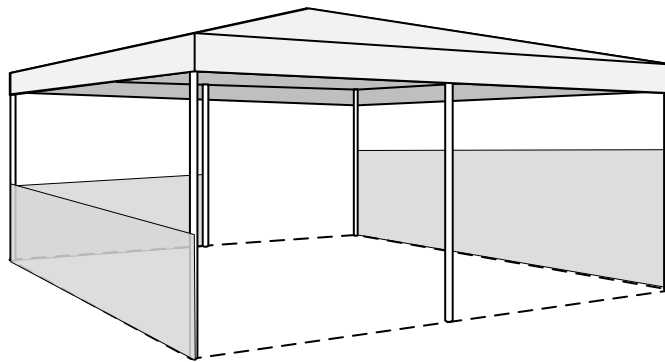




CENTRAL MARIN FIRE DEPARTMENT

# Guidelines for Temporary Tents, Canopies and Membrane Structures for Outdoor Business Operations

11/17/2020



**Disclaimer:** These guidelines were developed to establish reasonable prescriptive guidance and supplemental clarification to the general requirements established in the State Blueprint for a Safer Economy for outdoor dining, bars, pubs, brewpubs, and breweries when such businesses are required to operate outdoors. These guidelines utilize the [Statewide Public Health Officer Order of July 13, 2020](#) relative to bars, pubs, brewpubs, and breweries which stipulated that *“outdoor operations may be conducted under a tent, canopy, or other sun shelter but only as long as no more than one side is closed, allowing sufficient outdoor air movement.”*

These guidelines are intended to meet the intent of the California Department of Public Health (CDPH) COVID-19 Industry Guidance for Restaurants Providing Outdoor Dining. Should more restrictive requirements be established by CDPH or by the Marin County Health Officer, those requirements shall supersede these guidelines as applicable.

- ❑ Outdoor spaces created on public property must have an Encroachment Permit. Outdoor spaces on private property need to obtain permission from the property owner, follow these guidelines and obtain associated building or fire permits when required from the appropriate building or fire code official.
- ❑ The fire code official must issue a permit and inspect tents, canopies and membrane structures covering an aggregate area of 400 square feet or more or designed to be used by 10 or more people. Tents, canopies and membrane structures shall have a fire-resistant certification or flame certification showing material is in compliance with either California State Fire Marshal with approved seal or meets NFPA 701 flame retardant standards.
- ❑ Tents, canopies and membrane structures shall not be installed within 5 feet of buildings unless approved by the fire code official.
- ❑ If heating devices will be used under tents, canopies or membrane structures the fire code official must inspect the tent, canopy or membrane structure. The use of propane heaters requires a permit from the fire code official.
- ❑ A building permit from the Building Department is required for canopies constructed of other than metal frames and fabric membrane covering.
- ❑ The layout or a diagram of outdoor tent, canopy or membrane structure must be shown on the Encroachment and/or Tent Permit applications. Tents, canopy and membrane structure installations shall not obstruct fire apparatus access to existing buildings or fire protection appurtenances (e.g., fire hydrants, FDC's, etc.).
- ❑ Areas open to the public under tents, canopies and membrane structures must be made accessible to individuals with disabilities. The minimum clear head clearance under a tent, canopy or membrane structure is 80 inches.
- ❑ There shall be a clearance of not less than 3 feet between the fabric sides of a tent, canopy or membrane structure and all contents located inside the tent, canopy or membrane structure.
- ❑ Tables and chairs in outdoor dining areas must be placed/positioned to ensure 6 feet of distancing between patrons at other tables and dining areas.
- ❑ Outdoor dining areas must be constructed/ tables positioned in such a way that patrons are not within 6 feet of public/private walkways.
- ❑ Tents, canopies and membrane structures shall be installed a minimum of 20 feet from parked vehicles or internal combustion engines. **Exception:** *Tents, canopies and membrane structures may be installed not less than 5 feet from parked vehicles or internal combustion engines if approved by the fire code official and both the vehicle protection requirements of California Fire Code (CFC) 312 (Vehicle Impact Protection) and the tent or canopy are open to outside air ventilation criteria provided in these guidelines and as prescribed by State or County Health officials are met.*
- ❑ Cooking is prohibited in tents, canopies or membrane structures.
- ❑ One or more means of egress from a tent, canopy or membrane structure must be provided and clearly marked as required by the CFC.
- ❑ Extension cords serving a tent, canopy or membrane structure must be protected by a Ground Fault Circuit Interrupter (GFCI) and must be protected from damage. Heating devices must be kept a minimum of 3 feet away from combustible materials at all times.

- ❑ Businesses must have sufficient fire extinguishers to cover indoor and outdoor spaces.
- ❑ Businesses utilizing outdoor tents, canopies or membrane structures will need written inclement weather plans and trained staff to prevent any injuries in storms or other unsafe situations. After-hours emergency contact information shall be required in case the jurisdiction must notify the business management of special storm or disaster preparation requirements.
- ❑ Tent, canopy or membrane structure installations shall not obstruct fire apparatus access to existing buildings or fire protection appurtenances (e.g., fire hydrants, FDC's, etc.). There shall be fire apparatus access within 150 feet of all sides of a tent, canopy or membrane structure.
- ❑ Outdoor tents, canopies or membrane structures open to the public must have openings to allow airflow as provided in these guidelines. Only one full side of the roofed or covered area may have a "closed sidewall".
- ❑ If the building address is obstructed by a tent, canopy or membrane structure, temporary addressing visible from the public street shall be provided as approved by the fire code official.
- ❑ Tents, canopies or membrane structures shall be properly anchored or ballasted in accordance with manufactures guidelines, structural calculations or as otherwise approved by the fire code official.
- ❑ Tents, canopy and membrane structure permits are revocable by the fire code official for non-compliance with these guidelines.

## DEFINITIONS

**CANOPY.** A structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration, and may be structurally independent or supported by attachment to a building on one end and by not less than one stanchion on the outer end.

**CLOSED SIDEWALL.** Any side covering, drape, wall, screen, partition, tarp, fence or other vertical obstruction, other than posts, poles or other narrow tent, canopy or membrane structure support elements, that are more than 42 inches in height and located within 5 feet of the perimeter of a tent, canopy or membrane structure.

**MEMBRANE STRUCTURE.** An air-inflated, air-supported, cable or frame-covered structure as defined by the California Building Code and not otherwise defined as a tent.

**OPENING.** For the purposes of these guidelines, an "opening" is an unobstructed area that allows for the free passage of outside air.

**OUTDOORS.** A space located outside the confines of an enclosed building that allows for ample outside air circulation.

**PARTIAL OBSTRUCTION.** For the purposes of these guidelines, a "partial obstruction" is any vertical obstruction, including, but not limited to, vertical materials, fabrics, tarps, partitions, screens, fences, planters, railings, water walls and similar vertical obstructions or elements that are under or within 5 feet of the perimeter of a tent, canopy or membrane structure, are less than 42 inches in height from the ground or floor on which it rests and is provided with not less than 48 inches of clear opening height above the obstruction.

**TEMPORARY.** For the purposes of these guidelines, “temporary” means the duration of time that a tent, canopy or membrane structure is permitted to exist under the applicable permits issued for said structure.

**TENT.** A structure, enclosure, umbrella structure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported by any manner except by air or the contents that it protects.

**UMBRELLA STRUCTURE.** A structure, enclosure or shelter, with or without sidewalls or drops, constructed of fabric or pliable material supported by a central pole or poles.

## CRITERIA FOR DETERMINING MAXIMUM ALLOWABLE SIDEWALL AREA FOR SUFFICIENT OUTSIDE AIR MOVEMENT FOR TENTS, CANOPIES AND MEMBRANE STRUCTURES

- ❑ Vertical obstructions exceeding 42 inches in height and located within 5 feet from the perimeter of a tent, canopy or membrane structure shall be considered a **“closed sidewall”** and shall only be allowed on one side of the tent, canopy or membrane structure.
- ❑ Vertical obstructions 42 inches or less in height shall be considered **“partial obstructions”** and shall be allowed for the purposes of determining **“sufficient outside air movement”**.
- ❑ A minimum clear opening height of not less than 48 inches, shall be provided above any partial obstructions to provide **“sufficient outside air movement”**.
- ❑ **Additional sidewall opening requirement.** Additional sidewall tent openings are required if **portable outdoor gas-fired heating appliances** are used within tents, canopies or membrane structures as follows:
  - One side of the tent, canopy or membrane structure must be completely open with no closed sidewalls or partial obstructions: and
  - The combined sidewall area (all 4 sides) shall not have less than 50% of clear unobstructed opening as determined by the fire code official.
- ❑ Variations from these guidelines may be approved on a case-by-case basis when the intent of the State and County guidelines are met, and the variations are approved by the Department of Public Health and the fire code official. (An example of a variation might include fans or other devices that increase sufficient outside air movement to a space that might not otherwise meet all of the criteria mentioned above.)

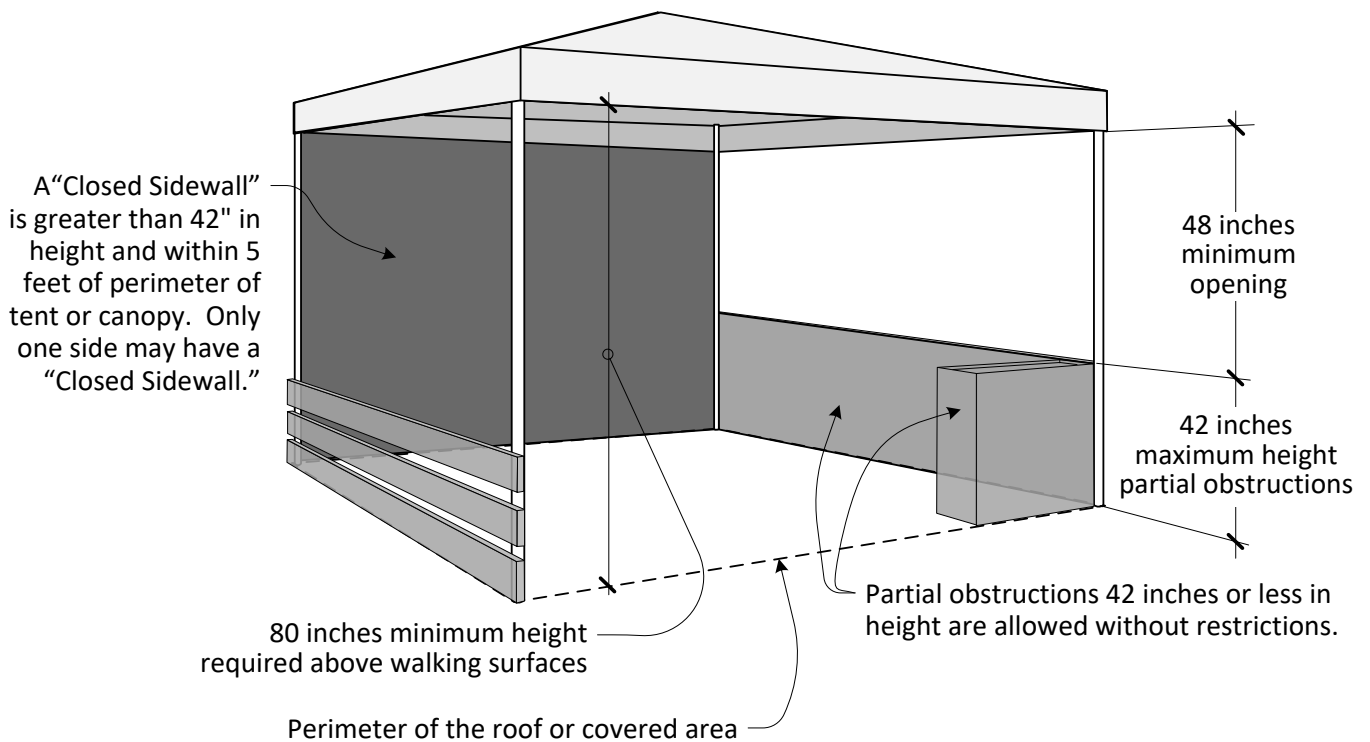


Figure 1

## HEATER GUIDELINES FOR TENTS, CANOPIES OR MEMBRANE STRUCTURES

### Heating Devices under tents and canopies

- The location and type of all heating equipment must be shown on the Encroachment and/or Tent Permit application diagram.
- The fire code official or their designee will inspect all heating devices regardless of the size.
- Heating appliances must be listed and used in accordance with manufactures guidelines, these guidelines and the California Building Standards Code.
- Portable Electric Space Heaters.** Portable, electric space heaters are allowed when operated only in locations for which they are listed. Portable, electric space heaters shall be located at least 3 feet from any combustible materials, including tent sides, ceiling, umbrellas, and all other combustible materials.
- Portable Outdoor Gas-Fired Heaters (e.g. propane or natural gas).** Portable outdoor gas-fired heating appliances for businesses may only be used when Fire Department requirements are met and the tent, canopy or membrane structure is provided with one side that is completely open and the combined sidewall area (all 4 sides) is not less than 50% of clear unobstructed opening as determined by the fire code official. A propane permit must be obtained by the fire code official prior to the installation and use of portable outdoor gas-fired heating appliances within a tent, canopy or membrane structure.
- Portable outdoor gas-fired heating appliances are not permitted within 3 feet horizontal and vertical distance from walls or ceilings of tents, canopies or buildings and shall be kept a minimum of 5 feet horizontal distance from exits from tents, canopies or buildings.



### **Liquid Petroleum (LP) Gas (Propane).** *NOTE: More restrictive fire safety regulations*

*may apply to the location of propane tanks when indoor dining is allowed under the pandemic restrictions.*

- Propane shall be stored and used in accordance with the California Fire Code except that these propane storage guidelines may be used for businesses operating outdoors during the coronavirus pandemic.
  - Tanks installed in listed appliances or when not installed in listed appliances stored inside of businesses may be stored in a secured location within the business.
  - Tanks not installed on or in listed appliances shall be in milk crates or similar stabilization containers, nested, or secured top and bottom
  - Storage shall not be within 10 feet of ventilation intakes, doors, windows or ignition sources
  - Storage areas shall be posted "No Smoking or Open Flame"
  - Businesses storing LP-gas inside shall post NFPA placards accordingly
- For the purposes of these guidelines, propane tanks used shall not exceed 5-gallon water capacity.
- The permitted number of propane tanks shall not exceed 5 tanks total (in use and in storage at any one time - empty tanks are considered full and count towards total).

Propane tanks may be located outside and shall be secured to prevent unauthorized movement. Propane tanks shall be adequately protected to prevent tampering, damage by vehicles or other hazards and shall be in an approved location not less than 5 feet from tent, canopy or membrane structure walls and ceilings. Propane tanks shall be located not less than 5 feet from a means of egress (exit).