



Coronavirus COVID-19

BC Centre for Disease Control | BC Ministry of Health



Guidance for Outside Dining Spaces

Based on the Provincial Health Officer's Order to Food and Liquor Serving Premises

Version 1, April 23, 2021

This is supplementary information to the *Guidance for Food and Liquor Servicing Premises* document. This guidance is based on known evidence as of April 21, 2021. All indoor dining services must cease through May 24, 2021. Food or drink service outside, including on a patio, may continue subject to Order conditions. Province-wide restrictions (<https://www2.gov.bc.ca/assets/gov/health/about-bc-s-health-care-system/office-of-the-provincial-health-officer/covid-19/covid-19-pho-order-nightclubs-food-drink.pdf>) reflect current guidance and restrictions with links to Provincial Health Officer Orders.

Purpose of the guidance

This guidance provides information on ways to comply with the Provincial Health Officer's Order on *Food and Liquor Servicing Premises*, specifically the requirements for providing outside food and drink services (e.g., on a patio). As an owner or operator, this guidance will support you when preparing or amending your COVID-19 Safety Plan and outside dining set up.

We are seeing high rates of transmission of COVID-19, and closure of indoor dining is one of many controls put in place in BC to reduce the risk of COVID-19 transmission. At this time, patios are seen as a way to enable on-site dining, if the patios meet airflow, capacity and other requirements to reduce transmission risk to patrons and staff.

Pay special attention to the occupancy and physical distancing requirements stated in sections 13 to 15 and 17 of the *Food and Liquor Servicing Premises Order* to avoid crowding on patios. These sections state:

Section 13: A patron must be seated 2 metres apart from other patrons, unless there is a physical barrier (e.g., a wall or screen) separating those patrons or if the patrons are in the same party or group.

Section 14: At most six patrons can be seated at a table, even if those patrons are in the same party or group.

Section 15: The backs of the seats between tables must be at least 2 metres apart from one another, even if a party or group is sitting at more than one table, unless the tables are separated by a physical barrier (e.g., a wall or screen).

Section 17: The operator must know the maximum number of patrons who can be on a patio at one time and must write this number down in the COVID-19 Safety Plan. The operator must calculate this using the physical distancing required in sections 13-15.

If you have fever, a new cough, or are having difficulty breathing, call 8-1-1.



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Only patios that meet the requirements of *Food and Liquor Serving Premises Order* to avoid crowding will be acceptable. Many patios that have been operating prior to April 21, 2021 would meet the requirements in the Order and can continue operate. Some patios would not meet the requirements in the Order and will not be able to operate or must make changes to be able to operate.

For the purposes of *Food and Liquor Serving Premises Order*, the Guidance for Food and Liquor Serving Premises and this supplementary guidance, a patio means

- a. an area without a roof in which
 - i. any structure around the perimeter does not occupy more than 75% of the vertical space between the floor or ground and a point 2.4 metres above the floor or ground;
 - ii. the remaining 25% of the vertical space between the floor or ground and a point 2.4 metres above the floor or ground has no structures in it other than lattice work or insect screens and is completely open to outside air, and if this space is framed by a window or a door, the window or door is completely open while the premises are in operation;
 - iii. there are no structures or objects, other than physical barriers which block the transmission of droplets between patrons, which block the free flow of outside air, or
- b. an area with a roof that is at least 2.4 metres above the floor or ground, in which
 - i. any structure around the perimeter does not occupy more than 50% of the vertical space between the floor or ground and a point 2.4 m above the floor or ground; and the remaining 50% of the vertical space between the floor or ground and a point 2.4 metres above the floor or ground is completely open to outside air, apart from lattice work or insect screens, and if this space is framed by a window or a door, the window or door is completely open while the premises are in operation;
 - ii. in the remaining 50% of the vertical space which is completely open to outside air there is no impediment to air flow between 1.2 m to 1.8 m above the floor or ground, apart from lattice work or insect screens;
 - iii. there are no structures or objects, other than physical barriers which block the transmission of droplets between patrons, which block the free flow of outside air in the interior of the area.

Also, for the purposes of *Food and Liquor Serving Premises Order*, the Guidance for Food and Liquor Serving Premises and this supplementary guidance:

- “completely open to outside air” means there is no impediment to the free flow of air from the outside and to the weather; and,
- roof means any type of covering, whether permanent or temporary, including an awning or umbrella, which covers more than 25% of the surface area of a patio.

Section 38 of the Order states: no person may add a wall to a patio which is being used to provide food or drink services.

Legal disclaimer:

The purpose of this guidance is to provide practical public health advice to reduce the transmission of COVID-19 in British Columbia. This guidance document is built upon the Orders and COVID-19 prevention guidance, but does not in itself have legal authority. However, not following the guidance in this document may leave individuals or organizations



open to legal action. This guidance does not supersede orders or direction under the *Public Health Act* or any other provincial or federal legislation. This guidance is subject to changes and updates as restrictions are changed.

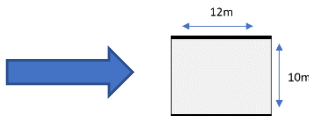
Tip sheet – Acceptable Outdoor Dining Spaces

Capacity

- Ensure that there is at least a two metre distance between the backs of patron seats at adjacent tables. Otherwise, ensure that physical barriers are used between adjacent tables to avoid the risk of transmission of COVID-19.

Walls and Air flow

- For patios without a roof, consider having more than 25% of the wall space completely open to outside air.
- For patios with a roof, consider having more than 50% of the wall space completely open to outside air.
- Walls that are open on opposite facing ends help enhance the smooth flow-through of air into and out of the patio. Top view of patio, showing good option for airflow. The 12m sides are patio walls.



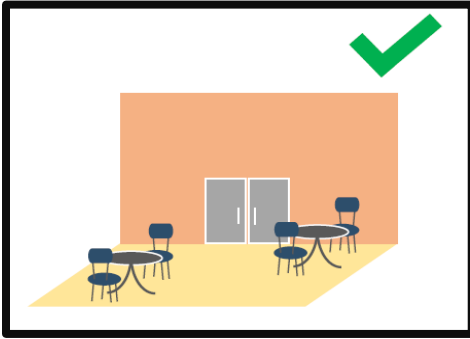
- Try to avoid having closed intersecting walls (closed corners), which can prevent a smooth flow-through of air into and out of the patio.
- Consider moving line-ups, waiting areas, pay stations and other areas of congregation away from areas that are completely open to outside air where air flows into or out of the patio. This can help to reduce the risk of COVID-19 transmission from people in those congregation areas to people on the patio and from those on the patio to the people in those congregation areas.
- A partial wall (e.g., pony wall) should be no higher than 1.2 m above the floor or ground to avoid impeding the air flow of seated patrons.

Cooling and Heating

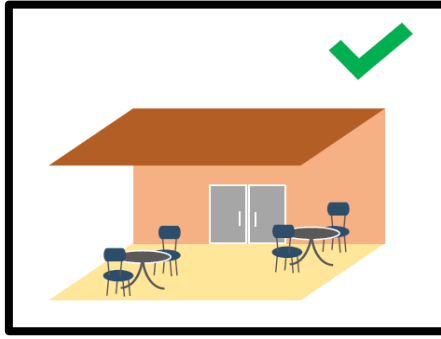
- When using cooling machines in warmer weather, consider using fans at the top of a patio that draw up air and out of the patio area or using air misters.
- When using space heaters in colder weather, consider using radiant heaters. Avoid the use of convection heaters, which move and mix air around.



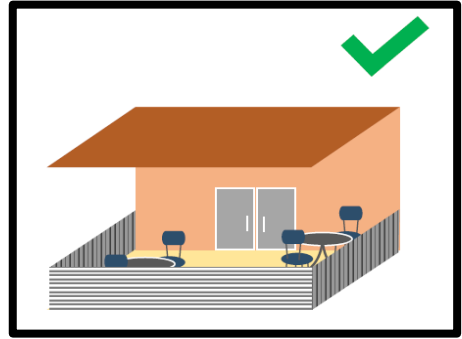
EXAMPLES of ACCEPTABLE OUTSIDE DINING SPACE:



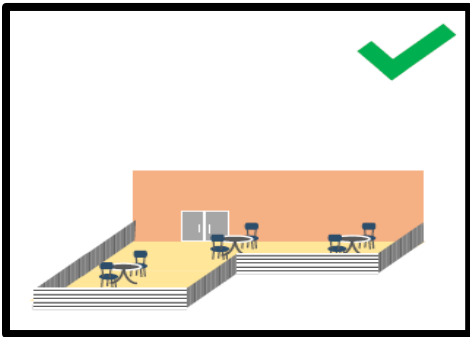
- Acceptable because:
- No roof and 3 open sides (more than 25% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



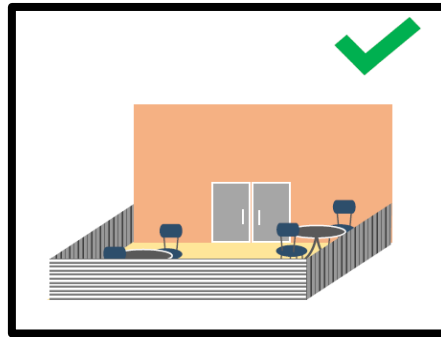
- Acceptable because:
- Roof with 3 open sides (more than 50% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



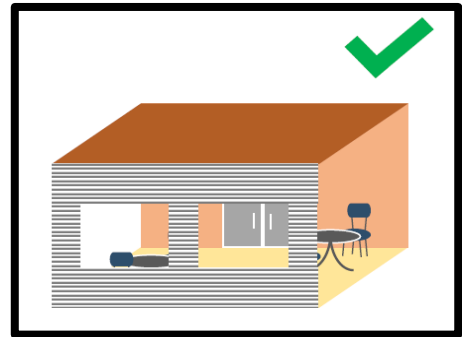
- Acceptable because:
- Roof with a pony wall on 3 sides but open otherwise (more than 50% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



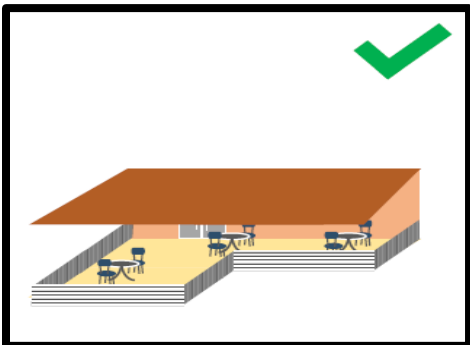
- Acceptable because:
- No roof and a pony wall on 5 sides but open otherwise (more than 25% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



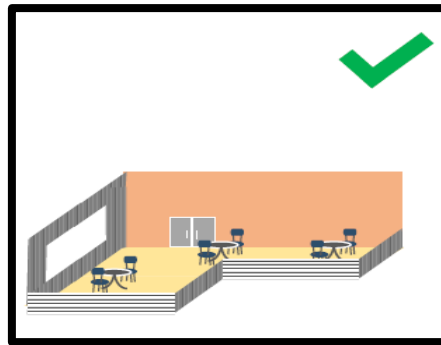
- Acceptable because:
- No roof and a pony wall on 3 sides but open otherwise (more than 25% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



- Acceptable because:
- Roof with 2 sides open and one side with 2 large open windows (more than 50% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



- Acceptable because:
- Roof with pony walls on 5 sides but open otherwise (more than 50% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



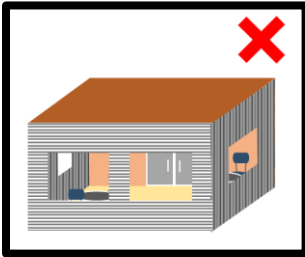
- Acceptable because:
- No roof and a wall and a large open window and pony walls on 4 sides but open otherwise (more than 25% open space from ground to 2.4 m height)
 - Proper space between adjacent tables



UNACCEPTABLE OUTSIDE DINING SPACES:

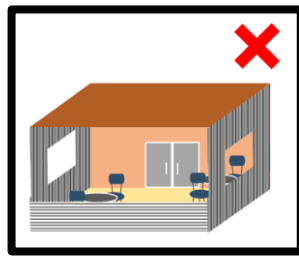
- Unacceptable outdoor dining spaces are any of the following:
 - Spaces that do not meet the definition of a patio;
 - Indoor spaces, even if there is air circulation and ventilation;
 - Spaces protected from the elements (e.g., weather) to the point where they resemble indoor spaces; or
 - Spaces that use dining bubbles, igloos, greenhouses, or tents with sides.

EXAMPLES of UNACCEPTABLE OUTSIDE DINING SPACE:



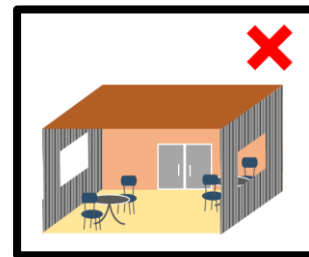
Unacceptable because:

- Roof and 3 closed sides 4 windows are open, but there is still less than 50% open space from ground to 2.4 m height



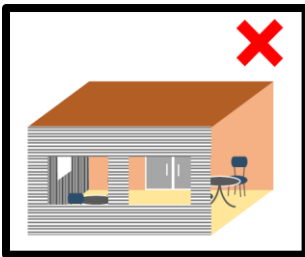
Unacceptable because:

- Roof with 2 closed sides 2 windows on those sides are open, and there is a pony wall on one side. There is less than 50% open space from ground to 2.4 m height



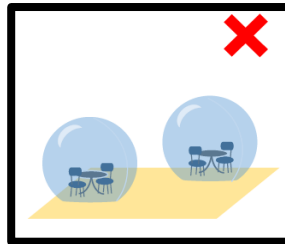
Unacceptable because:

- Roof with 2 closed sides and one open side. 2 windows on those closed sides are open, but there is less than 50% open space from ground to 2.4 m height



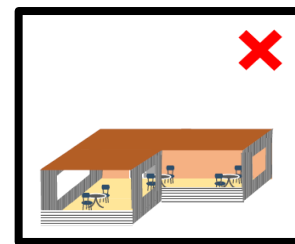
Unacceptable because:

- Roof and 2 closed sides and one open side. 3 windows are open on those closed sides, but there is still less than 50% open space from ground to 2.4 m height



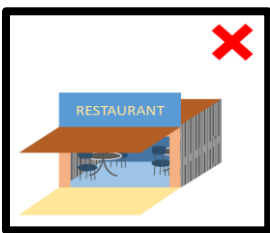
Unacceptable because:

- Bubbles do not permit the free flow of air inside.



Unacceptable because:

- Roof and 3 closed sides and two sides have pony walls. 3 windows on those closed sides are open, but there is less than 50% open space from ground to 2.4 m height



Unacceptable because:

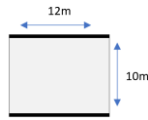
- Dining space is inside, despite one wall open.



Appendix: Examples of how to determine if your patio meets the open vertical space requirement of the Order (see definition of patio on page 1).

A quick rule of thumb is that if half or more of your patio's wall space, or the space where a wall could be, is open, you are likely well placed to meet the Order's requirement for open vertical space above the perimeter.

1. A rectangular patio has two sides (walls) that are 10m wide and completely open, two sides (walls) that are 12m wide, and a roof that is 2.4m above the floor/ground.



Top view of patio.

- At least 50%, or half of the side (wall) space or vertical area above the perimeter has to be open.
- The side (wall) space area of all the walls/spaces of the patio.
- The two 10 m wide walls are 2.4m high, so their area would be $(10\text{m} + 10\text{m}) \times 2.4\text{m} = 48\text{m}^2$.
- The area of the two 12m wide sides (walls) is $(12\text{m} + 12\text{m}) \times 2.4\text{m} = 57.6\text{m}^2$.
- The total vertical space (side/wall area) above the perimeters (the walls/sides) is $48\text{m}^2 + 57.6\text{m}^2 = 105.6\text{m}^2$.
- So, 50% of the open vertical space (area) needed would be $105.6 \times 0.5 = 52.8\text{m}^2$.
- The two open walls only provide 48m^2 .
- So, one of the longer sides (walls) could be opened to provide another 4.8m^2 of open vertical space for airflow.
- Alternatively, if one of the longer walls and one of the shorter walls were completely open there would be 28.8m^2 for the long wall and 24m^2 for the short wall of vertical open space (area), so $28.8\text{m}^2 + 24\text{m}^2 = 52.8\text{m}^2$ of open vertical space. This is the amount of space needed in the Order.

2. Here is another example of a roofed, L-shaped patio. It has two 20m sides (walls), and four 10m wide sides (walls), all 2.4m high. One 20m wide side (wall) and two 10m wide sides (walls) are open.

- The amount of open vertical space (area) needed above the perimeter is 50% of the total vertical space (area).
- The area of the six walls is: $(20\text{m} + 20\text{m} + 10\text{m} + 10\text{m} + 10\text{m} + 10\text{m}) \times 2.4\text{m} = 192\text{m}^2$. The required 50% open vertical space is 50% of 192m^2 or 96m^2 .
- One 20m wide side (walls) and two 10m wide sides (walls) are open, so this provides $(20\text{m} + 10\text{m} + 10\text{m}) \times 2.4\text{m} = 96\text{m}^2$ of open vertical space (area), so meets the open vertical space (area) requirement.

