



DIVISION OF PLANNING AND PERMITTING
FREDERICK COUNTY, MARYLAND
Department of Permits and Inspections

30 North Market Street • Frederick, Maryland 21701
Phone (301) 600-2313 • Fax (301) 600-2309

Temporary Outdoor Seating Application for Restaurants and Food Service Establishments

This application may also be used for Breweries, Wineries and Distilleries.

Temporary approval for outdoor seating may be granted to provide additional seating to allow restaurants and food service establishments to expand their seating areas outside of the building including, sidewalks, common areas and parking. Temporary Certificate of Occupancy may be issued for a 12 month period or until the end of the declared state of emergency. Temporary outdoor seating may not exceed the allotted number of seats being lost due to indoor restrictions related to COVID-19. **Please be advised the State of Maryland guidelines for *Best Practices for Businesses to Reopen Restaurants and Bars* (please see attachment A) should also be followed.**

Submittal Requirements

1. Notarized letter of permission from the property owner, if land user is not the property owner.
2. Complete Application (Attachment B).
3. A copy of the Maryland Assessments Real Property Data www.dat.state.md.us for property, staff can assist in obtaining this submittal requirement.
4. A copy of the existing and approved interior floor plan which shows approved seating and those areas which will not be used in accordance with State mandated restrictions due to ongoing pandemic concerns.
5. A copy of a site plan or plot plan showing property boundaries, well and septic locations (if the property has well or septic), parking area, and road access. Also include the proposed outside seating area, including any temporary structures, such as a tent, labeled and dimensioned. Please show as many of the inspection guidelines found on page 2, step 3, on your plans as possible.
6. When property is within an incorporated town, paperwork from the town is required before a permit application may be submitted. Contact the town for details.
7. There is no cost or payment of permitting fees required for this application.

STEP ONE – APPLY FOR PERMIT

Applications may be submitted electronically via email to Ashlye Bonomo ABonomo@FrederickCountyMD.gov

STEP TWO – OBTAIN REVIEW APPROVALS

During processing, the permit application will be reviewed by various agencies for their approval. It is important that you address any concerns or requests for additional information promptly.

Please allow three (3) business days for initial review comments for all required agencies.

Frederick County Health Department Requirements:

- All food and drink must be provided from within the facility's kitchen/bar. No outside wait stations for food/beverage are permitted without additional approval from FCHD Food Office.
- Any facilities on private septic systems cannot go over the occupancy limit set by the FCHD Well & Septic Office for the facility's septic system.

To review the **Frederick County Liquor Board** guidelines for "Togo" Cocktails, please contact the liquor board directly.

Agency Review Status: To review the status of your application please visit our portal at PlanningandPermitting.FrederickCountyMD.gov and use the look up feature to track your application via the application ID number you will be provided after processing.

STEP THREE – OBTAIN INSPECTION APPROVALS

Inspections are needed even though you are not *building* a structure.

Inspections: A life safety inspection will be required to ensure the minimum life safety code requirements have been met including:

- Spacing of tables six (6) feet apart measured from the edge of the table or the backs of any chairs
- Two (2) remotely located exits are in place as required from the fence or barricade being provided, a straight aisle path shall be maintained between the two exits in the outdoor seating area of at least 44 inches in width. Barricades must be installed that provide protection from vehicles and must be installed around perimeter where conflicts may occur.
- Minimum Handicap Accessibly requirements are met
- An approved fire extinguisher is located within 75 feet of any tent areas
- If there is a tent or awning over the area, the exit egress gates shall have a lighted exit sign and emergency lighting over them for night time dining
- Tents and awnings shall not be enclosed without prior approval
- Maintained 7'6" head room/ceiling height is established
- Adequate bathroom facilities are available

STEP FOUR- PERMIT ISSUANCE: When all reviews and inspections have been approved, a Temporary Certificate of Occupancy for Outdoor Seating will be issued and provided to the establishment for posting.

Until such time that a Temporary Certificate of Occupancy has been issued, the use of any temporary seating areas is NOT permitted.

Agency Contact Information for Temporary Outdoor Seating Applications

Manager of Permitting Services, Ashlye Bonomo - ABonomo@FrederickCountyMD.gov or 301.600.3463
Life Safety and Plans Reviewer, Matt Rowley - MRowley@FrederickCountyMD.gov
Zoning Administrator, Tolson DeSa - TDeSa@FrederickCountyMD.gov
Environmental Health, Food Services - FoodControl@FrederickCountyMD.gov or 301.600.2542
Liquor Board, Liquorboard@FrederickCountyMD.gov or 301.600.2984

Attachment A



MARYLAND STRONG

Best Practices for Businesses to Reopen RESTAURANTS AND BARS



OPEN FOR RESTAURANTS AND BARS

- Develop a plan or checklist for reopening consistent with [CDC](#), [FDA](#), and [National Restaurant Association](#) guidance that includes:
 - Staff training
 - Leave policies, absenteeism plans, and employee screenings
 - Facial covering requirements for patrons and staff
 - Physical facility evaluation for any damage or issues caused by vacancy. Follow [CDC](#) and [Maryland Department of the Environment](#) guidance on reopening buildings, including checking mechanical, air, and water/ice systems. Ensure all water lines are flushed, including equipment water lines and connections, according to the manufacturer's instructions.
 - Social distancing protocols and procedures for staff, vendors, and patrons, with special consideration for entrances and exits, queues, bottlenecks, facility layouts, and safe capacity limits
 - Communications and signage
 - Routine and frequent environmental cleaning and disinfecting, especially for high-touch surfaces, in accordance with [CDC recommendations](#)

- Develop a plan for vendors to bring products safely into the business by arranging for deliveries when there are the fewest customers and employees.
- Establish procedures for third-party food delivery businesses to safely pick up orders while adhering to COVID-19 prevention precautions. Communicate these procedures directly with each business and/or with signage.
- Check with your local health department for any additional requirements in your jurisdiction, or if you have questions, especially if modifying operations (such as adding outdoor dining).

- Train employees on the proper responses to customers who challenge social distancing, facial covering, and other protocols.
- Face coverings are required when interacting with other staff or guests, particularly if social distancing cannot be assured.
- Employees should wear gloves when removing food service items and wash their hands immediately afterwards.
- Wait and order stations should be wiped down after each use and those tools and equipment that are shared should be sanitized prior to giving to another employee and at the beginning and end of each shift.



OPEN FOR EMPLOYEES

- Employees should be trained in and understand current COVID-19 health and workplace guidelines, such as hand hygiene and cleaning protocols, along with proper PPE use and disposal.
- Implement a daily screening process for workers, which includes [CDC](#) or MDH recommended health questions, and consider temperature testing.
- Direct sick workers to follow [CDC](#) and state guidelines regarding home isolation for suspected or confirmed COVID-19 infections and returning to work.
- Encourage employees to maintain social distancing, including during breaks, and modify procedures to avoid staff congregation.



OPEN FOR SOCIAL DISTANCING

- Establish a 6-foot marking system to visually demonstrate the recommended social distancing at all locations where customers and staff congregate.
- Modify floor plans to ensure patrons are seated at least 6 feet away from each other, except for households seated together. For facilities with booth seating, the social distance of 6 feet must be maintained by closing every other booth.
- Designate and signpost the direction of foot traffic in main circulation paths. Consider one-way circulation routes.



Best Practices for Businesses to Reopen RESTAURANTS AND BARS

- Minimize congregating in common areas through signage, floor markings, barriers, and employee communications. Restrict access to areas where social distancing and social gathering requirements cannot be followed.
- Customers seated at the bar must comply with the appropriate social distancing guideline of at least 6 feet. Standing in a bar area should not be permitted.
- Use a reservation system wherever possible to avoid crowding. Use phone apps, texting, or signs to let patrons know when their table or carryout order is ready. Avoid the use of pagers.
- Prepare guidance on facility capacity, how customers queue in and outside of the store, and curbside pickup. Be mindful of creating situations that might cause lines and crowds.
- Post signage advising customers to not enter the establishment if they are sick or symptomatic. Provide a phone number or website for alternative purchasing methods, such as carryout or delivery, which should be encouraged.
- If possible, set aside special hours for vulnerable or at-risk customers.
- No more than six people may be seated at a table. Large gatherings and parties should not take place at this time.



OPEN FOR CLEANLINESS AND COMFORT

- Frequently clean and disinfect facilities per [CDC guidelines](#), particularly high touch areas, and every table after each use. Use cleaners appropriate for food contact surfaces that still meet the [EPA criteria](#) for use against COVID-19.
- When removing soft goods from the table, place in a tote to await laundry service and launder the soft goods in the warmest water possible.
- The use of buffets and/or customer self-service is strongly discouraged. Coffee bars should incorporate enhanced cleaning protocols, limit the number of customers at one time, and provide customers with napkins or other barriers when touching cafes, condiments, milk cartons, etc.
- For customer comfort, place table settings after the party is seated, provide condiments in either single use containers or disinfected manufactured packaging. Use menu boards, disposable menus, or mobile ordering apps. If a facility uses regular menus, they must be cleaned and sanitized between each customer's use.
- Multi-use amenities and unnecessary items such as magazines, coupons, menus and brochures should be removed from areas open to the public.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available to employees and customers, particularly at key patron and employee entrances and contact areas where guests are likely to congregate.
- Where possible, implement and encourage touchless payment.

- Employees and customers should continue to wear facial coverings where applicable or required; removal of masks is appropriate when customers are consuming food and beverage.
- Provide disposable hand towels and trash bins in restrooms, so that customers can exit the restrooms without touching doors handles with clean bare hands.



OPEN FOR COMMUNICATIONS

- Communicate commitment to cleanliness by posting compliance adherence with the [CDC's guidelines](#).
- Show customers care by having signage that details social distancing protocol and COVID-19 prevention.
- Communicate with employees and customers on the measures taken for their comfort and on the shared responsibility to monitor their health and stay home if not feeling well.
- Communicate to customers in advance or during the reservation process about any changes to their dining experience, including procedures for seating, serving, ordering, paying and wearing face coverings.
- Reach out to customers through communication channels that you are open for business.

All Executive Orders still in effect must be complied with. See most up to date orders here: governor.maryland.gov/covid-19-pandemic-orders-and-guidance.

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 Department of Permits and Inspections
 30 North Market Street
 Frederick, MD 21701
 301-600-3463 Manager, Permitting Services
 301-600-2309 Permits and Inspections Fax

OFFICE USE ONLY	
Date Request Received:	
Date Processed:	
Date Temp COO Issued:	
Expiration Date:	

**TEMPORARY OUTDOOR SEATING APPLICATION FOR RESTAURANT AND FOOD SERVICE ESTABLISHMENTS
(ATTACHMENT B)**

Please print

Contact Information for this request:			
Applicant's Name	Establishment/ Restaurant Name		
Phone #	Email Address		
Establishment/ Restaurant Address			
<i>Street Address</i>	<i>City</i>	<i>State</i>	<i>Zip</i>

Occupancy Information for this request:	
Occupancy Permit #	Establishment Name on Existing on Occupancy Permit
Current Occuancy/ Capacity Load (staff may assist in providing)	

Description of Proposed Temporary Seating

Required Inspections (office use only)	
Office of Life Safety	<input type="checkbox"/>
Health/ Food	<input type="checkbox"/>
Liquor Board	<input type="checkbox"/>
Incorporated Town	<input type="checkbox"/>