

# Warrington



# Township

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[www.warringtontownship.org](http://www.warringtontownship.org)



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Drafted: October 23, 2020

**Purpose:** In accordance with Warrington Township Resolution (Enacted and Resolved on June 9, 2020) and with the Governor's Orders, restaurants and retail food service businesses during the COVID-19 Disaster Emergency shall be permitted to have dine-in service in outdoor seating areas, as long as they adhere to maximum occupancy limits and guidelines listed below:

1. The eating place or tavern must comply with all applicable CDC Guidelines, Guidance issued by the Commonwealth of Pennsylvania including Guidance for Businesses in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, Guidance issued by the Bucks County Health Department, Department of Agriculture's Food Code Regulations and regulations of the Pennsylvania Liquor Control Board.
2. Indoor areas must be limited to the occupancy limits established by the Governor's Orders.
3. Encourage reservations and discourage walk-in customers.
4. Non-bar seating in outdoor areas may be used for customer seating.
5. The distance between guests at different tables, must be a minimum of six (6) feet. Spacing must also allow for physical distancing so that pedestrians can pass with at least 6 feet of distance to customer.
6. Self-service food and drink options, such as buffets and drink stations, are prohibited.
7. Condiments shall not remain on tables for customer use and may only be dispensed by employees.
8. Reusable menus are prohibited. Use of personal electronic devices for ordering is encouraged.
9. Live music is prohibited.
10. Refilling of food and beverage containers is prohibited.

11. Outdoor trash receptacles shall be provided and maintained as needed.
12. Customers shall not be permitted to bring any outside implements to an eating place or tavern.
13. Maximum occupancy shall be determined by using the following two methods, the more restrictive number must be used: (1) 12 people per 1,000 square feet; or (2) arrange the tables so that customers sitting at a table are not within 6 feet of any customers sitting at another table in any direction and calculate the maximum number of customers that can be accommodated.
14. The eating place or tavern must demonstrate that sufficient parking will be provided based on the maximum occupancy of the outdoor dining area.
15. If the outdoor dining area is in a parking lot, a temporary physical barrier of a type approved by the Township shall separate the outdoor dining area from the rest of the parking lot.
16. The eating place or tavern must obtain and provide to the Township proof that its Landlord, if applicable, has approved of the location of the outdoor dining area and provide proof of insurance for the proposed dining area.
17. Private streets and access drives within a shopping center may be closed to allow for outdoor dining upon approval of the Landlord, if applicable, and the Township Manager on the advice of the Fire Marshal, as part of the permit process described below.
18. Temporary canopies may be provided but a minimum of two opposing sides must be open to facilitate airflow.
19. The eating place or tavern must apply for a permit from Warrington Township, establishing compliance with these guidelines, at a cost of \$100 and execute an Indemnity/Hold Harmless Agreement.
20. The eating place or tavern must comply with all ADA requirements.
21. Any plans for heating devices and/or electrical work must be submitted to and reviewed by both the Code Enforcement Department and the Fire Marshal's office.
22. The eating place must comply with all Bucks County Health Department requirements.

**Requirements and Fees:** Applicant agrees that by signing and submitting this permit application with the required **\$100 fee**, Applicant shall be responsible for ensuring adherence to the above-listed requirements at all times. Additionally, Applicant shall submit a site plan identifying where the outdoor seating will be located to scale, including markers for each individual table. If parking spots are to be used for outdoor seating, Applicant shall clearly indicate how many parking spots they own and how many are proposed to be used for outdoor seating.

**Indemnity and Hold Harmless Clause:** Applicant agrees that by signing and submitting this permit application with the required \$100, to the fullest extent permitted by law, Applicant shall indemnify, hold harmless, protect and defend the Township from and against any and all liabilities, claims, damages, losses, demands, lawsuits, costs, and expenses, including (but not limited to) attorney fees, arising out of or resulting from the negligence or misconduct of the Applicant in connection with participation in the above-referenced activity. Should any such claim, demand, or lawsuit arise or be asserted in any way whatsoever related thereto, whether arising under the laws of the United States, any state, or under any theory of law or equity, Applicant will indemnify, hold harmless and defend the Township from any and all costs, expenses, or liability including but not limited to the cost of any settlement or judgment made or rendered against the Township.

**Term:** The term of this permit, if approved, shall expire on March 31, 2021. Once this permit expires, outdoor dining activities **must** cease unless you have acquired a more permanent permit for outdoor dining service.

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Applicant Signature	Date
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Applicant E-Mail Address	Applicant Contact #
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Applicant Service Address

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Applicant Mailing Address

**OFFICE USE ONLY**

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Official Signature	Date
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