1. It is agreed by the owner and applicant that the County of Santa Barbara and any officer or employee thereof shall be saved harmless by the applicant from any liability or responsibility for any accident, loss or damage to persons or property, happening or occurring as the proximate result of any of the work undertaken under the terms of this application and the permit or permits which may be granted in response thereto, and that all of said liabilities are hereby assumed by the owner or applicant.

Note: Additional steps are required prior to re-opening. Please follow the instructions in the RISE Guide and submit the Business Attestation Form and the Industry Checklist. These forms are required for all businesses, even if you have already been open and operating.

Right-of-Way Outdoor Operations are Temporary: The County of Santa Barbara reserves the right to remove any materials placed in the right-of-way at its sole discretion. County approval is required for businesses to expand onto sidewalks or streets in accordance with these guidelines. Prior to setup, submit plan and application to PWRDPermit@COSBPW.net with the business address in the subject line. A no-fee permit application can be found at www.countyofsb.org/plndev and must be submitted and approved before expansion.

Outdoor Operations on Private Property: For questions and additional guidance, send an email to front@countyofsb.org.

Specifications for Establishing Temporary Outdoor Business Operations in the Public Right-of-Way and on Private Property

To meet social distancing requirements, businesses may temporarily establish existing operations such as indoor dining, personal care services, or retail sales onto private property, in coordination with the commercial property owner, and/or into the right-of-way including the sidewalk and into the street adjacent to their store frontage. Businesses that extend onto the street must maintain a 14.5-foot wide access lane along the center of the roadway. Business cannot obstruct public utilities or interfere with drainage or stormwater facilities on private or public land.

Customer seating and any retail fixtures must be spaced at least 6 feet apart, in accordance with public health guidelines for physical distancing. This means 6 feet from where a patron may be standing or sitting to where the next patron is sitting or standing; not for example from the side of a
table to the side of the next table. If an adjacent business also chooses to extend into the public right-of-way, please coordinate your layout to ensure at least six feet distancing between tables/seating areas in the outdoor dining areas.

All seating and other fixtures must be temporary and easily removed. Fixtures must not alter or damage the pavement, landscaping, lighting, or any other County property.

Portable heaters and lighting are permitted, however, please ensure proper clearance to trees, awnings, and umbrellas to avoid fire hazards. Heaters and lighting must be self-contained, with no wires or other trip hazards. The County strongly recommends storing temporary fixtures indoors while your business is closed. The County is not responsible for loss or damage to private property in the public right-of-way. (see Guidelines for the Use of Tents, Canopies, or Shade Structures and Heating Elements in a Temporary Outdoor Dining and Business Area)

**Storm Flow**

Large volumes of water may flow down the street or in drainage facilities on private properties during rain events. These guidelines require businesses to maintain proper drainage on private property and along the street and gutter lines at all times. Business owners are fully responsible for assuring that their platforms and other outdoor features are constructed, placed and maintained in a manner that allows the free flow of water and does not result in flooding, damage or erosion.

**Winterization**

During colder months, businesses may wish to modify outdoor dining/commercial areas for the comfort of their guests. Any temporary business area may be covered with a tent, canopy, shade structure, or roof as long as no more than 50% of the structure's perimeter has impermeable walls, allowing sufficient, unrestricted outdoor air movement resulting in cross-ventilation. Such walls must be non-adjacent or non-continuous. Doors, windows and other portals do not make a wall "non-continuous."

Adjacent walls are walls that touch each other and form a corner.

Tents and canopies must be adequately roped, braced, and anchored to withstand the elements and avoid collapsing. Businesses must maintain required clearance from any heating equipment, candles, or flames to combustible materials, as identified below in the Guidelines for the Use of Tents, Canopies or Shade Structures and Heating Elements in Temporary Outdoor Dining and Business Areas. Tents and heaters are subject to Fire Department inspection and approval. Any tent exceeding 400 square feet requires a permit from the Fire Department BEFORE it is erected. Email inspection.services@sbcfire.com to arrange for inspection or permitting. Please refer to the
Guidelines for Use of Tents, Canopies, or Shade Structures and Heating Elements in Temporary Outdoor Dining and Business Areas for additional details.

**Insurance**
All businesses that establish temporary operations in the public right-of-way must provide a Certificate of Insurance from their business insurance carrier naming the County of Santa Barbara as Additionally Insured. Insurance certificates must be emailed to PWRDPermit@COSBPW.net.

**Accessibility**
Businesses who choose to establish outdoor operations in the right-of-way or on private property, must maintain an unrestricted minimum 5-foot wide path of travel through pedestrian and sidewalk areas and must provide access for disabled customers, including through all outdoor areas. Please refer to the Accessibility Guidelines for additional requirements.

All existing curb ramps near intersections and mid-block crossings must be kept free of any obstructions in order to maintain accessibility.
BUSINESS OPERATIONS ACCESSIBILITY GUIDELINES

For dining establishments, at least one accessible table for wheelchair users must be provided in each dining area. The accessible table must meet the following requirements:

- Table surface between 28 to 34 inches high.
- At least 27 inches of space from the floor to the bottom of the table.
- Knee clearance extends at least 19 inches under the table.
- Total clear floor area of 30 inches by 48 inches per seat.
- Minimum distance of 4 feet to the nearest obstruction.
- International Symbol of Accessibility displayed at the table.
- Maintain an accessible path of travel to the table.

Business operations in the right-of-way that do not meet the grade of the existing curb must provide a ramp for access. Ramps and temporary ramps in the right-of-way must comply with California Building Code Chapter 11B, summarized as follows:

- Ramps must be at least 4 feet wide.
- 8.3% (1:12) maximum running slope (parallel to the direction of travel).
- A level landing at the top of the ramp measuring at least 4 feet by 4 feet.
- Accessible, unobstructed path of travel from the sidewalk pedestrian path to the ramp.
- Edge protection is required on each side of the ramp. A curb or barrier that prevents the passage of a 4-inch diameter sphere must be provided along both edges of the ramp. To prevent wheel entrapment, the edge protection must provide a continuous, uninterrupted barrier along the edge of the ramp.
- Ramp material must be firm, stable, and slip resistant.
- Ramp must be securely attached to the platform and/or curb so that it does not move or shift during use.

Business operations, including customer seating, umbrellas, lighting, heaters, and other materials, must not encroach upon a single, continuous, straight, clear pedestrian path of travel no less than 5 feet wide on the sidewalk. All accessibility requirements are subject to inspection and enforcement.
Guidelines for the Use of Tents, Canopies or Shade Structures and Heating Elements in Temporary Outdoor Dining and Business Areas

The following requirements shall apply to the use of tents, canopies or any form of overhead shade structures (herein referred as tents) within temporary outdoor dining and business areas:

☑️ The operation of temporary outdoor dining / business areas under tents or other membrane structures is subject to the requirements of the California Code of Regulations, Title 19, Division 1; and Chapters 3 and 31 of the California Fire Code, as adopted by Santa Barbara County in Chapter 15 of the Santa Barbara County Code of Ordinances. The operation of temporary outdoor dining / business areas under tents or other membrane structures is subject to inspection by the Fire Department.

☑️ Tents installed near buildings require Fire Department approval.

☑️ Tents require a Fire Department permit* if they exceed 400 square feet. Multiple tents placed next to each other that exceed 400 square feet are treated as a single tent and also require a permit. (Email: inspection.services@sbcfire.com)

☑️ All tent material must be treated for flame resistance in accordance with a method approved by the State Fire Marshal or be of a fabric that is inherently flame resistant, regardless of whether a permit is needed. This includes wall finishing's and flooring material.

☑️ Tents must be adequately roped, braced and anchored to withstand the elements and avoid collapsing.

☑️ Generally, a tent is required to have two means of egress if the occupant load exceeds 10.

☑️ Seating arrangements in tents is subject to Covid-19 restrictions (such a requirement for a minimum of six feet of physical distancing between guests at separate tables) and the requirements of Chapter 10 of the Fire and Building Codes.

☐ Smoking is prohibited inside and near tents at all times.

☑️ Generators shall be installed not less than 10 feet from combustible materials.

Heating Elements

☐ Heating equipment is subject to Section 3104 of the California Fire Code and requires Fire Department approval.
Gas Heaters must adhere to the California Mechanical Code; heating equipment may not be located within 10 feet of the tent exit.

Gas equipment shall be vented to the exterior. If such venting requires a flue, the pipe shall not be installed within 12 inches of the tent fabric.

Electrical heaters shall be installed pursuant to the California Electrical Code.

Clearance from any ignition source to any combustible material must be maintained in an approved manner.

Candles may only be used in approved and stable candle holders on individual tables in dining establishments. Under no circumstances shall hand held candles be permitted.

Open flame and charcoal cooking devices shall not be operated within 10 feet of a combustible surface.

Portable or fixed outdoor fireplaces shall not be operated within 15 feet of a combustible surface.

In the event strict compliance is not achievable, alternate means of compliance must be approved by the Fire Department and equal in effectiveness.

Securing Requirements

All tent supports or legs must be weighted.

Each tent leg must have a minimum of 40 lbs.

Weights must be securely attached to tent roof and tent leg separately.

- Ropes and straps should be high quality.
- Bungee or rubber straps are prohibited.

Weights must be on the ground and not dangling.

Weights and lines must not pose a hazard and be clearly visible.

For maximum safety, tents should be secured as soon as they are put up, and brought down as soon as weight is removed. Do not leave unsecured tents at any time.

* Additional information regarding Fire Department tent permits can be found at www.sbcfire.com/tents-and-membrane-structures