



Zoning Permit for Temporary Outdoor Dining Areas on PRIVATE Property

A guide to help you understand the process:

What is a Zoning Permit for Temporary Outdoor Dining?

Temporary approval for outdoor seating to provide additional seating to allow restaurants and food service establishments to expand their seating areas outside of the building, including; sidewalks, common areas and parking on private property. A Temporary Certificate of Occupancy issued under this permit is valid starting on the date of its issuance and ending on the earlier of 12 months after that date or the day the Governor of Maryland rescinds the current state of emergency. Temporary outdoor seating may not exceed the allotted number of seats being lost due to indoor restrictions related to COVID-19.

Application Submittal Requirements

1. Complete the Application in its entirety.
2. Application to be signed by the property owner OR provide notarized affidavit
3. A copy of a site plan or plot plan showing property boundaries, parking area, drive aisles, fire lanes, fire hydrants and location of proposed outdoor dining area, road access. Also show the proposed outside seating area, including any temporary structures, such as a tent, labeled and dimensioned.
4. Provide a plan of the proposed outdoor dining area showing;
 - Dimensions of the dining area and proximity to buildings, fire lanes, drive aisles, fire hydrants
 - Table and chair layout (arranged to comply with social distancing guidelines). Must maintain minimum 44-inch wide access aisles
 - ADA accessible routes
 - Location of restroom facilities (within the establishment or port-a-pots)
 - Type of barriers to be used around the dining area
 - If dining area will be located under a tent or canopy provide the following;
 - Flammability information of the tent/canopy
 - Exits from the seating area if it is enclosed with non-moveable barriers/ sides. One exit is sufficient for areas with less than 50 people. Two exits needed for 50 or more (exits to be remotely located)
 - If lights will be used, provide information on the lights and power source
 - Location of fire extinguisher(s)
 - Must maintain minimum 7'-6" headroom/ ceiling height
5. There is no cost or payment of permitting fees required for this application.

How does the process work?

1. Submit the completed application and required documents at <https://www.cityoffrederickmd.gov/FormCenter/Permits-32/PreSubmittal-Application-for-BuildingTra-106>
2. Once the application has been reviewed and approved by all reviewing entities the Zoning Permit will be mailed to the applicant
3. Applicant/Owner calls for inspections as required
4. A Temporary Certificate of Occupancy is issued once all inspections have been approved

Are there any inspections required? YES

Inspections by the Building Department are required for the purpose of ensuring that minimum life safety code requirements have been met and compliance with the permit application.

- An inspection request can be made by calling the inspection staff between 7am - 9am on the same day you would like the inspection performed
- Once the inspection has been conducted and approved, the Temporary Certificate of Occupancy will be mailed to the property owner

Are there any approvals and/or inspections from other agencies required? – YES

- Health Department at 301-600-1715, Wendy Cochran, FoodControl@FrederickCountyMD.gov
- Liquor Board at 301-600-2984, Penny Bussard, LiquorBoard@FrederickCountyMD.gov

REMEMBER – Do not occupy the space until an inspection has been made and this office has issued a Certificate of Occupancy. Non-compliance can result in fines of up to \$400.00 per day for each day the violation exists.

We are here to inform and assist you during this process. If any questions or problems arise, please feel free to contact our offices and we will do our best to help you.

Office Staff Contacts:

Permits Technician	301-600-3813
Building Plans Review	301-600-3816 or 3817
Planning/Zoning	301-600-1499
Building Inspectors	301-600-3819, 6272 or 3801
Fire Protection Engineer	301-600-3827