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TEMPORARY OUTDOOR SEATING AND USE PERMIT APPLICATION – 2020 FOR RESTAURANTS AND RETAIL ESTABLISHMENTS

This application applies to Restaurants and Retail Establishments that wish to expand outdoors for displaying merchandise, expanding restaurant seating capacity and conducting customer's transactions during the COVID-19 pandemic and resulting social distancing requirements. This simple permit process is provided to assist eligible establishments to respond quickly for reopening under the current governor's orders. Permits may be revoked by the Town at any time in response to evolving health orders or other unforeseen circumstances.

CONTACT INFO

Business Name: _____ Physical Address: _____

Business Owner: _____ Phone: _____ Email: _____

Building Owner: _____ Phone: _____ Email: _____

Expansion Area Owner: _____ Phone: _____ Email: _____

APPLICATION PROCEDURES:

- 1) Prior to expanding Restaurant Seating or Merchandise Displays** into adjacent outdoor public or private property areas, the applicant shall **first contact the Town of Pagosa Springs Planning Director** to schedule an on-site meeting to review the proposed expansion area and existing on-site conditions. You may contact Planning Director James Dickhoff at jdickhoff@pagosasprings.co.gov and 970-264-4151 x225.
- 2) Fill out this application with your business and contact information.**
- 3) Provide a sketch site plan drawing** of the proposed outdoor seating layout or merchandise display areas that includes at least the following:
 - a. Depict the area into which the applicant plans to expand.
 - b. Provide accurate dimensional measurements.
 - c. Location of tables and seating areas complying with 6-foot spacing requirements with no more than 8 people per table.
 - d. Location of merchandise display and customer transaction areas.
 - e. Note any impacted parking spaces, access drive lanes, sidewalks, trails, etc.
 - f. Indicate seating protection barrier proposed if using parking lots or areas close to vehicular travel areas.
 - g. Indicate any proposed temporary structures and mobile facilities: Tents, buildings, trailers, trucks, etc.
- 4) Provide written permission from the property owner of the area you plan on expanding into.** In the case of publicly owned property or public easement areas (sidewalks, trails, other publicly owned property) the Town Manager has the authority to consider your proposal for approval to ensure an expedited process. This permit requires a Certificate of Insurance that shall indemnify and

hold harmless the Town, its officers, employees and agents against any and all claims arising from any occurrence occasioned by the licensed use; and shall be maintained in good standing during the period of the permit; comprehensive general public liability and property damage insurance naming the Town, its officers, employees and agents as insureds; providing that the insurance is primary insurance, and no other insurance maintained by the Town will be called upon to contribute a loss covered by the Town; and providing for thirty (30) days' notice of cancellation or material change to the Town.

- 5) **All furnishings and merchandise must be adequately anchored.**
- 6) **Should the applicant desire to expand or modify their Liquor License Premises Boundary** into their new permitted outdoor areas, the applicant shall receive approval from the Town of Pagosa Springs Town Council, concurrent with approval from the State of Colorado. With the exception of liquor license fees imposed by the State of Colorado, no fee shall be collected by the Town associated with this application or review. On-Premise Liquor License Modification Permit will allow establishments with a current Liquor License in good standing, the ability to increase their Liquor Licensed Premise Boundaries for outdoor seating areas contiguous or adjacent to the current location, for 120 days unless extended or other action is taken by the State.
 - a. Complete DR 8442 found on the State website and include supporting documents: (https://www.colorado.gov/pacific/sites/default/files/DR%208442_e_wo_2.pdf)
 - b. Diagram of the new premises with outline of entire licensed area.
 - c. Existing lease, statements of use, permits, easements, etc. showing legal possession of modified area.
 - d. Control plan which details boundaries, ingress/egress, signage, hours of operation, and preventing sales to underage or intoxicated persons.
 - e. The fee is \$150 to the State and can be paid online through the State payment link. There is no fee to modify the premise back to the original layout.
 - f. Submit completed form and attachments to the Town Clerk's office for approval, ahessman@pagosasprings.co.gov.
- 7) **All Businesses shall maintain compliance with all current Local and State orders** during the COVID-19 Pandemic. Current (as of May 27, 2020) Guidance for Restaurants and Food Services are attached to this permit application for reference.
- 8) **The Town and San Juan Basin Public Health are committed to a safe and healthy economic re-opening.** Though not required, the San Juan Basin Public Health's self-certification form can help your business ensure proper social distancing practices are in place.
Restaurants: <https://forms.laplata.co.us/Forms/Restaurant-Cert>
Other Businesses: <https://forms.laplata.co.us/Forms/BusinessCert>
Visit <https://sjbpublichealth.org> for the most up-to-date information on the virus and public health orders.
- 9) **We highly recommend you speak with your insurance carrier** to ensure your new outdoor area is covered and included in your insurance policy. If operating on another private property, you may need to provide verification of insurance to that property owner to ensure they are protected.



Guidance for Restaurants and Food Services

RESTAURANT AND FOOD SERVICES - PICK UP ONLY

GUIDANCE FOR PICK-UP SPACE	GUIDANCE REGARDING EMPLOYEES	GUIDANCE TO PROTECT CUSTOMERS
<ul style="list-style-type: none"> ● Limit restaurant service to walk-up/ window/ curbside pick up, or delivery only. ● All bars must remain closed to in-person patrons (take-out permitted, e.g. beer sales/cocktail kits from a brewery). ● Elevate and increase frequency of cleaning practices, including disinfection of high-touch areas. ● Conduct daily disinfection and full cleaning in-between shifts in accordance with CDPHE guidance ● Implement symptom monitoring protocols (including workplace temperature monitoring and symptom screening questions) where possible. (Additional Guidance) and encourage sick employees to use the CDPHE Symptom Tracker ● Post signage for employees and customers on good hygiene and other sanitation practices ● Clearly designate pick-up waiting areas with markers for proper distancing between parties, and ensure they do not interfere with in-establishment dining - whether indoors or outside. 	<ul style="list-style-type: none"> ● Provide guidance and encouragement on maintaining 6 foot distancing between employees. ● Wear face coverings during customer interactions ● Wear gloves and face coverings whenever possible during meal-prep and cleaning. ● Institute frequent breaks to wash hands. ● Require employees to stay home when showing any symptoms or signs of sickness. ● Employers are encouraged to provide high-quality face coverings 	<ul style="list-style-type: none"> ● Implement 6 foot distancing measures (i.e., marked space in check-out lines) ● Provide contactless payment options whenever possible. ● Make accommodations for individuals unable to adhere to mask and physical distancing requirements, such as takeout, curbside or delivery.

RESTAURANT AND FOOD SERVICES - INDOOR AND OUTDOOR ON-PREMISE DINING

*The intent of this guidance is to open establishments for the primary purpose of dine-in service, or what is colloquially referred to as “restaurants.” Any establishment that can adhere to the guidelines below and ensure access to food for on-premise consumption can open. The provision of food/meals must be from a licensed retail food establishment. **Other kinds of establishments that do not serve food will be evaluated in June.***

GUIDANCE FOR FOOD SERVICE SPACE

- Restaurants are encouraged to continue curbside pick-up/delivery, including alcohol pick-up/delivery.
- **Outdoor dine-in service is encouraged. Please work with local authorities to get authorization for expanding space to accommodate outdoor dine-in for adjacent or nonadjacent public or private spaces.** The following requirements must be met:
 - Patrons in different parties must be a minimum of 6 feet apart. The spacing of tables may need to be 6 feet or more to ensure proper physical distancing between diners from different parties.
 - All employees must wear face coverings.
 - Disinfecting and deep-cleaning of all shared surfaces between seatings.
- **Indoor dine-in service can be held at a 50% of the posted occupancy code limit and a maximum of 50 patrons,** if the following requirements can be met:
 - Patrons in different parties must be a minimum of 6 feet apart. The spacing of tables may need to be 6 feet or more to ensure proper physical distancing between diners from different parties.
 - All employees must wear face coverings.
 - Ensure maximum ventilation by opening windows and minimizing air conditioning to the extent possible.
 - Deep clean and disinfect all shared surfaces between parties/at each turnover.
 - Keep parties together, and do not allow them to mingle with each other..
- Limit party size to **eight people or fewer.**
- Make efforts to reduce congregating inside and outside the establishment including:
 - Encouraging reservations, and preferably requiring reservations, if feasible..
 - Waiting parties must not congregate in entrance areas and should wait in their cars or off premises until seating is available.
 - No communal seating.
 - No self-service stations or buffets.
 - No seat-yourself options to ensure that a table has been disinfected prior to a new patron.
 - Do not seat people in the bar if it is being used to prepare food or drink. If the bar area is not being used to prepare food or drink, parties could sit there under the same distancing requirements as a regular table.
 - Clearly mark floor and ground to delineate 6-foot spacing for people in lines, and mark how foot traffic should move. Clearly mark closed tables not available for seating customers.

GUIDANCE REGARDING EMPLOYEES

- Implement symptom monitoring protocols (including workplace temperature monitoring and symptom screening questions) where possible ([Additional Guidance](#)) and encourage sick employees to use the [CDPHE Symptom Tracker](#).
- Appoint one employee per shift to monitor staff and public for adherence to safety measures.
- Require employees to stay home and refer to employer or state support when showing any symptoms or signs of sickness ([Information about emergency sick leave pay](#)).
- Provide guidance, training, and ongoing training on maintaining 6 foot distancing between employees to the greatest extent possible in all areas of operation.
- Implement systems to minimize staff interactions, such as work flows, shift cohorting (same staff on each shift), staggering of shifts, shift changes, and breaks.
- Require employees to wear face coverings while in the establishment.
- Require facel coverings for vendors, suppliers, and contract workers entering the licensed establishment.
- Require gloves or frequent handwashing. Encourage frequent breaks to wash hands (at least every 30 minutes) including upon arrival and departure.
- Adhere strictly to the hygienic practices listed in the [Colorado Retail Food Regulations](#) including:
 - Not working when sick
 - Frequent hand washing
 - Changing gloves between tasks
 - Using a fresh pair of gloves after each handwashing.

GUIDANCE TO PROTECT CUSTOMERS

- Provide an option for customers to “sign in” to facilitate notifying them if an exposure occurs.
- Provide contactless payment or prepayment options whenever possible.
- Establish customer waiting areas, outdoors if possible, that maintain proper physical distancing from other guests.
- Restrict standing and/or congregating in the bar area, entrance/exit, and any interior spaces.
- Continue curbside pick up/delivery options and recommend them for vulnerable individuals.
- Request customers to wear face coverings when not eating or drinking, e.g., walking past other tables to get to delivery areas or restrooms. .
- Consider refusing service to customers who refuse to adhere to hygiene and physical distancing requirements
- Make accommodations for individuals unable to adhere to masking and physical distancing requirements, such as takeout, curbside or delivery.

- Post clear signs notifying patrons and employees of hygiene and sanitation expectations, including not entering if they or anyone in their household is experiencing any symptoms of illness.
- Minimize objects touched by multiple patrons including:
 - Remove/close games and dance floors that require or encourage standing around (darts/pool tables/shuffleboard, arcade games); remove board games.
 - Discontinue use of tablecloths, or move to single-use, or remove and replace laundered tablecloths between patrons.
- Disinfect any shared objects such as check presenters and POS machines thoroughly between uses.
- Increase cleaning and disinfection protocols and track with publicly posted cleaning logs including:
 - Use disposable single-use menus, menu boards, or create online menus for guests to review from their electronic device.
 - Provide single-use or single serving condiments.
 - Disinfect restrooms every hour.
 - Block off stalls and urinals with proper signage to support 6 feet between patrons. This may require reduced bathroom capacity or even only one person in a bathroom at a time.
- Provide hand sanitizer at check-in area and throughout the venue.

- Consider modifying the menu to create additional space in the kitchen and promote physical distancing. Implement physical distancing where practicable.
- “All staff” meetings must follow physical distancing. Consider virtual meetings or meetings outside with appropriate distancing.
- Require employees to take home all belongings, including water bottles, after every shift.
- Provide high-quality face coverings for employees as much as possible.

IF THERE IS A CONFIRMED CASE OF COVID-19 AMONG CUSTOMERS OR EMPLOYEES

- The restaurant **must** notify and cooperate with their local public health agency on next steps.
- Local public health agency contacts can be found [here](#).
- Outbreak guidance for non-healthcare facilities can be found [here](#).