

COVID-19 Guidance

Restaurant & Beverage Services

Phase III



Economic Development
COVID-19 Recovery

Fairfax City *ReConnected* Outdoors

"Fairfax City *ReConnected* Outdoors" program provides guidance on the Governor's Phase I, II, & III approach to reopening, a streamlined permit process, and a toolkit for signage. The goals of the program are to support the recovery of the restaurant community, promote public health, and provide clear operational guidance.

To apply for a temporary outdoor dining permit, visit fairfaxcityconnected.com/reconnected to download and email the application. If you have any questions in regards to the Fairfax City *ReConnected* Outdoors program or need assistance, email EDOCOVID19@fairfaxva.gov.

The following sections are summarized from the Virginia Department of Health and the Virginia ABC. Please visit the Business Sector Guidelines from the Virginia Department of Health and Topic 16 ABC Response to Temporary Approval of Outdoor Dining Area for more information.



Virginia Department of Health Requirements

The below steps must be followed for outdoor dining during Phase III.

- Post signage at the entrance that states that no one with a fever or symptoms of COVID-19, or known exposure to a COVID-19 case in the prior 14 days, is permitted in the establishment.
- Post signage to provide reminders regards physical distancing, gatherings, options for high risk individuals, and staying home if sick.
- All parties must be separated by at least six feet, including in the bar area, (i.e., the six feet cannot include the space taken up by the seated guest). If tables are not movable, seat parties at least six feet apart, including in the bar area. Spacing must also allow for physical distancing from areas outside of the facility's control (i.e., provide physical distancing from persons on public sidewalks). All parties, whether seated together or across multiple tables, must be limited to 250 patrons or less.
- Do not seat multiple parties at any one table unless marked with six foot divisions (such as with tape).
- If live musicians are performing at an establishment, they must remain at least six feet from patrons and staff.
- Employees working in customer dining and service areas are required to wear face coverings over their nose and mouth, such as using CDC Use of Cloth Face Coverings guidance.
- Prior to each shift, employers should ask that the employee self-measure their temperature and assess symptoms. Please see VDH Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers During Widespread Community Transmission.

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Virginia Department of Health Requirements (continued)

The below steps must be followed for outdoor dining during Phase III.

- Buffets may be open for self-service, with continuous monitoring by trained staff required at food lines, and serving utensils must be changed hourly during peak meal times. Facilities must provide hand sanitizer at buffets, and employees and patrons must use barriers (e.g. gloves or deli tissue) when touching utensils.
- Provide hand sanitizer stations or hand washing stations for patrons and employees.
- Patrons may wait for takeout or for seated dining in the lobby area, but they must maintain six feet of physical distance between parties.
- Perform thorough cleaning and disinfection of frequently contacted surfaces including digital ordering devices, check presenters, self-service areas, tabletops, bathroom surfaces, and other common touch areas every 60 minutes during operation. Tabletops and credit card/bill folders must be disinfected between patrons.
- Table resets must be done by an employee who has washed their hands with soap and water for at least 20 seconds just prior to reset activities.

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Fairfax City Operational Requirements

The below steps must be followed for all outdoor dining during Phase III.

Location

- The outdoor dining area must be set up on an existing hard surface and may not expand the width of the applicant restaurant's storefront/face or property boundaries; provided, however, that expansions on property beyond the host building storefront/face or property boundaries will be permitted if the affected adjacent property owner(s) and/or property manager consent in writing to this expansion. For use of public property (right-of-way), the City must provide written consent.
- Location cannot interfere with travel ways or on-site circulation; obstruct a fire lane or fire equipment; obstruct any building entrance or exit, or any other area designated for life safety or ADA accessibility; interfere with street access for life police or fire department vehicular response.

Setbacks

- Surrounding perimeter of the outdoor dining area must have a clear-width accessible route of six (6) feet from pedestrians, bicyclists, vehicular traffic and/or all structures in the public right-of-way, including traffic signals, poles, signs, lights, planting areas, trees, trash receptacles, benches, bike racks, parking meters, above-ground utilities, fire hydrants, fire protection system control rooms, FDCs, etc.

Perimeter Barriers

- Perimeter barriers shall fully surround the outdoor dining area and properly separate the dining activity from adjacent activities in public spaces and pedestrian traffic. The barrier shall be clearly marked and removable. Integrated planter boxes are permitted only when setback requirements are met. Branding elements or signage are not permitted on the barrier. Only signage permitted is that referring to COVID-19 public health reminders.

Access

- The outdoor area must be accessible to disabled persons and free of trash and debris. One well-defined entry/exit with shall be adjacent to or in close proximity to the public thoroughfare and/or host restaurant.

Term

- This Temporary Outdoor Dining Permit is valid for a period not to exceed 30 days from full execution by the City, unless extended in writing by the City; or 30 days from the date that the restrictions pertaining to restaurant operations contained within Governor Northam's Executive Orders, as amended, are lifted.

Termination

- The City reserves the right to terminate or temporarily suspend this Temporary Outdoor Dining Permit at any time, for any reason, including but not limited to noncompliance with the terms and conditions of the permit, or the use threatens the public health, safety, and welfare, such as storm events, crowds in excess of permitted capacity, construction, and modifications to the Statewide Declaration of Public Health Emergency.

Noise

- Each outdoor dining area shall comply with the provision of the noise ordinance set forth in the city's code for outdoor dining provisions.

Inspections

- The City may conduct occasional inspections of temporary activities while they are in progress, and after temporary activity has ceased, to ensure compliance with all regulations of the City Code and Fire and Building Codes.

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Fairfax City Operational Requirements

The below steps must be followed for all outdoor dining during Phase II.

Alcohol

- Restaurants must follow VABC rules for serving alcohol in temporary outdoor dining areas. Approval from the Virginia Alcohol Beverage Control (ABC) is required for the sale of alcohol. For requirements, please see Topic 16 ABC Response to Temporary Approval of Outside Dining Area.

Fixtures & Furnishings

- All tables, chairs, umbrellas, lighting and other accessories used in the outdoor dining area shall be removable, maintained in good visual appearance and condition at all times, and arranged within the perimeter barrier. All furnishings should be moved from the dining area and stored out of view during adverse weather conditions proclaimed by the City, or when the restaurant establishment is not in operation.

Prohibited

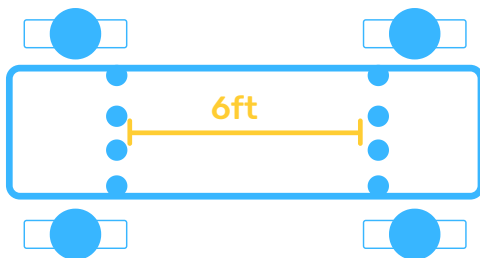
- Use of outdoor dining area for any other purpose than dining and related circulation.
- Protrusions beyond the perimeter barrier obstructing the required setbacks.
- Additional business signs and advertisements of any kind.
- Permanent attachment or erection of any outdoor dining features on public property and structures, including new in-ground footings, bolt attachment, or driving of stakes.
- Pop-up canopies, recreational tents, and awnings. Commercial tents will be inspected.
- The erection of elevated decks or any new paved surfaces.
- Outdoor entertainment activities.
- Open flames, cooking, food prep or warming in Temporary Outdoor Dining Areas.

VA Department of Health

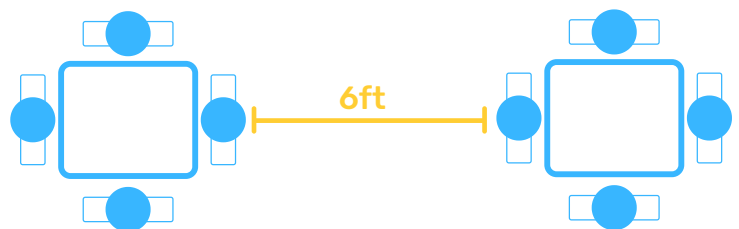
- Restaurants must follow the Business Sector Guidelines from the Virginia Department of Health for restaurant and beverage service sectors.

Operations

- Reservations and time limits per table are encouraged. Restroom attendant and/or capacity signage with 6ft distance markings on floor to social distancing required.



Do not seat multiple parties at any table unless marked with 6ft divisions.



Provide a minimum of 6ft between parties at tables. The 6ft cannot include space taken up by seated guests.

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Virginia ABC Requirements for Approval to Serve Alcohol in Temporary Outdoor Dining Area

The below steps must be followed to be able to serve alcohol outside during Phase II.

Virginia ABC has developed an accelerated process for receiving and processing requests for temporary outdoor dining areas. You must submit these items to your ABC agent before you can serve alcohol in the temporary outdoor dining area. Once you have submitted these items to the agent and received an "acknowledgment of receipt" you may begin using the area pending final approval.

- If the area you are using is not covered under your lease, you must have written approval from the owner of the property.
- If you are proposing to use public right-of-way (sidewalks, on-street parking spaces) you need to add Fairfax City as additional insured to your premises liability insurance and email a copy of the certificate of insurance showing Fairfax City to the City's Risk Manager, Kim Burgess at Kim.Burgess@fairfaxva.gov and EDOCOV19@fairfaxva.gov. (This requirement does not apply to restaurants only using existing outdoor dining.)
- The temporary area you are using must share a common border with, OR be within 100ft of your restaurant.
- You must submit a diagram of the outdoor area to your ABC agent. This can be a simple hand drawn diagram using Google Earth aerial or street view.



Virginia ABC Rules for Serving Alcohol in Temporary Outdoor Dining Areas

Follow these rules to keep your privileges once you receive approval from VABC.

- Only serve alcohol between 6am and 11pm.
- Your area needs to be well-lit enough to conduct ID checks, gauge sobriety, and serve food.
- There can be no entertainment.
- Only use the area for dining. No food or drink preparation.
- Access to the area (entrance and exit) must be well-defined and the entire area must be enclosed with a well-defined barrier.
- No commingling - do not share your area with any other restaurant.
- Provide adequate tables and chairs.
- Food must be provided while you are serving alcohol.

This documents is based on information available as of June 11, 2020. Please note that all rules and regulations are subject to change.