

**ADMINISTRATIVE POLICY
HANOVER PARK, ILLINOIS**



DIRECTIVE: Outdoor Dining

SUBJECT: A Public Health Approach to Safely Provide Outdoor Dining at food service establishments located in the Village of Hanover Park.

POLICY: To provide necessary structure to allow outdoor onsite dining at food service establishments in the Village

PURPOSE: This policy establishes guidelines for safe dining outdoors at Village food service establishments. Nothing in this policy restricts the Village from implementing additional restrictions on outdoor dining or discontinuing this program. The health, safety and welfare of the community continue to remain a top priority of the Village.

DEFINITIONS:

Clean: Removal of food waste or food residue by using soap, water and abrasive action.

Disinfection: Disinfection refers to specific measures taken to control, deactivate or kill infectious agents, such as viruses and bacteria.

Employee Area: An area within a building restricted to use by employees only.

Hand Sanitizer: Hand sanitizer is a liquid or gel used to decrease infectious agents on the hands. Formulations of the alcohol-based type are preferable to hand washing with soap and water in most situations.

Outdoor Barrier: A fence, partition or similar structure around the perimeter of the outdoor dining space. This would include fencing required to comply with ordinance requirements if liquor is served.

Outdoor Food Service Area: The area outdoors designated by clear boundaries as the customer dining space.

- Public Area: An area within a building accessible to all persons.
- Sanitize: Use on a cleaned and rinsed surface of a chemical dilution of chlorine or quaternary ammonium in the specified concentration for food contact surfaces.
- Sunset: The official daily time provided by the National Weather Service and the National Oceanic & Atmospheric Administration where the sun crosses below the horizon.
- Tent: A structure, enclosure, umbrella structure, or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported in any manner except by air or the contents it protects.
- Umbrella Structure: A structure, enclosure or shelter without sidewalls or drops, constructed of fabric or pliable material supported by a central pole or poles.

I. Applicability and Administration

- A. All dine-in restaurants desiring to expand their operations outside may apply for a *Temporary Outdoor Food Service Permit*.
- B. The program will be administered by the Fire Department, Inspectional Services Division with support from the Community Development Department, the Clerk's Office, and the Police Department, where applicable.
- C. Minimum guidelines shall be established to protect the health, safety, and welfare of all occupants of outdoor food service tents. Restaurant owners are strongly encouraged to develop operational procedures beyond the requirements established by this policy.
- D. The Village of Hanover Park shall have the authority to review and approve or deny each application for permit under the guidelines of this policy.
- E. The Village of Hanover Park shall have the authority to revoke a Temporary Outdoor Food Service Permit if it determines that a restaurant has failed to comply with the requirements established by this policy.
- F. The Village of Hanover Park shall endeavor to reduce its exposure to litigation. As part of the permit approval process, the applicant shall sign a hold harmless agreement that advises them of potential risks and indemnifies the Village of Hanover Park against claims arising out of this manner of operation.

- G. All required materials to accomplish the expansion of operations shall be the sole responsibility of the restaurant business owner or his/her designee.

II. Permit Process

- A. The permit applicant shall provide a completed permit application and shall include the following information.
 - a. A site plan or aerial image showing the approximate location for outdoor food service relative to the existing restaurant and surroundings. A plat of survey is not required.
 - b. A drawing of the proposed outdoor food service area. The drawing shall include the following information:
 - i. Overall dimensions of the outdoor food service area.
 - ii. Dimensions relative to existing structures and other site features such as walkways, parking, and carry-out/curbside service areas.
 - iii. Entrance and exit points from the proposed outdoor food service area.
 - iv. The placement of tables, with dimensions showing spacing to allow aisles.
 - v. Location & type of barriers, where applicable, with detailed information on how barriers are to be mounted/secured in a temporary but safe manner.
 - vi. Photos showing the area where the outside food area is to be located.
 - c. If a tent or tents are going to be erected over the outdoor dining area, the business operator shall provide the following information about the tent:
 - i. Size
 - ii. Frame type and material composition.
 - iii. Flame propagation performance certificate.
 - iv. Locations for anchoring devices of tents.
 - v. Structural elements of the tent to prevent collapse or being affected by wind.
 - vi. Locations of required portable fire extinguishers.
 - d. An operations plan outlining the following information:
 - i. Hours of operation for outdoor food service
 - ii. Procedure for severe weather events during business and non-business hours.
 - iii. Traffic flow to and from the site.
 - iv. Procedure for customers waiting to be seated.
 - v. Statement of tent operations if a tent is to be used. This statement shall include whether a tent is to remain in place when business is closed or

if tent will be taken down daily. If a tent is intended to be left in place, the manufacturer's requirements for when the tent cannot be used shall be provided (wind conditions in excess of ___ MPH winds).

- B. Submitted permit documents will be reviewed for compliance with applicable Village of Hanover Park codes and ordinances.
 - a. The Fire Department, Inspectional Services Division will review compliance with the current adopted versions of the International Building Code International Fire Code, NFPA 101 Life Safety Code, NFPA 70 National Electrical Code, Illinois Plumbing Code, Illinois Accessibility Code, and the health requirements established by DuPage County, Cook County, and the Illinois Department of Public Health. Tents not subject to the above-mentioned codes shall still be required to be anchored to resist uplift and overturning.
 - b. Community Development will review compliance with the Village of Hanover Park Zoning Code and will make determinations regarding the approved number of parking stalls that may be temporarily converted and the approved overall area to be used for outdoor food service.
 - c. The Clerk's Office will review all special requests relating to liquor sales and licensing.
- C. This program shall be effective annually from May 1 to October 31. Approved permits shall be valid only during the effective date unless revoked or rescinded prior to expiration.
- D. Permit extensions shall not be granted.
- E. A fee of \$100 shall be charged for plan review and inspection services related to the administration of this program.
- F. Approved permit documents with seating plans are to remain on-site at all times and will be subject to inspection and verification that plans match actual layouts.
- G. Contractors shall register and provide a code compliance bond.
- H. Inspection of the outdoor food service area is required prior to allowing the operation to commence. The permit applicant shall be responsible to schedule a building inspection and a health inspection to verify compliance with approved permit documents.

III. Outdoor Food Service Operation Guidelines

Restaurants that wish to temporarily create an outdoor dining area shall abide by the following:

- A. Tents shall be maintained in a state of good repair and free from obvious damages, defects, or soiling.
- B. Tents should be of a single, solid color.
- C. Tents may display the company logo for the restaurant but shall not advertise specific vendors, slogans, or imagery.
- D. Smoking is prohibited within 15 feet of the dining area to comply with existing ordinances that do not allow smoking in a work environment.
- E. Alcohol sales are permitted to the extent of existing licenses held by the restaurant owner. Alcohol shall only be sold and served within the approved outdoor food service area. All regulations established by Municipal Code, Chapter 10 – Alcoholic Beverages, shall remain in effect.
- F. Tables shall be spaced to allow for minimum aisle widths as required based on total occupancy count.
- G. Restaurants not providing temporary lighting shall stop seating customers one hour prior to sunset and shall close at sunset. Restaurants providing temporary lighting may remain open until 10:00 p.m. Sunday through Thursday and 11:00 p.m. Friday and Saturday and shall stop seating customers no later than one hour before closing time.
- H. Restaurants providing temporary lighting shall submit for approval a temporary lighting plan with their permit application. The lighting plan shall comply with all relevant provisions of adopted village codes and ordinances.
- I. Adequate safeguards shall be in place for security, crowd control, lighting levels and the protection of minors.
- J. The outdoor food service area shall not disturb the lawful use and quiet enjoyment of nearby properties.
- K. Live entertainment will be allowed and shall respect the quiet enjoyment of neighboring properties. Electronically amplified music or sound will comply with Municipal Code, Chapter 54, Article VIII – Noise Abatement. All loud and raucous noises shall not be audible more than 50 feet away between the hours of 10:00 p.m. and 7:00 a.m.

- L. Bar areas are prohibited. All beverages shall be served by the staff of the business.
- M. Trash receptacles will be required for outdoor dining areas without wait staff and table service to allow customers to discard their refuse. At time of application indicate trash can locations that are not in the dining area. Food service areas that are attended by wait staff and table service shall have refuse removed from the tables by staff and discarded within the restaurant.
- N. No liquor served in an open container shall be removed from the outdoor food service area.
- O. Sanitize and disinfect tables, booster seats and highchairs after each use.
- P. Food transported from the restaurant to the outdoor dining area shall meet all food safety requirements.
- Q. No outdoor food or drink preparation is permitted.
- R. Restaurants may not expand outdoor dining in front of neighboring businesses or areas not owned or leased by the restaurant without written permission from the neighboring business/property owner.
- S. Restaurants within a strip mall, plaza, shopping center or other multi-tenant space shall secure correspondence from the property manager/owner prior to expanding outdoor dining into common parking, pedestrian, or greenspace areas.
- T. Sidewalks may be utilized provided there is still means for pedestrian traffic on the remaining portion of the sidewalk that does not impede the accessible route.
- U. Unless closed to vehicular traffic by the Village of Hanover Park, streets may not be utilized.
- V. Driveways, drive aisles, drive throughs or other means for traffic circulation may not be impeded or blocked.
- W. ADA parking spaces are required and access to/from those spaces shall not be impeded.

- X. The temporary outdoor food service area shall be accessible and shall comply with all applicable laws, ordinances, and regulations concerning accessibility and nondiscrimination in the providing of services.
- Y. Temporary barriers do not require additional permitting. No permanent barriers may be installed without a permit.
- Z. Plumbing, electrical, and lighting fixtures shall only be allowed when approved as part of the permitting process.
- AA. Reusable items including utensils, plates, glasses, etc., must be properly washed, rinsed, and sanitized. Cleaned utensils, plates, glasses, etc. must be properly stored away from Customers/Public and employees until ready for use. Use disposable items if proper cleaning of reusable items is infeasible.
- BB. Dirty linens used at dining tables such as tablecloths and napkins should be removed after each use and replaced.

IV. Employer Guidelines

Restaurants that wish to temporarily operate outdoor dining areas shall abide by the following:

- A. Regularly evaluate the Restaurant for compliance with the plan and document and correct deficiencies identified.
- B. Investigate any illness and determine if any work-related factors could have contributed to risk of infection.
- C. Update the plan as needed to prevent further cases.
- D. Post signage reminding employees of CDC hygiene and safety guidelines.
- E. Personal Hygiene – Allow and encourage employees to take frequent breaks for handwashing with soap and water for at least 20 seconds or disinfecting of hands with a sanitizer.

- F. Provide time for workers to implement cleaning practices during their shift. Cleaning assignments should be assigned during working hours as part of the employees' job duties.
- G. When choosing cleaning chemicals, employers should use products approved for use on the Environmental Protection Agency (EPA)-approved list and follow product instructions and provide employees with training on manufacturer's directions for safe use.
- H. Employers shall provide and ensure employees use all required protective equipment, including face coverings and gloves.
- I. Audio headsets and other equipment shared between employees shall be properly disinfected after use.

V. Employee Guidelines

Restaurants that wish to temporarily operate outdoor dining areas shall educate their staff to abide by the following:

- A. Employees shall wash hands or utilize hand sanitizer after each Customer/Public transaction (e.g., moving items used by Customers/Public such as dirty cups, plates, napkins, handling trash bags or securing payment) and take frequent breaks for handwashing with soap and water for at least 20 seconds and/or disinfect hands with a sanitizer.
- B. Servers, bussers, and other employees moving items used by Customers/Public (e.g., dirty cups, plates, napkins) or handling trash bags should use disposable gloves (and wash hands before putting them on and after removing them) and provide aprons and change frequently.