City of southport

Temporary Outdoor Dining Guidelines

**NC Department of Health and Human Services – Interim Guidance for Restaurants**

(December 08, 2020) Governor Cooper has implemented a phased approach to slowly lift restrictions while combatting COVID-19, protecting North Carolinians and working together to recover the economy.

Businesses and organizations should follow the guidelines below to prevent the spread of COVID-19. Full guidelines for restaurants can be found here: [NC DHHS COVID-19: Restaurants](https://covid19.ncdhhs.gov/information/business/restaurants)

In addition to the requirements below, certain businesses must follow Closure Periods or Stay at Home Orders, when they are in effect. For more information on any requirements that are currently in effect and how this applies to your business, please visit Business Closure Periods and Stay at Home [Restrictions](http://www.msn.com/?cobrand=dell17win10.msn.com&ocid=DELLDHP17&pc=DCTE).

***Social Distancing and Minimizing Exposure***

Social Distancing and Minimizing Exposure Social distancing is a key tool to decrease the spread of COVID-19. Social distancing (“physical distancing”) means keeping space between you and other people outside of your home. Stay at least 6 feet (about 2 arms’ length) from other people; do not gather in groups; stay out of crowded places and avoid mass gatherings. Phase 2 includes several requirements and recommendations to support social distancing in spaces where the public may gather.

***Restaurants are required to:***

❑ Ensure social distancing by arranging tables and seating to achieve at least 6-foot separation between parties for indoor and outdoor dining.

o Each group of people sitting at a counter should be separated by six (6) feet.

❑ Post signage reminding people about social distancing (staying at least 6 feet away from others). Know Your W's sign templates are available in English and Spanish on the NC DHHS COVID-19 response website.

❑ Mark six (6) feet of spacing in lines at high-traffic areas for customers, such as any cash register or any place where customers wait to be seated.

❑ Restrict alcohol beverage sales consistent with current Executive Order.

**Permitted Occupancy**

Ensure Emergency Maximum Occupancy is followed. The Emergency Maximum Occupancy is calculated using the following three tests. The most restrictive number must be used.

i. Limit to 50% of stated fire capacity or 12 people per 1,000 square feet if there is not a fire code number available. When no fire code number is available for outdoor dining, the 12 people per 1,000 square feet number should be applied.

ii. Limit the number of people in the space so that groups can stay six (6) feet apart.

iii. Arrange the restaurant so that customers sitting at a table are not within six (6) feet of any customers sitting at another table. Moreover, each group of customers sitting at a counter should be separated from other groups by six (6)

**City Maintained Right of way Outdoor Dining**

Total capacity for indoor and outdoor dining may not exceed 100% of fire capacity code. Total outdoor dining may not exceed 49 people.

***Tents or other outdoor enclosed areas:***

❑ If tents or other enclosed structures are used for outdoor dining areas, air flow and ventilation must be maintained to assist with COVID-19 control. Tents or enclosed structures must meet the following requirements:

* Maintained with three sides at least 50% open.
* If mesh is used, the screens should allow free movement of air and be no less than 0.011 gauge with an 18 x 16 mesh count.
* Tents or enclosed outdoor structures that are not maintained at least 50% open on three sides should have forced air mechanical ventilation to control respiratory particles and placed to minimize air blowing from one person directly at another individual.

❑ Ensure that local fire and building code officials are consulted before installing any outdoor enclosures and heating sources.

**Furniture Spacing Guidelines**

As required by NC Department of Health and Human Services, restaurants are required to ensure social distancing by arranging tables and seating to achieve at least a 6-foot separation between parties for outdoor dining. Each group of people sitting at a counter should be separated by 6 feet.

Total capacity for indoor and outdoor dining may not exceed 100% of fire capacity code.

Total outdoor dining may not exceed 49 people. It is recommended that restaurants allow no more than 6 people at a table and to not use shared tables among multiple parties unless the seats can be arranged to maintain social distancing between parties.

**Hours of Operation Temporary**

In addition to the requirements below, certain businesses must follow Closure Periods or Stay at Home Orders, when they are in effect.

Outdoor dining must comply with the City of Southport Police Department guidelines regarding noise level for any outdoor music, band or other entertainment as described below:

* Sunday through Thursday between the hours of 12:00 p.m. and 10:00 p.m.
* Friday and Saturday between the hours of 12:00 p.m. and 11:00 p.m.
* Business venues shall not allow any loudspeaker or other mechanically amplified device to be played so that the sound may be heard at a distance that shall cause annoyance to the public nor unreasonably disturb the persons on adjacent premises or within the vicinity thereof.

**Parking**

Parking for the business shall be on legal parking areas only and is not to impede the normal traffic patterns of those streets.

**CONSIDERATIONS**

1. Permits are revocable without notice and are only valid during the duration of City of Southport Emergency Declaration.
2. No permanent fixtures, facilities or encroachments are affixed to the sidewalk or installed within the City right-of-way.
3. No business, product, or advertising signing is placed on any encroaching item.
4. It must be separated from moving traffic with appropriate wheel bumper stops and/or barriers that do not impede traffic.
5. It must not impede curbside drainage.
6. It must be ADA accessible.
7. Dining is for waiter service only.
8. A cover charge is not charged for outdoor dining.

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

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

**OUTDOOR DINING CHECKLIST**

* Outdoor dining must be directly adjacent to the retail food establishment
* At least 10 feet away from any driveway or alleyway
* At least 15 feet away from any fire hydrant or standpipe
* At least 10 feet from a crosswalk or intersection of r/w lines at an intersection
* Does not block underground utility access points, ventilation areas, or meters
* Does not block H/C ramps or other features for physically challenged persons
* Does not block building access or exit or emergency access or exit
* Does not occupy area in front of adjacent property (without written permission from that owner)
* Does not block front of any display window (without written permission from that owner)
* Does not have permanent fixtures, facilities, or structures
* Sidewalk/paver area clean & sanitary, free of litter & food products
* No advertising, business, or product signage on any encroaching item
* Has a barrier system separating dining area from pedestrian passageway (cane detectable)
* Is separated from moving traffic with appropriate wheel bumper stops and/or barriers