

# Town of Apple Valley

## NEWS RELEASE

FOR IMMEDIATE RELEASE

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### **Apple Valley temporarily allows outdoor dining**

*Apple Valley, CA – July 4, 2020:* In response to the Governor’s directive this past week for restaurants to close indoor operations due to rising COVID-19 cases, the Town of Apple Valley is making it possible for local restaurants to continue to operate outdoors with modifications.

Early this morning, on July 4<sup>th</sup>, Town Manager Doug Robertson signed Executive Order No. 2020-03 suspending certain rules within the Town that limit and restrict outdoor dining, and outlines temporary procedures that restaurants can follow to provide safe outdoor dining options.

Until further notice, Town staff will not to enforce certain Town regulations that normally prohibit or restrict outdoor dining. Other provisions of the Town’s code will still be enforced. This order does not supersede or relax federal, state, or county laws and regulations applicable to dining services, including but not limited to the Americans with Disabilities Act.

No fees or permits will be required, however an informal review process is strongly encouraged. The Town is committed to assisting restaurants stay in compliance health orders while remaining open.

To learn more including the informal review process restaurants can take to gain compliance visit [www.avplanning.org](http://www.avplanning.org) or email [planning@applevalley.org](mailto:planning@applevalley.org).

The restaurant guidelines include:

1. Restaurant owners and operators shall read and comply with the current Emergency Orders issued by the State of California and County of San Bernardino Public Health Officer.
2. Outdoor seating arrangements shall limit the number of patrons at a single table to no more than six (6) individuals.
3. Outdoor seating arrangements shall maintain a minimum six-foot (6’) social distance between patrons seated at different tables.
4. Outdoor dining areas shall comply with any applicable ADA access requirements. A minimum three-foot (3'-0") foot wide path of travel shall be maintained along all pedestrian walkways from the parking lot and/or public right-of-way to all public building entrances.
5. The restaurant owner or operator shall obtain written authorization from the property owner for the use of private sidewalks or other areas for outdoor dining. In general, outdoor dining areas may be located on sidewalks or patio areas immediately adjacent to the front of the restaurant. Any use of private property must be approved by the landowner. These guidelines do not authorize trespass on private property.

6. Tenants in shopping centers with multiple restaurants shall work with the other tenants and management to equitably allocate the available space for temporary outdoor dining in coordination with landowners.
7. Tables, chairs, umbrellas, or other temporary objects shall not be located in a manner that creates a hazardous condition as determined by the Fire District officials, obstructs the entrance to any building or fire safety equipment, or impedes the flow of pedestrian or vehicle traffic.
8. Removable barriers, such as stanchions, retractable belts, plants, or screens no more than three feet (3'-0") in height, may be used to delineate outdoor dining areas from the pedestrian path of travel.
9. No furniture, fixture, or equipment shall be permanently affixed to the sidewalk.
10. Outdoor storage or preparation of food or beverages is not permitted.
11. Access to indoor restroom must be provided; portable toilets are not permitted.
12. Operating hours for outdoor dining areas shall be consistent with the indoor operating hours.
13. Entertainment events and all forms of amplified sound are not allowed in conjunction with temporary outdoor dining.
14. Restaurant operators shall maintain the cleanliness and appearance of all outdoor dining areas.
15. No advertising shall be allowed in temporary outdoor dining areas except the restaurant's name and logo. Each restaurant may post one sign with a maximum area of four (4) square feet.
16. Alcohol may be sold to patrons in conjunction with a meal, but it may not be sold independently. Bar areas shall remain closed to customers. Dining establishments must comply with all applicable regulations of the California Department of Alcoholic Beverage Control (ABC).
17. Parking areas immediately adjacent to the restaurant (head-in parking) may be considered for temporary use as outdoor dining if no other options are available. Each restaurant shall maintain the minimum number of parking spaces required for available seating. Total outdoor seating area shall not under any circumstances exceed the original occupancy of the restaurant.
18. Adequate safety barriers such as walls, water-filled or concrete K-rails, concrete wheelstops in conjunction with a visual barrier a minimum of three (3) feet in height, or planters shall be installed to protect any outdoor seating areas adjacent to drive aisles.
19. Facilities open for outdoor dining must also offer curbside pickup, takeout, or delivery alternatives.

For information on recent Town actions, closures, community and business resources, and number of coronavirus cases, please visit [av.town/coronavirus](http://av.town/coronavirus). Please email general questions to [info@applevalley.org](mailto:info@applevalley.org) or call Town Hall at (760) 240-7000.

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