

City of Downey

11111 Brookshire Avenue, Downey, CA 90241

Phone (562)-904-7154

downeyca.org

APPLICATION FOR TEMPORARY OUTDOOR DINING PERMIT

Legal name of business			
Business Address	City	State	Zip
Business Owner's Name		Phone	Email
Prior Maximum Occupancy			
Occupancy allowed, per 60% Occupancy Limit			

24-HOUR CONTACT INFORMATION:

Business Contact's Name and Position		Signature
Date	Phone (24-hour)	E-mail

PERMISSION FROM PROPERTY OWNER:

Property Owner's Name	Property Owner Address	City/State/Zip	
Property Owner's Signature	Date	Phone	Email

PROPERTY OWNER'S AFFIDAVIT: I hereby certify under penalty of law that I am the owner of the above-referenced property and authorize the temporary outdoor restaurant operations as described herein.

Type of Application (check all that apply):

<input type="checkbox"/> Outdoor Operations	<input type="checkbox"/> Sidewalk Closures	<input type="checkbox"/> Parking Area Modification
<input type="checkbox"/> Street Closure (Identify Streets):		

Site Plan Submittal Checklist

- Written permission and signature from property owner. *If applicable.*
- Copy of City of Downey Business License.
- Copy of Alcohol Beverage Control (ABC) licensing and Map. *If applicable.*
- Copy of Approved COVID-19 Temporary Catering Authorization Application. *If applicable.*
- Executive summary of your business (scope of business).
- Site Plan with accurate, dimensioned, scaled drawings showing the business storefront, storefronts adjacent to the business, and the full sidewalk, street, and parking area in the proposed permit area. Size and font must be legible.
 - Delineate and dimension the area proposed for the permit.
 - Show and label all proposed furniture and appurtenances requested to be placed within the proposed permit area.
 - Provide north arrow, scale, street name, business address, and business name.
 - Provide all property plans on plan.

Application is hereby made for a temporary permit to operate an outdoor business subject to the City Manager's (or designee) sole consideration and approval and in accordance with standards set by the State of California, Los Angeles County Public Health, and in compliance with City of Downey's written guidelines and Procedures.

Signature of Applicant

Date

Department Approvals

Planning Approval

Signature

Date

OPERATING STANDARDS, please check ✓ next to each standard, indicating that they have been reviewed.

- Temporary outdoor dining areas are for outdoor dining purposes only. **No live entertainment, music, or amplification of any kind.**
- A designated location shall not be located along more than one building frontage.
- Restaurants must be in good-standing with the City, **have a valid business license**, no pending health or code enforcement matters proceeding, and not delinquent in the payment of any business license fees or taxes owed the City.
- Temporary outdoor dining areas can be used by one or more businesses.
- On-site seating at a table shall be limited to no more than 6 people in the same party.
- No more than 60% of the combined indoor dining space occupant load of the restaurant shall be accommodated outside.
- Outdoor seating areas within sidewalks and public rights-of-way shall maintain adequate and **unobstructed pedestrian flow of at least 4 feet**, must **maintain ADA accessibility** into and around all dining areas, access to public utilities, crosswalks, bus stops, and other required entrances/exits, access to fire hydrants and fire hose connections.
- The twenty (20) foot fire lane shall not be obstructed at any time.
- An approved copy of the COVID-19 Temporary Catering Authorization Application submitted to the Alcoholic Beverage Control must be included with the temporary outdoor dining application.
- All areas utilized for temporary outdoor dining must be made safe for dining** by using signage and barriers, and, if necessary, temporarily modifying the traffic flow on the property. Access to and from a public rights-of-way shall not be blocked or modified unless approved by the City through issuance of an encroachment permit.

- No tents or canopies allowed within outdoor dining areas, **only umbrellas.**
- Restaurants and any temporary outdoor dining areas must **maintain ADA accessibility** into and around all dining areas, and must ensure that fire and emergency exits at-all-times remain accessible and free from obstruction.
- Restaurants and temporary outdoor dining areas must operate in strict compliance with the **County Health Guidelines**, as well as any orders and guidance for restaurants issued by local health officers; as the same may be modified from time to time.
- Outdoor dining areas shall open no earlier, and close no later, than the restaurant's **regular hours of operation or 10:00 p.m., whichever is earlier.**
- Every permittee shall be required to furnish the city with a certificate of insurance with coverage for property damage and personal injury for minimum combined single limit coverage of \$2,000,000 naming the city, its officers, agents and employees as additional insureds. This certificate shall provide that thirty (30) days written notice of cancellation shall be given to the city.
- Restaurants and employees thereof shall **comply with all CAL/OSHA and California Department of Public Health requirements.**
- There shall be no permanent installations of chairs, tables, canopies, etc., within the public right-of-way.
- Temporary outdoor dining areas must be **completely removed** at the end of each business day.
- Business owner shall clean-up trash, debris, spills, etc. so that they do not enter catch basins and storm drain system.
- No utilities (overhead wiring/light fixtures, electrical cords, electrical outlets, etc.) will be allowed within the public right-of-way.

ADDITIONAL STANDARDS FOR OUTDOOR DINING AREAS IN PARKING LOTS

- A **physical barrier** (such as plants, temporary fencing, etc.) must be provided that separates and secures the temporary outdoor dining area from parking areas, walkways, and other outdoor spaces accessible by the general public.
- There must be a **5-foot separation** between the dining area and the drive aisle or driveway.
- No outdoor dining in parking lot areas **within 30 feet of any front or street side property lines.**
- The use or obstruction of any public sidewalk, street, alley, or other public-right-of-way shall first require an encroachment permit from the Department of Public Works. Establishments will be required to comply with any conditions of approval, and operate in strict compliance with, any terms and conditions set forth in the encroachment permit.
- Outdoor dining areas **shall not encroach into any driveways or drive aisles** intended for and used by vehicular traffic.

The undersigned applicant does hereby agree to indemnify and hold harmless the City of Downey, its officers, agents and employees from any and all liability, costs, damages, or injuries to persons or damage to property which may arise out of or in any way be connected with the business.

REFUSAL OR REVOCATION OF PERMIT: Violation of any provision of this Chapter, or any federal, state, county or local health regulations shall be grounds for revocation of the encroachment permit.

Signature of Applicant

Date

