



**CITY OF SAN LEANDRO
COMMUNITY DEVELOPMENT DEPARTMENT**

**COVID-19 RELIEF
TEMPORARY OUTDOOR FACILITIES REGISTRATION**

The City of San Leandro has established a registration process for restaurants and other commercial businesses seeking to utilize outdoor areas on public and private property in compliance with the applicable Alameda County Public Health Orders, and Governor’s Executive Orders. Businesses permitted to operate outdoors by Alameda County *and* listed as eligible in the Program Guidelines may participate. Filing a registration and complying with [Program Guidelines](#) grants businesses the ability to use outdoor areas on a temporary basis in locations that would otherwise require an Outdoor Facilities Permit or an Encroachment Permit.

I. REGISTRATION REQUIREMENTS

- Registration Fee: N/A
- Insurance (See insurance requirements on Registration Form)
- Signed copy of completed Temporary Outdoor Facilities Conformance Checklist
- If Temporary Outdoor Facility is located on a public property, submit photos within 5 business days

Submit completed checklist, insurance documents (scan or photo acceptable), and photos (if applicable) to covid19biz@sanleandro.org. Following submittal of checklist and insurance, and meeting other requirements below, operations may begin. City Staff will follow up if additional information is required or corrections to operations need to be made.

II. TYPE OF TEMPORARY OUTDOOR FACILITY

- Public Property
- Private Property (including private parking lots)

Type of Facility: _____ Start Date: _____
(Example: Outdoor Dining; Personal Services; etc.)

Days/Hours of Operation: _____

III. ADDITIONAL PERMITS MAY BE REQUIRED

Alameda County Environmental Health Department: <https://deh.acgov.org/deh-assets/docs/AlcoRestaurantOperatingProcedures.pdf>

Department of Alcoholic Beverage Control Approval: <https://www.abc.ca.gov/abc-218-cv19-instructions/>

IV. AUTHORIZATION AS OPERATOR/AGENT

OPERATOR/AGENT: In signing this registration form, I certify that I am the Operator of record, or an Authorized Agent of the Operator, and that I have full legal capacity to, and hereby do, authorize the filing of this registration. I have read and will comply with the [Temporary Outdoor Facility Program Guidelines](#) and any applicable Federal, State, County and/or City Orders, laws, regulations, or requirements. I acknowledge that the City has sole discretion to modify or revoke authorization to operate a temporary outdoor facility at any time for any reason.

Name: _____ Title: _____

Business Name: _____ Phone: _____

Business Address: _____

Email: _____ [Business license #](#): _____

Signature: _____ Date: _____

Primary On Site Contact Person *(if different from above)*

Name: _____ Title: _____

Email: _____ Mobile: _____



CITY OF SAN LEANDRO

COVID-19 RELIEF
TEMPORARY OUTDOOR FACILITIES CONFORMANCE CHECKLIST

Instructions: Please check one box for each row to confirm whether you agree to operate the temporary outdoor facility in conformance with program requirements. If you check “No,” please contact the City at covid19biz@sanleandro.org to clarify how your proposal may be brought into compliance, or what additional permits are required prior to submitting your registration form.

| General Requirements | | | | |
|--------------------------------------|---------------------------------|--------------------------------|---------------------------------|---|
| 1. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Timeframe: Temporary outdoor facilities are limited in duration to December 31, 2020, or the termination of the local emergency, whichever occurs first; or as otherwise terminated, modified or extended by the San Leandro City Council. All activities authorized under this program will be temporary in nature and granted solely to enable businesses to operate in compliance with social distancing protocols. Operator/Agent understands and agrees that permitted temporary outdoor activities confer no vested rights to any ongoing or continued activities. |
| 2. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Cessation of Use: The temporary outdoor activities and all associated improvements, structures, and installations will be removed, and the area returned to its previous condition within 7 days of the Temporary Outdoor Facilities Program’s termination. |
| 3. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Location of Use: Only the property directly adjacent to or in front of a business will be used unless written permission from the adjacent business or property owner(s) and appropriate insurance coverage are obtained. Hardscaped areas on private or public property, including parking lots, can be accessed for temporary outdoor uses. In order to preserve established landscaping, planted areas cannot be used or removed. |
| 4. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Hours of Operation: The temporary outdoor activities will comply with the hours of operation allowed under any existing land use approvals, or in the absence of an existing approval, will start no earlier than 7:00 a.m. or extend beyond 10:00 p.m. including set-up and break-down. |
| 5. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Nuisance: The temporary outdoor activities will be conducted without causing a nuisance (such as noise, trash or odors) to adjacent properties. |
| 6. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Amplified Sound: Any amplified sound or entertainment on private property will not disturb the peace, quiet and comfort of neighboring residents or persons of normal sensitivity. No amplified sound or entertainment will be located on the public sidewalk. |
| 7. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Permanent Changes: No permanent changes to the area will be made, such as bolting items to the ground or other street furnishings. All public or private property will be restored to its prior condition upon completing the temporary use with associated costs borne by the Operator/Agent. |
| 8. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Nightly Storage: All movable furnishings and merchandise will be stored inside nightly and when the business is closed. |
| Operation/Design Requirements | | | | |
| 9. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Allowed Items (Public Sidewalk): I will only place the following on public sidewalks and movable items will be brought in nightly: <ul style="list-style-type: none"> • Removable tables, benches, and chairs • Umbrellas - will be secured and maintain a minimum clearance of 84” |

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| | | | | <ul style="list-style-type: none"> Barriers as required by Alcoholic Beverage Control (ABC) <p>Items will be set back a minimum of two feet (2') from the curb and will maintain a four foot (4') clear pedestrian path of travel.</p> <p>None of the following will be located in the sidewalk area:</p> <ul style="list-style-type: none"> Flames of any type, including, stoves, burners, heat lamps and candles; Amplified sound or entertainment; Advertising; Consumption of alcohol except in compliance with ABC rules and regulations; Smoking; and Storage of materials or equipment. |
| 10. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Allowed Items (Private Property and Off-Street Public Property): I will only place the following in temporary outdoor areas on private property and off-street public property and all movable items will be removed or secured nightly at the end of business hours:</p> <ul style="list-style-type: none"> Umbrellas - will be secured and maintain a minimum clearance of 84" Barriers to delineate seating areas and protect from traffic, and/or as required by ABC <p>None of the following will be located in the temporary outdoor area:</p> <ul style="list-style-type: none"> Flames other than heating units located outside of tents, including stoves, burners and candles; Advertising; Consumption of alcohol except in compliance with ABC rules and regulations; Storage, including food service equipment or service staging areas; Generators; and Overhead elements without a minimum clearance of 84". |
| 11. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Required Clearances: A minimum clear pedestrian through zone (i.e., contains no objects) at least four feet (4') wide will be provided along the entire length of the temporary outdoor facility. Business entrances, manholes, valve boxes, fire hydrants (15' clearance), fire department connections, or stormwater inlets will not be blocked. Clear existing legal exits from the building to the public right of way will be maintained. A minimum 44-inch wide exit path will be maintained from the building and temporary outdoor areas.</p> |
| 12. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Exits: Fenced in areas will provide a clear exit path. Areas with an occupancy greater than 50 will provide two exits.</p> |
| 13. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Access: Access to outdoor facilities areas will be accessible as required by the California Building Code and the Americans with Disabilities Act. Emergency vehicle access routes and fire lanes will not be obstructed and ADA accessible parking spaces and paths of travel will be maintained.</p> |
| 14. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Accessible Seating: For each 20 seats, at least one (1) accessible table will be available that will:</p> <ul style="list-style-type: none"> Be between 28 to 34 inches high Have at least 27 inches of space from the floor to the bottom of the table Provide knee clearance that extends at least 19 inches under the table Have a total clear floor space of 33" x 48" per seat or 33" x 60" for side access Be located a minimum distance of 4 feet to the nearest obstruction |

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| | | | | <ul style="list-style-type: none"> Have a label displaying the International Symbol of Accessibility <p>A path of travel measuring at least 36 inches wide adjoining a wheelchair location and food service aisles a minimum of 36 inches wide will be provided.</p> |
| 15. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Extension Cords (Private Property): Extension cords will be:</p> <ul style="list-style-type: none"> Listed and labeled as outdoor rated in accordance with UL 817; Plugged into an outlet with a GFI protected circuit; Secured in a manner that is compliant with ADA accessibility standards, does not impede any person’s path of travel and does not constitute a tripping hazard; and Disconnected from their electrical sources each day at the conclusion of operations in the Outdoor Business Area. <p>Extension cords will not be located on the public sidewalk</p> |
| 16. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Canopies/Tents: A separate review, approval, and issuance of a fire code operational permit by the Alameda County Fire Department (ACFD) will be obtained for canopies/tents with a cumulative total floor area of 700 square feet or more to ensure compliance with 2019 California Fire Code Requirements as adopted by the City of San Leandro (510-577-3317). All canopies/tents must be open on all sides, they may not be enclosed.</p> |
| 17. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Fences: Fences and other temporary barriers required by ABC for alcohol service will not exceed 42 inches in height and will be properly secured to prevent the barrier from becoming a wind-blown projectile or overturning. Ballasts and fencing will not have any sharp edges that could cause injury.</p> |
| 18. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Heating Units: Heating units with a UL or AGA listing will not be located on the public sidewalk or in a tent or canopy area. Heating unit(s) will not be installed over or near exits from the building. Unit(s) will maintain the required clearances from combustible materials. A minimum of 6’8” headroom clearance will be maintained under heating unit(s).</p> |
| 19. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Pedestrian & Vehicular Safety: Temporary outdoor activities within areas accessible by vehicles will be clearly identified and delineated with traffic control measures (i.e., barricades, cones, signs, etc.) to ensure separation of pedestrians and vehicles without blocking pedestrian or vehicular access. Messaging on all temporary directional or parking lot signs will be clear and legible.</p> |
| 20. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Waste & Debris: Adequate waste receptacles will be provided both within and around the temporary outdoor activities. The business operator will be responsible for daily pick-up of discarded and wind-blown waste and debris at the premises and in the surrounding areas. Trash capture devices and storm drain inlets will always be kept clean of trash and debris (i.e., no paper napkins or menus in the inlets).</p> |
| 21. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Signage: No temporary signage will be installed, except as required to implement proper observation of public health and safety orders and guidelines, and ABC regulations and/or one incidental sign displaying a daily menu or specials visible to patrons on the premises.</p> |
| 22. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Stormwater Management: Areas designated for stormwater retention and conveyance, such as bioswales, drainage basins, gutters and culverts, may not be used.</p> |
| Other Regulatory Agency Requirements | | | | |
| 23. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Department of Alcohol Beverage Control Approval: Any applicable permits/approvals, such as a Temporary Catering Authorization approval, from</p> |

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| | | | | the California Department of Alcoholic Beverage Control will be obtained prior to sale of alcoholic beverages in the area beyond the licensed footprint. Bars may only operate if they serve alcohol with a meal. (See guidelines) |
| 24. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | Alameda County Department of Environmental Health: Any businesses serving food and/or beverages must follow the Alameda County Environmental Health Restaurant Operating Procedures: https://deh.acgov.org/deh-assets/docs/AlcoRestaurantOperatingProcedures.pdf |
| 25. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | Site Specific Protection Plan: Per the Alameda County Department of Public Health, Registrant is required to comply with the updated COVID-19 Site-Specific Protection Plan Guidance . Effective June 22, 2020, all Essential and Outdoor businesses are required to comply with the Site-Specific Protection Plan. |
| Additional Requirements for Personal Care Businesses | | | | |
| 26. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <u>California Department of Public Health:</u> Businesses must comply with the applicable CA Statewide Industry Guidance, including for restaurants/bars, retail, hair salons/barbers, and personal services. https://covid19.ca.gov/industry-guidance/ |
| 27. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <u>California Department of Consumer Affairs:</u> Personal services must comply with the guidelines for barbering and cosmetology licensees. https://www.dca.ca.gov/licensees/personal_care_services_outdoors_guidance.pdf |

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| Indemnification Requirement | | | | |
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| 26. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A | <p>Indemnification/Waiver: To the fullest extent permitted by law, Registrant shall defend, indemnify, and hold harmless the City of San Leandro, its elected and appointed officials, officers, employees and volunteers from any and all losses, claims, liabilities, costs, damages, or expenses (including attorney's fees and costs) to any person or property arising out of, either directly or indirectly, or in connection with the occupancy, use, and/or accessibility of the outdoor space and to any of Registrant's fixtures or improvements in the public right-of-way or private property in any way related to this Registration submitted by the Registrant, Registrant's employees, agents, invitees, or any other third party.</p> <p>To the fullest extent permitted by law Registrant shall further defend, indemnify, and hold harmless the City, its elected and appointed officials, officers, employees and volunteers from and against any and all claims of loss, damages, or liability to Registrant or any other person arising out of or in connection with City's receipt or revocation of this Registration.</p> |
| Insurance Requirements | | | | |
| 27. | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | <p>Insurance Requirements: Registrant shall maintain Commercial General Liability Insurance limits no less than \$1,000,000 per occurrence for bodily injury, personal injury, and property damage with a general aggregate limit of \$2,000,000. The City, its elected and appointed officials, officers, employees, and agents are to be covered as additional insureds as respects: liability arising out of activities performed by, or on behalf of, the Registrant; products and completed operations of the Registrant; premises owned, leased, or used by the Registrant. The coverage shall contain no special limitations on the scope of protection afforded to the City, its officials, employees, agents and Registrant. Registrant shall also maintain Statutory Workers' Compensation Insurance for any and all persons employed directly or indirectly by the Registrant.</p> |

By signing below, I certify that I have read this application and the above information is correct to the best of my abilities. I agree to comply with all applicable Federal, State, County and/or City laws, orders, and regulations.

Signature: _____ Date: _____

For additional resources for small businesses, please visit the City's [COVID-19 Business Resource guide](#).