

**Exhibit A**  
**Performance Standards for Outdoor Dining Pilot Program**

*Application and Submittals*

- 1) Applicants must file an Encroachment Permit for review by the City
  - a. The City reserves the right to determine on a case-by-case basis the suitability and appropriateness of the public property (sidewalk or parking area) requested by the restaurant for outdoor dining.
  - b. Available right-of-way or parking spaces to be used for outdoor dining shall be identified based on the availability of the space fronting the business and may not include areas fronting adjacent businesses without consent
  - c. Encroachment Permit Fees \$325 (per Adopted Master Fee Schedule 2019-2020) may be waived to reduce cost-associated barriers for business/restaurant participation
  - d. Parking meter revenue that would not be collected to be considered by Parking Place Commission after the program's launch
- 2) Participation in the Temporary Dining Program is limited to 30 days, with the option to review and extend for another 30 days, but no more than 90 days total.
- 3) Applicants must comply with [San Mateo County Outdoor Dining Safety Requirements](#), including on-site posting of health information for employees and patrons
- 4) Supplemental Information required by the San Mateo County Health Department must be submitted to the City (i.e., Health Order Social Distancing Protocol (Appendix A))
- 5) Restaurants/businesses that serve alcohol may continue to serve alcohol in the outdoor dining area, as long as specific requirements are met:
  - a. An applicant/operator with a current Alcohol and Beverage (ABC) license and approval may only serve alcohol within an approved area as reviewed by ABC.
  - b. In the event that ABC requires layout modifications to the approved, the applicant shall submit revised layout to the City for review and approval.
  - c. The applicant/operator is responsible for obtaining and conforming to ABC requirements and file any other necessary applications to continue serving alcohol.
  - d. A copy of the current ABC license shall be submitted to the City. In order to retain the Temporary Outdoor Dining Permit and serve in the sidewalk café area, it shall be the responsibility of the operator to maintain the license.
- 6) No permit shall be issued unless proof of adequate insurance, as determined by the City, is provided by the restaurant.
- 7) Restaurants operate at their own risk and shall defend and indemnify the City for all activity that occurs in the outdoor dining area.
  - a. Applicants must identify the City of South San Francisco as an additional insured party and provide a copy of the insurance certificate

- b. As required by the City's Encroachment Permit, applicants shall procure and maintain during the term of the Permit the following policies of insurance:
  - i. Worker's Compensation and Employers' Liability Insurance in the statutory coverage.
  - ii. Commercial General Liability Insurance: In an amount not less than ONE MILLION DOLLARS (\$1,000,000)
  - iii. Automobile Liability (Code 1) Insurance: In an amount not less than ONE MILLION DOLLARS (\$1,000,000)
  - iv. Contractual Liability Insurance: In the amount of at least TWO MILLION DOLLARS (\$2,000,000)

Operations and Maintenance

- 8) Hours of operation for outdoor dining uses shall not exceed the normal hours of operation for the corresponding restaurant or business for which the outdoor use is granted.
- 9) Furniture used for outdoor dining shall not be secured to lampposts, streetlights, trees or any other public street furniture
- 10) All approved furniture used for outdoor dining shall be properly maintained and cleaned regularly and be placed to allow pedestrians to move safely in the sidewalk at all times.
- 11) The applicant/operator shall comply with all applicable Fire and Building codes at all times.
  - a. The applicant/operator shall ensure safety and stability of all equipment used for outdoor dining.
- 12) Maintain required ADA access and clearances at all times.
  - a. Other cities provided specialized benches and/or tables where one side can be used by people in wheelchairs or mobility devices and ADA required table heights are maintained.
  - b. Also, other cities have installed temporary ramps for businesses to maintain access for all patrons using the outdoor dining area.
- 13) The applicant/operator shall be responsible for the proper maintenance of the outdoor dining area at all times, including properly disposing of all trash generated by the operation.
  - a. The applicant/operator shall be held responsible for emptying and cleaning all trash receptacles within the operating area.