



# OUTDOOR DINING AND OUTDOOR RETAIL DURING SHELTER-IN-PLACE

## Certification for City of Arcata Businesses

This document provides guidance for conducting outdoor dining and outdoor displays of retail goods. This guidance will remain in place until the Shelter-in-Place Order is lifted to allow unrestricted dining and retail operations, or until the City revokes these interim provisions.

Dining and retail operations at business locations are addressed, whether in a space such as a parking lot or in a public right of way.

### **REQUIREMENTS FOR ALL OUTDOOR BUSINESSES:**

- Certification from the Humboldt County EOS (Office of Emergency Services) to reopen is required. If you do not yet have certification, go to <https://humboldt.gov/2756/Business-Compliance> for information and forms.
- No obstruction shall be placed within 10 feet of a fire hydrant.
- Access doors to building shall not be blocked for any reason.
- Food shall not be prepared or stored outside without prior approval by the City of Arcata and Humboldt County Environmental Health Department.
- Exit pathways, including access to temporary gates, must be kept clear and lead directly to a public way.
- Exit gates must open from the inside, swing in the direction of travel, and not be locked or latched.
- All material for vendor booths shall be flame-retardant or approved for use by the Fire Marshall. Tents, canopies, or membrane structures shall be flame-retardant treated and labeled.
- Use of all electrical cords shall be routed safely not to present a tripping hazard and shall be sized to not overload circuits or equipment.
- If an outdoor area is accessed through a business, unobstructed exits must be maintained. If occupancy is greater than 49 people, at least two unobstructed exits must be maintained. If an outdoor area is in open air and not accessed through a business, there are no exit restrictions.
- ADA requirements apply, such as path of travel to restrooms (if open) and path of travel to each occupied space.
- There shall be no off-site lighting or amplification.
- To serve alcoholic beverages outdoors on property located adjacent to a licensed premises, comply with the Alcohol and Beverage Control's (ABC) "COVID-19 Temporary Catering Authorization" requirements. (A "Caterer's Permit Type 58 is not required for this authorization.) Go to [www.abc.ca.gov/abc-218-cv19-instructions](http://www.abc.ca.gov/abc-218-cv19-instructions) for details.

### **ADDITIONAL REQUIREMENTS FOR BUSINESSES TO OPERATE IN THE PUBLIC RIGHT OF WAY:**

- The public right of way includes sidewalks, streets, and alleys.
- Public right of way areas that may be occupied for retail and dining throughout the downtown are identified on the attached map. Other areas may also be approved upon request to the Engineering Department at 707-825-2128.
- Obtain an encroachment permit through the Engineering Department. Use the "*Encroachment Permit Application*" which can be found at [www.cityofarcata.org/documentcenter/view/9823](http://www.cityofarcata.org/documentcenter/view/9823). This multi-page form includes important insurance requirements.

**ATTACHMENTS:** Map of Public Right of Way Areas; City Sidewalk Café Regulations



City Manager  
822-5953

Environmental Services  
822-8184

Police  
822-2428

Recreation  
822-7091

Community  
Development  
822-5955

Finance  
822-5951

Building &  
Engineering  
825-2128

Transportation  
822-3775

## City of Arcata Sidewalk Cafe Requirements

A sidewalk café is an area, located in the public right-of-way that is used for outdoor dining and is adjacent to a street level eating and drinking establishment.

A business owner who wishes to install a sidewalk café shall first obtain an Encroachment Permit from the City of Arcata, Building and Engineering Department. No permit fees shall be required for any sidewalk café Encroachment Permits obtained prior to 12/31/2020.

The business owner shall:

- Maintain a current business license with the City of Arcata at all times in accordance with the ordinances of the City.
- Assume responsibility for all costs associated with, and resulting from, their sidewalk café.
- Guarantee that all improvements shall be free from defects and the encroachment shall comply with any and all City requirements.
- Guarantee that the sidewalk café shall not adversely affect any portion of adjacent properties and/or businesses, nor adversely affect use of the public sidewalk and street.
- Maintain Public Liability and Property Damage Insurance during the life of the Encroachment Permit agreement. Insurance shall comply with any and all applicable City requirements for insurance certificates and Encroachment Permits.
- Maintain Worker's Compensation Insurance for all business owner's employees during the life of the Encroachment Permit agreement. Insurance shall comply with any and all applicable City requirements for insurance certificates and Encroachment Permits.

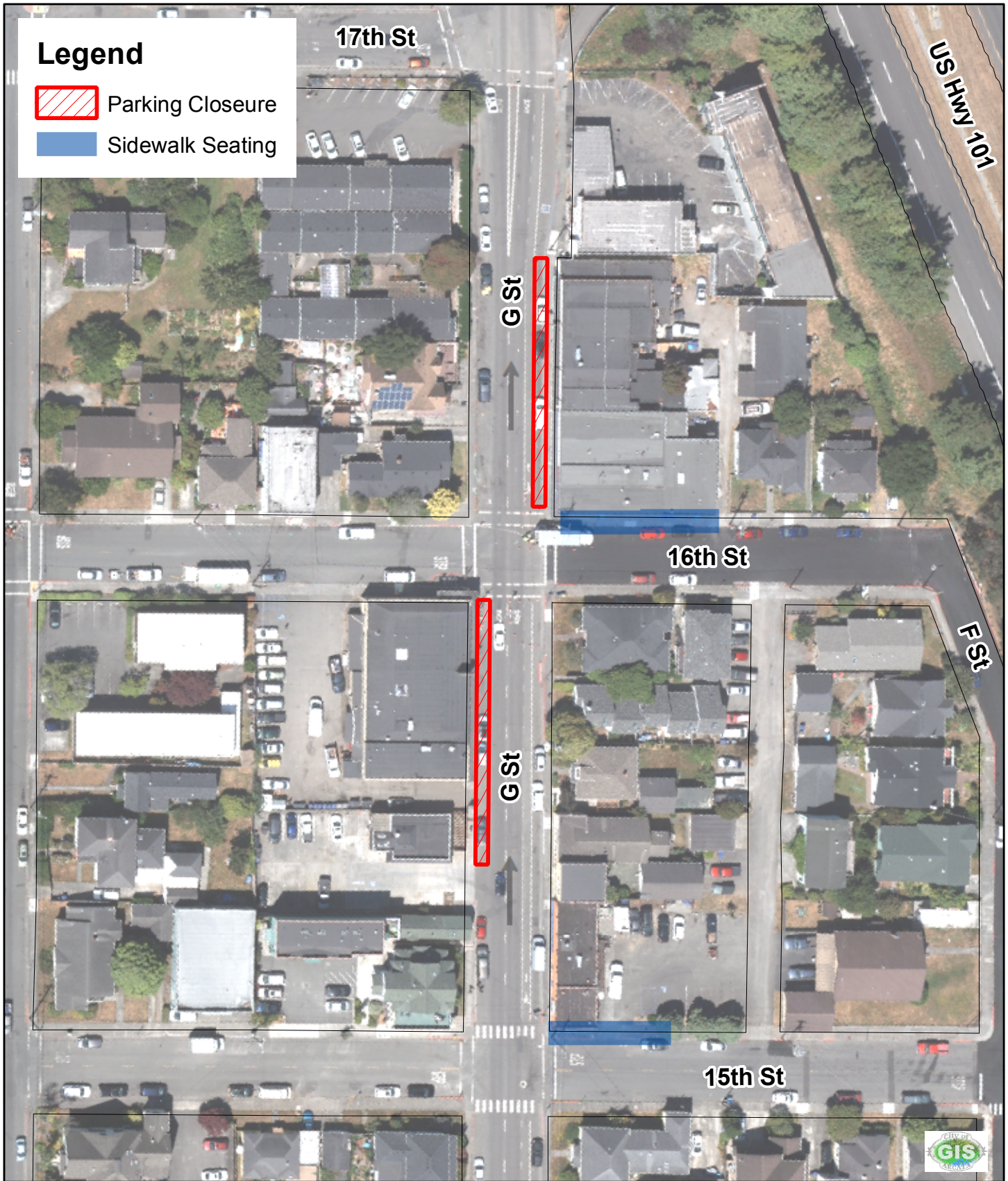
The business owner shall maintain safe access through the public sidewalk at all times, in compliance with the following general requirements:

- Maintain a minimum of a 48-inch wide clear and accessible path (to a height of 7 feet) between any tables and/or other obstructions to pedestrian access.
- Maintain a minimum of a 24-inch clear zone adjacent to the curb (48-inches at painted curbs).
- Required fire exits shall not be impeded in any way.
- Tables shall not exceed 32-inches in width.
- Tables, chairs, and other furniture shall not be placed within a 45-degree visibility triangle at street corners.
- All tables, chairs, and other furniture shall be removed at night.
- On-site trash receptacles must be provided as needed, and/or tables must be proactively bused to keep the site free of trash and debris.
- The serving and consumption of alcoholic beverages shall be allowed provided that the sidewalk café is in compliance with the State of California Department of Alcoholic Beverage Control license requirements, as applicable.

A building permit will be required for a sidewalk café that:

- Would alter or modify the existing restaurant building or any means of egress from said building; or
- Would install a barrier consisting of railings, fences, or planter boxes to delineate the sidewalk cafe; or
- Would install awnings or canopies.





City of Arcata

## Northtown COVID Seating

Note: Applicants may request a parking closure in front of their business as part of the sidewalk encroachment permit process-one permit can allow both sidewalk and parking space closure in front of a business.



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Feet