



**Salt Lake City Corporation**



# Outdoor Business Activity Guide

*Salt Lake City, Utah*

This guide is meant to assist restaurant and retail businesses in the expansion of operations on private property, public right of way and also details the process for closing streets to expand businesses even further. **The processes detailed in this guide will expire with the expiration of Emergency Proclamations issued by Mayor Erin Mendenhall during the COVID-19 pandemic.**



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# Definitions

## Outdoor Business Activities

- Any retail, or restaurant activity, including retail sales, retail services, or outdoor dining that would typically occur inside a building or structure but is operating outside and adjacent to the anchor business.

## Temporary Structures

- Partially walled (no more than two walls) or roofed structures, which are intended to be used for a limited duration for outdoor business activities. Temporary structures include: tents, free standing canopies, awnings, patio coverings, and other similar structures.

## Emergency Proclamations

- All temporary permits are subject to change due to the Emergency Proclamations issued by Salt Lake City Mayor Erin Mendenhall during the COVID-19 pandemic. Please consult the Salt Lake City Department of Economic Development for updates.

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# Permits

- **Temporary Business Permit (SLC Real Estate Services) \$9/month for 5 tables or less, \$11/month for 6 or more tables (Pages 13-14)**
  - For use of public right-of-way (sidewalks, park strips, parking stalls), and temporary structures under 200 sq. ft. (not overnight), to expand outdoor dining activities
  - [http://www.slcdocs.com/Planning/Guides/SLC\\_temp\\_outdoor\\_business\\_ROW\\_guidelines\\_Jan2021.pdf](http://www.slcdocs.com/Planning/Guides/SLC_temp_outdoor_business_ROW_guidelines_Jan2021.pdf)
- **Encroachment Agreements for Parklets (SLC Real Estate Services) \$350+ (Pages 15-18)**
  - Required for temporary structures in the public right-of-way overnight
  - <https://www.slc.gov/can/cares/encroachments/>
- **Temporary Use Permit (SLC Building Services) \$265 (Pages 19-21)**
  - Required for temporary structures for outdoor dining over 200 sq. ft.
  - <http://www.slcdocs.com/building/Temporary%20Use%207-2020.pdf>
- **Operational Fire Permit (SLC Fire Department) \$173 (Pages 22-26)**
  - Required for temporary structures for outdoor dining over 400 sq. ft.
  - <https://citizenportal.slcgov.com/Citizen/Cap/CapHome.aspx?module=Fire&TabName=FIRE>

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# Permits Continued

- **Building Permit (SLC Building Services) Fee Varies by Project**
  - Required for permanent structures
  - <http://www.slcdocs.com/building/Building%20Permit%20App.%206-2020%20Autofill.pdf>
- **Special Events Permit (SLC Special Events) \$119**
  - Required for street closure to expand outdoor dining in the public right-of-way
  - <https://www.slc.gov/eventpermits/special-event-permit-instructions/>
- **DABC License Extension \$125 (Page 27)**
  - Required for expanding alcohol service
  - <https://abc.utah.gov/licenses-permits/permits/>

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# Private Property Expansions

These guidelines and permitting procedures are meant for the encouragement of safely operating outdoor business activities and allow temporary structures to facilitate the continued operation of outdoor business activities on private property, adjacent to existing businesses in accordance with the Centers for Disease Control and Prevention guidelines.

## **Outdoor dining activities**

- No permit required

## **Temporary structures under 200 sq. ft.**

- No permit required

## **Temporary structures over 200 sq. ft.**

- Temporary Use Permit required

## **Temporary structures over 400 sq. ft.**

- Operational Fire Permit required

## **Permanent structures**

- Building Permit required

## **Alcohol service expansion**

- DABC Permit

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# Public Property Expansions (Right of Way)

The public property expansion waives the ordinances and regulations that prohibit the location of a temporary structure in the right of way, including in a parking stall, adjacent to the anchor business. This waiver in no way relieves the existing anchor business from its obligation to obtain a temporary business permit or encroachment permit from the City. If a business places a temporary structure the right of way pursuant to this Proclamation, the temporary structure must be removed at the close of business each day.

- **Outdoor dining activities** - Temporary Business Permit or Encroachment Agreement required
- **All structures** must adhere to the Sidewalk Dining Guidelines:
  - [http://www.slc.gov/can/wp-content/uploads/sites/8/2021/01/SLC\\_temp\\_outdoor\\_business\\_ROW\\_guidelines\\_Jan2021.pdf](http://www.slc.gov/can/wp-content/uploads/sites/8/2021/01/SLC_temp_outdoor_business_ROW_guidelines_Jan2021.pdf)
  - [http://www.slcdocs.com/Planning/Guides/sidewalk\\_dining\\_guidelines.pdf](http://www.slcdocs.com/Planning/Guides/sidewalk_dining_guidelines.pdf)
- **Permanent structures**
  - Building Permit required
- **Alcohol premise expansion**
  - DABC Permit required

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# Parklets

The purpose of the parklet design guidelines is to create efficient uses of urban space, provide attractive additions to local streetscapes, invite people to sit and stay in public spaces, enhance walkability, and encourage business participation in a vibrant streetscape. Parklets are to be used as public space and are marked as such to promote use.

## ***ALL PARKLETS MUST ADHERE TO THE TEMPORARY OUTDOOR BUSINESS PERMIT AND SIDEWALK DINING GUIDELINES:***

- [http://www.slc.gov/can/wp-content/uploads/sites/8/2021/01/SLC\\_temp\\_outdoor\\_business\\_ROW\\_guidelines\\_Jan2021.pdf](http://www.slc.gov/can/wp-content/uploads/sites/8/2021/01/SLC_temp_outdoor_business_ROW_guidelines_Jan2021.pdf)
- [http://www.slcdocs.com/Planning/Guides/sidewalk\\_dining\\_guidelines.pdf](http://www.slcdocs.com/Planning/Guides/sidewalk_dining_guidelines.pdf)

## **Encroachment Agreement (SLC Real Estate Services) \$350+**

- Required for structures in the public right-of-way overnight
- <https://www.slc.gov/can/cares/encroachments/>

## **All dining and structures**

- Encroachment Agreement required

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# Open Streets

Open Streets is a special event, hosted by community organizers and organizations, to close streets to allow businesses to expand their premises using City sidewalks and parking stalls. Open Streets requires a Special Events permit to close streets, and a DABC Premise Extension Permit if expanding alcohol service.

## **Special Events Permit (SLC Special Events)** **\$119**

- Required for street closure to expand outdoor dining in the public right-of-way
- Special Event Permit Instructions

<https://www.slc.gov/eventpermits/special-event-permit-instructions/>

## **DABC Temporary Premise Extension** **\$125**

- Required for expanding alcohol service
- DABC Temporary Patio Extension Guidelines:

<https://abc.utah.gov/wp-content/uploads/Home/Patio-Operational-Restrictions-Updated.pdf>

- DABC Request for Expansion Application

[https://abc.utah.gov/wp-content/uploads/Compliance/Forms/2.-Extension\\_of\\_premises.pdf](https://abc.utah.gov/wp-content/uploads/Compliance/Forms/2.-Extension_of_premises.pdf)

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# Open Streets

## Premise Extension Guidelines

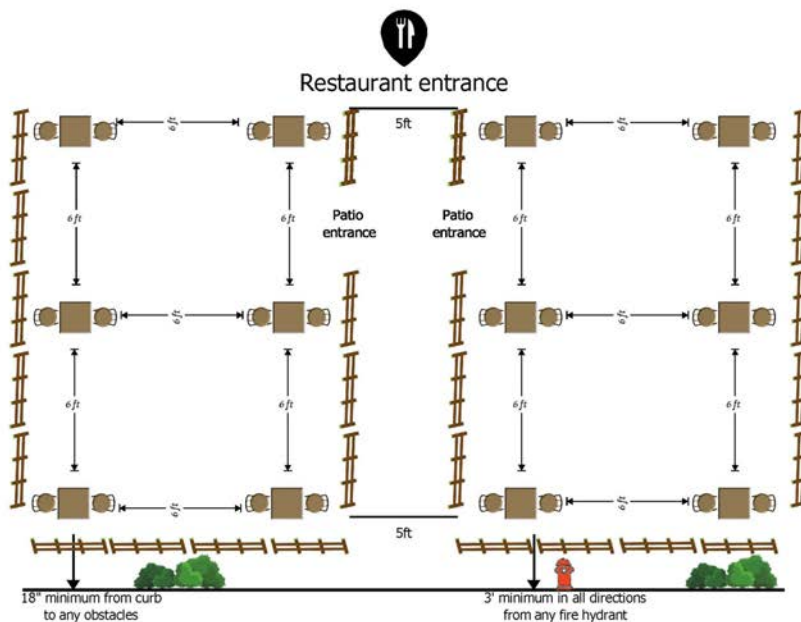
- Business can use complete sidewalk frontage for expansion, 10' pedestrian pathway NOT required
- SLCo Health and Safety guidelines for 6' table spacing required
- If serving alcohol:
  - Premise must be barricaded with a dedicated, monitored entrance
  - Business entrance must be provided with a 5' pathway, and ADA ramp access from the street to the sidewalk
  - Barricades cannot impede city and private property utility access and provide 3' clearance
  - Fill out the DABC "request for expansion/extension of retail license", include all requirements, and mail or drop off at DABC
  - Receive DABC approval prior to event
  - Determine location, streets to close, prepare premise extension site plans and for DABC approval consult with Salt Lake City Business Development by emailing [ed@slcgov.com](mailto:ed@slcgov.com)

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# Open Streets

## CURBSIDE OUTDOOR DINING AREA



### Site Plan Measurements

1. Measure 5 feet from building entrance to the curb and barricade.
2. Measure 18" from the curb. This is the beginning of your patio.
3. Measure 3' around all fire hydrants.
4. Note all obstacles in your site plan.

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# Open Streets

## Frequently Asked Questions:

### What are the fees associated with an outdoor patio?

- During this special event, there is no additional cost to Salt Lake City for patio expansions. There is no additional cost to the DABC permit holder for obtaining an expansion to the existing permit premises.

### What barriers do I need for outdoor dining areas?

- Barriers are required in outdoor dining areas that serve alcohol. The height may not exceed 36 inches and the bottom of barrier must not exceed 27 inches above the sidewalk surface. Any fencing should be sturdy, freestanding, and removable. Planters may be used.

### Where can my outdoor patio be?

- No outdoor business activities shall encroach upon any part of the sidewalk frontage of another property without written permission. Anything placed in the right-of-way must be removed at the close of business each day.

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# Permitting and Salt Lake County Health Information

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# Temporary Business Permit

**Temporary Business Permit (SLC Real Estate Services) \$9/month for 5 tables or less, \$11/month for 6 or more tables**

- For use of public right-of-way (sidewalks, park strips, parking stalls), and temporary structures under 200 sq. ft. (not overnight), to expand outdoor dining activities

## **Application Requirements:**

- Commercial general liability insurance that meets or exceeds minimums set by Salt Lake City
- Applicants shall provide a scaled site plan drawn to scale with the dimensions of the outdoor business area.
- Applicant must show that 6 feet of distance can be maintained between backs/sides of chairs for each dining group.
- Hand drawn site plans are acceptable.
- For application, e-mail: [Real\\_Estate@slcgov.com](mailto:Real_Estate@slcgov.com)

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# Temporary Business Permit

## General Guidelines:

- All customers and staff must adhere to all mandatory Utah Department of Health and DABC standards, applicable laws, and regulations.
- No outdoor business activities shall encroach upon any part of the sidewalk frontage of any adjacent property without written permission from the adjacent property owners or tenants.
- Outdoor business operators are required to provide commercial general liability insurance that meets or exceeds minimums set by Salt Lake City.
- Anything placed in the right-of-way must be removed at the close of business each day.
- All temporary business permits expire automatically after 180 days.

## Additional Info:

- Existing outdoor expansion right-of-way permits may be extended 180 days.
- If already permitted and seeking an extension through 12/31/2020, send email to: [Real\\_Estate@slcgov.com](mailto:Real_Estate@slcgov.com) with updated insurance document, intended site plan with all changes if applicable and request extension.
- Please refer to the Utah COVID-19 Transmission Index Guidelines to ensure you are following all requirements.

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# Parklet Permit

## General Requirements for Parklets

- Utilize 2 parking spaces (longer or shorter will be considered).
- Not extend beyond the host's lateral property line (this may be amended by request, with written permission of neighboring businesses).
- No more than 10% of parking on any block face may be used.
- Block faces with fewer than 10 stalls will be treated on a case by case basis.
- Not extend more than 6 feet into parallel parking stalls.
- Provide 4 foot setbacks on either side to buffer the parklet from adjacent parking spaces.
- Utilize flooring that is 6 inches high in order to be flush with the curb. This may be modified to match curb height.
- Not be located in front of a fire hydrant, manhole cover or utility access, or within 10-feet on either side of a fire hydrant, in accordance with Salt Lake City Fire Code.

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# Parklet Permit

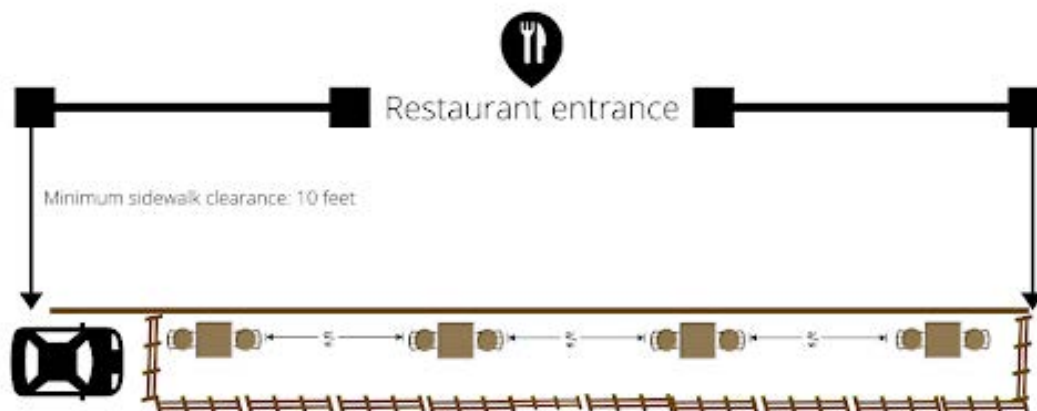
## Permitting Process

- All parklet sponsors are required to have a permit. Parklet sponsors must obtain a permit from the Salt Lake City Transportation Division following review by the Transportation Division, Planning Division, Engineering Division, Public Utilities, and Property Management before undertaking any on-site installation.
- An initial site plan must be submitted with the application, and final construction documents must be submitted before receiving a permit. Construction documents should show parklet location and context, a detailed site plan, elevations from all sides, sections or cut-through drawings of the design, and construction details for assembly. Renderings and perspectives are optional.
- Following approval of your design, an invoice will be issued for the final permit. The permit fee is a one-time charge to cover the cost to the city of processing your permit application and removal of parking spaces and meters.
- Permit fees depend on the processing and review required for your application, how many parking spaces your parklet will occupy, and whether your parklet is sited on a street with metered parking.
- A pre-installation on-site inspection must be scheduled at least 10 days before installation to authorize beginning construction.
- On-site construction and installation should be completed within 30 days.
- A post-installation on-site inspection must be scheduled within five days of the end of parklet construction, to verify that the parklet was built to the features, dimensions, and materials specified in the construction documents.
- Parklets must be designed for winter removal in order to accommodate snow plowing and winter street maintenance.

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# Site Plan Measurements



1. On-street parking stalls used for outdoor business require additional permits from the Engineering and Transportation divisions.
2. ADA parking stalls shall not be used for outdoor business activity.
3. On-street parking stalls used for outdoor business must have either a platform flush with the curb or a ramp for accessibility.
4. Parklets shall be located along the building frontage, and the width into the street is limited to a maximum of 8 feet.
5. Where parking stalls are not marked, one parking space is deemed to be 9 feet wide by 22 feet long.
6. Exceptions to these dimensions will be considered on a case-by-case basis.
7. Parklet site plans should indicate the number of stalls intended for outdoor business use.
8. Outdoor business area shall maintain a minimum of six feet between patrons and pedestrians passing by, a minimum of four feet for pedestrian passage, and 18-inch minimum clearance from the face of the curb.
9. Place painter's tape (or other easily removable material) along the sidewalk 6 feet from the outdoor dining area to indicate social distancing requirement to pedestrians and patrons waiting to be seated.

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# Temporary Use Permits

## **Temporary Use Permit (SLC Building Services) \$265**

- Required for temporary structures for outdoor dining over 200 sq. ft.
- Submission Instructions: <https://www.slc.gov/buildingservices/self-help-instructions/>
- Application: <http://www.slcdocs.com/building/Temporary%20Use%207-2020.pdf>

## **General Requirements:**

- Temporary structures shall be located in a rear or interior side yard only and adjacent to the principle business.
- Outdoor business activity shall be located a minimum of 10-feet from a property line in a residential zoning district.
- DABC permits are required for alcohol sales.
- Fire suppression equipment shall be on-site if any heating is provided or if cooking is to be conducted within the temporary structure.

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# Temporary Use Permits

## Standards:

- Temporary Food Service and Other Small Scale Uses are permitted under a Temporary Use Permit for a maximum of 180 days with a tent, canopy, or other temporary structure over 200 square feet.
- All permits must be applied for online through Citizen Access Portal.
- After an application has been submitted the following must be uploaded through ProjectDox for Plan Review:
  - Temporary Use Worksheet
  - A Basic Site Plan including but not limited to:
    - The Proposed Temporary Use
    - The proposed location of all temporary structures, including the size of the tent, the number of tables, benches and/or chairs, the height and location of any fences or similar barriers, and the location of any heaters, generators and/or extension cords
  - All Existing Permanent Structures
  - Existing and Proposed Parking
  - Indicate if alcohol will be served within the confines of the temporary use
  - Main entrance location to the principle building
  - Traffic and other access routes
  - Ingress and Egress for Emergency Vehicles

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# Temporary Use Permits

## Standards Continued:

- Any proposed temporary or permanent energy sources being routed to the proposed Temporary Structure. This includes but isn't limited to:
  - Generators
  - Extension Cords
  - Natural Gas or Propane Heating devices
- Temporary Structures 200 square feet or larger shall obtain Building Code and Fire Code approval as part of the Temporary Use Plan Review.
- A Structural Analysis Report is required to address wind and snow loads.
- Temporary Structures over 400 square feet require an Operational Permit from Salt Lake City Fire Department prior to issuance of a Temporary Use Permit.
- Separate Electrical and Mechanical Permits are required for all permanent and/or temporary electrical or gas connections to the proposed Temporary Use. Permanent electrical and mechanical connections require a Licensed Contractor.
- After the permit has been issued, an inspection should be scheduled to verify life safety compliance.
- A 2nd inspection should be scheduled to verify removal after 180 day period has ended.

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# Operational Fire Permit

## **Operational Fire Permit (SLC Fire Department) \$173**

- Required for temporary structures for outdoor dining over 400 sq. ft.
- <https://citizenportal.slcgov.com/Citizen/Cap/CapHome.aspx?module=Fire&TabName=FIRE>

## **Temporary Structures Needing a Permit**

- Temporary structures with one or more sides over 200 square feet
- Temporary structures open on all sides over 400 square feet
- Cooking tents will not be allowed with the temporary coronavirus tent permit.
- *\*Exception\** To avoid the permit requirement on multiple temporary structures, there must be a 12" space every 400 to 700 sq ft.

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# Operational Fire Permit

## Application Requirements

- A complete site plan
- The location of access roads (the Fire Marshal will determine if fire access roads meet fire access requirements)
- The location of any fire hydrants, and maintain 5' of clearance around hydrant in all directions
- The location of any fire department connection (FDC), and maintain 5' of clearance around FDC in all directions
- Property lines and the location of nearby structures. Temporary structures will remain 20' from structures and property lines.
  - Any Temporary structures that are within 20' of a structure or property line will be reviewed on a case by case basis.
  - Any Temporary structures that are within 20' of a structure or property line will be required to maintain a fire watch anytime that the temporary structure near the temporary structure is occupied. See fire watch guidelines below.
  - Any temporary structures that are within 20' of a structure or property line will not block any existing egress points of the structure. The required egress clearance pathways will be maintained at all times.

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# Operational Fire Permit

## Permitting Process

- All temporary structures shall comply with Chapter 31 of the 2018 International Fire Code.
- Apply for the permit fourteen (14) days prior to tent, stage canopy set up.
- The application will be reviewed for compliance to the fire code and a permit fee will be at the discretion of the Fire Marshal.
- A temporary coronavirus tent permit will be issued upon the physical inspection of the location and structure. A permit issued by the Fire Marshal will be required for each temporary structure as per the requirements stated above.
- If a propane or other type of heater is used the temporary structure must have the California State Fire Marshal's flame retardant certification seal must be visibly displayed on the tent or canopy.
- No heaters with open flames are allowed within any temporary structure within SLC boundaries.
- A full set of construction documents including structural calculation and detailed drawings of connections are required and will be reviewed at the discretion of the Fire Marshal.
- The time period for which the temporary structure is intended to be in place: no longer than 180 days per Salt Lake City requirements.

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# General Requirements - Fire

- All temporary structures must be properly secured in case of wind (40 mph basic wind speed and 90 mph 3-second gust).
- Securing of the structures is the responsibility of the owner/operator (refer to IBC 1609)
- A portable fire extinguisher with a minimum 2A10BC rating must be accessible within 75 feet walking distance of all temporary structures, at a minimum, as required by section 906 of the IFC.
- All extinguishers require a current State Fire Marshal's inspection tag. Inspection tags are required annually.
- No smoking signs must be provided in each permitted temporary structure.
- Exits shall be clearly marked and lighted when the exits serve an occupant load of 50 or more.
- All compressed gas bottles must be secured at all times to prevent them from tipping over. No compressed gas bottles will be stored within a temporary structure.
- Generators must be maintained at least 20 feet from any temporary structure.
- No combustible waste can be stored within 30 feet of a temporary structure.
- No heaters with open flames are allowed within any temporary structure within SLC boundaries.

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# Additional Information

## Light/Heat Equipment Requirements and Information

- Lights and heaters plugged into outdoor electrical outlets do not need permits. Cords cannot be run to an indoor outlet. Cords must be designed for outdoor use.
- If a propane or other type of heater is used the temporary structure must have the California State Fire Marshal's flame retardant certification seal must be visibly displayed on the tent or canopy.



- Connecting to building utilities: Requires electrical or mechanical, plumbing permits. Generators require an electrical permit & fire department review.

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# DABC License Extension

**You must work with your DABC compliance officer to extend your liquor license if you want to serve alcohol in your outdoor dining patio.**

**DABC Process and Requirements :** [https://abc.utah.gov/wp-content/uploads/Compliance/Forms/2.-Extension\\_of\\_premises.pdf](https://abc.utah.gov/wp-content/uploads/Compliance/Forms/2.-Extension_of_premises.pdf)

**The DABC will require:**

- Salt Lake City local consent
  - You will need to request a letter of local consent by emailing your extension of insurance and site plan
- Extension of insurance
- Site plan
- DABC temporary license extension application

**We recommend that you contact your compliance officer as soon as you decide to apply with Salt Lake City in order to inform them that the liquor license extension will be coming.**

**PLEASE NOTE:**

- Outdoor dining areas must have a clearly delineated premises secured by a sturdy, free-standing barrier that enables the licensee to maintain control over the premises and prevent alcohol from leaving the licensed premises. This must be indicated in your site plan. Work with your compliance officer to ensure your patio is properly barricaded.
- DABC license extensions currently automatically expire on June 1, 2021.

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# Salt Lake County Health Requirements

**COVID-19 Dine-in services, including buffets and bars, may be open under the following requirements**

- Limit tables to groups of 10, preferably members of the same household
- Groups of patrons at a table must maintain a distance of 6 feet from patrons of other parties at all times. Either move tables or mark tables not to be used
- In waiting areas, a 6-foot distance must be maintained between parties, whether indoor or outdoor
- Maintain signage to remind individuals from separate parties to stand at least 6 feet apart; waiting area has floor markers to indicate proper spacing
- Hosts preferably open doors for customers and guide them to their seats to prevent traffic or congregating; hand sanitizer available at door
- Recommendation that upon entry, hosts point guests to signage that includes the following information:
  - Outlines symptoms and encourages that if the patron, or someone they live with, has experienced COVID-19 symptoms, to please order takeout instead
  - Recommendation for higher-risk individuals to order takeout/delivery instead of dining in for the protection of that individual
- 

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# Salt Lake County Health Requirements

## Salt Lake County Health Requirements Continued

- Manager checks each employee for symptoms before every shift and asks if any member of the employee's household has tested positive for COVID-19 in the past 14 days. Log must be kept and available for inspection by the local health officer or designee
- Staff must wear face coverings at all times and perform hand hygiene between interactions with each table
- Cups, lids, napkins and straws must be handed directly to customers by staff
- Do not place utensils on table until patron is seated
- Encourage contactless and non-signature payment; when not possible, card and payment stations must be sanitized after each use. Staff must sanitize hands between handling payment options and food/containers
- Noise
  - In Salt Lake County, the health department works with local law enforcement agencies to enforce the county's noise regulation.
  - In general, the noise regulation prohibits loud noise at night between the hours of 10:00 p.m. and 7:00 a.m. The regulation also sets limits for extremely loud noise during daytime hours.
  - Certain activities and situations are exempt from the noise regulation, such as government-operated snow removal activities and construction work that receives a temporary noise permit from the health department.

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For more information or additional assistance, e-mail the Salt Lake City Department of Economic Development:  
**[ed@slcgov.com](mailto:ed@slcgov.com)**



DEPARTMENT *of*  
ECONOMIC DEVELOPMENT