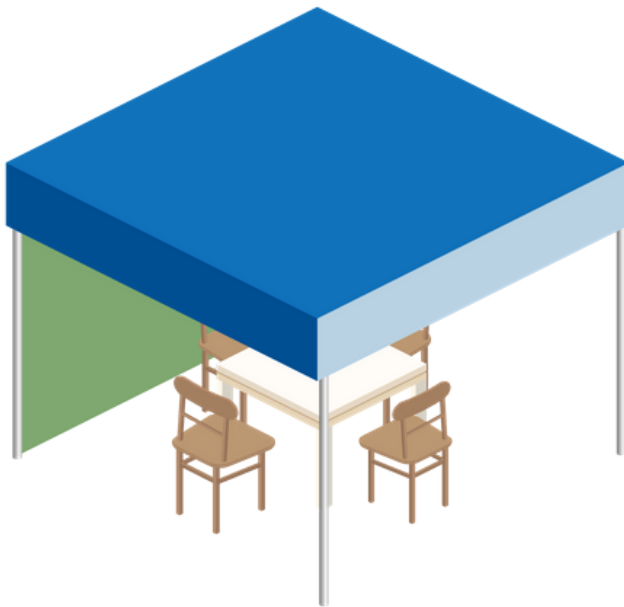
# EXAMPLES OF ALLOWED Outdoor Dining Configurations



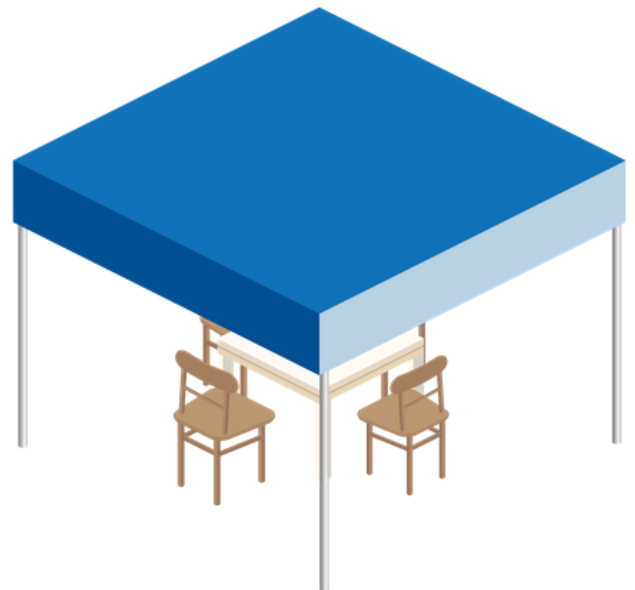
**4 SIDES  
NO TOP**



**2 SIDES  
WITH TOP**



**1 SIDE  
WITH TOP**

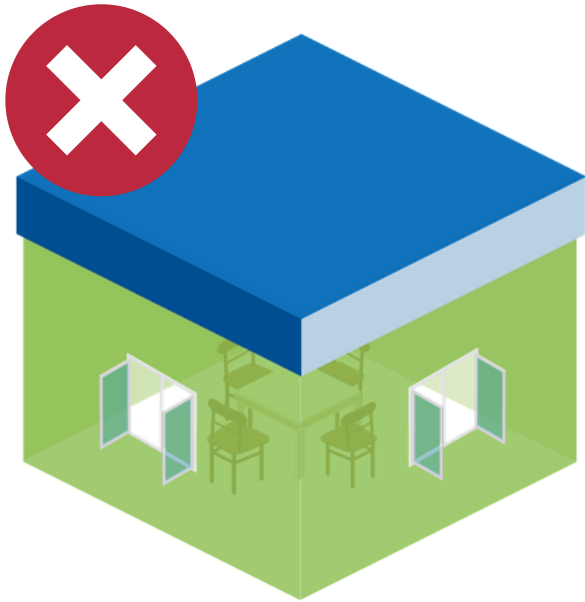


**NO SIDES  
WITH TOP**

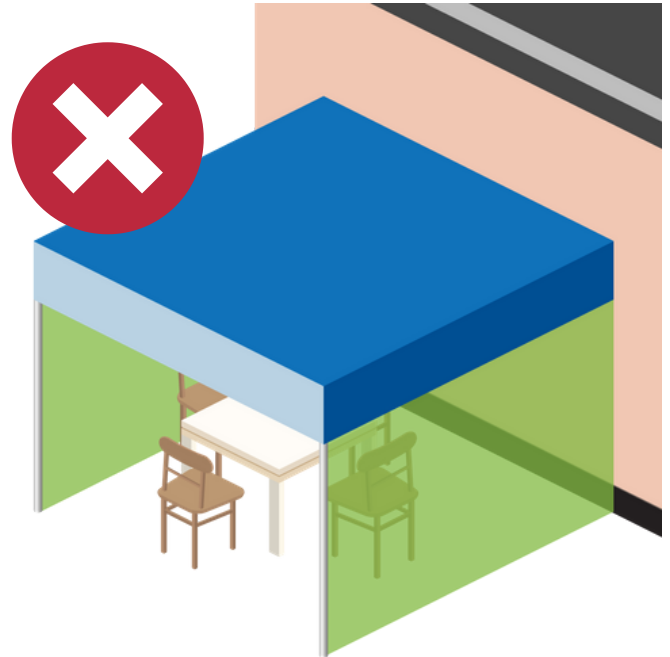
These are examples only.  
Please see the FAQ page for the exact definition of an outdoor facility:  
[www.sccgov.org/cv19business](http://www.sccgov.org/cv19business)

# EXAMPLES OF PROHIBITED

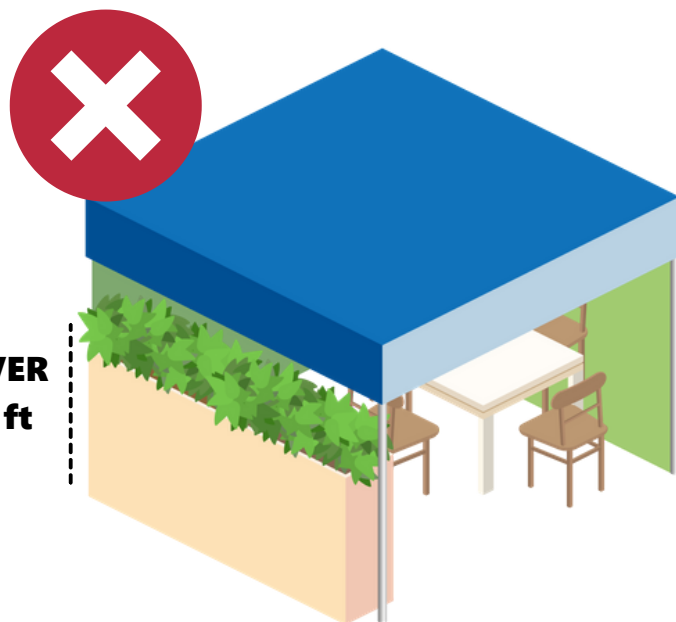
## Outdoor Dining Configurations



**4 SIDES  
PLUS  
WINDOWS**



**2 SIDES  
PLUS  
BUILDING SIDE**



**2 SIDES  
PLUS WALL OR  
BARRIER TALLER  
THAN 4 FEET**

These are examples only.

Please see the FAQ page for the exact definition of an outdoor facility:

[www.sccgov.org/cv19business](http://www.sccgov.org/cv19business)