

Transitioning to Autumn and Winter

A guide for established and temporary outdoor dining areas during ongoing physical distancing requirements.



Prepared by the Loudoun County Fire Marshal's Office with assistance from the Loudoun County Building Official, the Loudoun County Department of Health, the Loudoun County Department of Planning and Zoning and Loudoun County Economic Development.

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Introduction

Extending the outdoor dining season into the autumn and winter months is essential for Loudoun County's food and beverage establishments to remain viable, as COVID-19 physical distancing mandates limits to indoor dining.

Our desire is to support and educate the business owners on methods and strategies to extend the outdoor dining options while encouraging an environment that is safe and comfortable for customers and staff. This informational brochure is designed for businesses that provide COVID-19 related outdoor dining solutions.

While the overall goal of this brochure is to provide guidance to create environmental comfort during cooler weather, there are many products and ideas that may assist in that goal.

The information provided throughout this document is not all-encompassing.

If a business owner has questions or ideas not covered herein, please contact the respective county agencies listed at the end of this brochure and we would be more than happy to assist you further.



Strategies for Cold Weather Dining



Tents: Tents may provide coverage from moisture and to some degree, will effect the temperature.

Heaters: Patio and enclosure heaters may provide warmth and ambiance.

Menu Selections: Providing “warming” foods and drinks such as soups, stews, and warm beverages, can provide a warm up for guests. Further, creating an outdoor specific menu which features small plate items could reduce the table time that guests spend outside.

Hand Warmers: Disposable handwarmers could be useful for patrons who may need isolated heat sources.

Furniture: Outdoor dining furniture may also help to increase dining pleasure. While protecting patrons from the summer sun makes sense, the sun is a free heat source in colder weather. Table coverings should also be considered. A cold metal table or chair would be less desirable than a natural material that resists conductive heat loss.

Blankets: The Loudoun County Health Department advises that any blankets provided must be single use, either disposable or washed and disinfected prior to reissuance to a new guest.

Information on Heaters

Heaters may provide a better dining experience, but they also create a number of potential issues and hazards for outdoor dining. We have grouped heaters into three separate parameters by the fuel they use.

For all heaters, there are several guidelines that must be followed:

- All heating units must be “*listed*” (e.g. UL, FM, ETL) for commercial use (Residential heaters are not permitted) and for the purpose they are being used.
- Manufacturer guidelines must be followed. These guidelines may consist of items such as maximum length of time per use before a cool down period and distance requirements to objects or combustibles.
- Any exhaust generated by open flame must be discharged directly to outside air and not into a building, tent, canopy, umbrella, etc.



Important Notice for all Heaters

In addition to adhering to the Loudoun County Fire Prevention Code outlined in this document, all heating units must follow the manufacture’s guidelines for installation and appropriate use of the heater.

LP Gas (Propane) Heaters

Propane heaters or LP gas tanks may not be located under tents, canopies or umbrellas. Further, table top propane heaters are prohibited from use.

Patio heaters and LP gas tanks require a 10-foot separation from any tent, canopy, umbrella or other combustible items.

LP gas tanks whether filled, partially filled, or empty, shall be treated as full . Storage of LP gas tanks may not exceed 720 pounds of LP gas.

LP gas tanks in storage must be secured in an outdoor enclosure to prevent unauthorized movement or tampering.

Propane heaters and LP gas tanks in use must be protected or secured to prevent tipping over.

When changing a propane tank, the change must occur in a space free of smoking or open flames with a separation of 25 feet. There must also be a soapy solution present and used to check the tank and fittings for leaks prior to reignition.

A forced air propane system may be used in tents; however, their use must be noted on the tent permit application.

Propane fueled fireplaces are regulated under the same rules as propane heaters and fall into the same requirements listed on this page.



Electric Heaters



A single electrical cord that is plugged into an outlet is required for each heating unit.

Extension cords may not be “daisy chained” or one cord connected to another cord.

Electric heating units are permitted under tents, canopies, and umbrellas.

They must maintain a 3-foot clearance to tents, canopies or umbrellas or any combustible items.

They are not permitted to be located within 10 feet of any exit if tent sides are present.

The electrical cords must be of the rated size per the manufacturers requirements.

The cords must be secured and protected to prevent damage from either vehicle or pedestrian traffic.

Heating units and associated cords must be “*listed*” (e.g. UL, FM, ETL) for commercial use.

The listing information is typically found on a sticker adhered to the bottom or back of the device.

Other Fuel-Fired Heating Devices

In addition to LP gas and electrical heaters, there are a number of different types of fuels that may be used in outdoor settings.

None of these devices are permitted to be used in or under a tent, canopy or umbrella.

These would include wood and flammable or combustible liquids (e.g. gasoline, kerosene, home heating oil).

Wood-fired heaters must be no less than 15 feet to structures and 20 feet to a tent, canopy or umbrella.

Any exhaust generated by open flame must be discharged directly to outside air and not in any building, tent, canopy, umbrella, etc.

The fuel-fired device must be installed and used in accordance with the manufacturer's guidelines, with all safety features present.



Tents

Tents may provide excellent protection for patrons, shedding rain or other precipitation that is common in cooler weather. They can also delineate your dining area. The addition of sides to a tent may provide a way to retain heat however, the Loudoun County Health Department states that “modified dining areas using a tent or other artificial enclosure where the tent flaps are down or where air is recirculated through an HVAC system are considered indoor spaces”.

Any tent measuring more than 900 square feet of common canopy will require a permit through the Loudoun County Fire Marshal’s Office. If an owner decides to use multiple smaller (e.g. 10-foot by 10-foot) tents together where they have a common canopy of over 900 square feet, it will require a permit. The application for a tent permit can be found at the following link:

<https://www.loudoun.gov/DocumentCenter/View/506/Tent-Permit-Application-PDF>



No smoking signs are required to be displayed in all tents

A working fire extinguisher specified as a minimum of *type 2-A* is required to be accessible within 75 feet of any tent area.

Tents shall not be erected in a public or private street, fire lane, etc. unless approved by the Fire Marshal.

If using sides on a tent:

- * They also must meet the same flame testing requirements as your tent canopy;
- * Plastic sheeting or tarps are not permitted;
- * Exit signs must be present to indicate the egress points of the tent.

Tent Code Modification

The Loudoun County Building Official has granted a code modification to allow food and beverage establishments to extend tent usage for outdoor dining. Loudoun County regulations provide that a tent is a temporary structure that may be erected for 180 days or less per year. With the current desire to support food and beverage establishments providing for our citizens and guests under the current COVID requirements, the following modification is enacted:

Tents may be erected for up to two years with the requirement that the tent canopy must be released and secured in order to not become a projectile or hazard in severe weather. At a minimum this must occur if there is a forecast of snow fall of 1" or more, 0.25" or more of ice accumulation, or wind speeds (sustained or gust) exceeding 35mph. This is because tents are traditionally temporary structures and do not meet the snow or wind shear loads of a more permanent structure.

The Loudoun County Fire Marshal's Office plans to conduct an inspection of all tents at least every three months. If significant weather occurs, an inspection may occur at an earlier frequency.



Frequently Asked Questions

May Electric Heaters be placed in or under a tent?

Yes. Under specific situations electric heaters are permitted to be used in or under a tent, canopy or umbrella. When tent sides are on the electric heater is not permitted to be located within 10 feet of an exit, within three feet of a tent side, and 3 feet to combustibles. Electric cords must be secured to prevent tripping, damage or becoming a hazard.

Will I need a permit if I put a tent over my current outdoor dining area, and what are the rules on tents?

Any tent with a common canopy in excess of 900 square feet will require a permit from the Loudoun County Fire Marshal's (FM) Office. The permit application can be found at <https://www.loudoun.gov/DocumentCenter/View/506/Tent-Permit-Application-PDF>

May Propane Heaters be located in or under a tent?

No. Propane heaters cannot be located in or under a tent, canopy or umbrella.

If my establishment is animal friendly, can a patron bring their dog into a tent?

Yes, if the tent is not considered indoor space as described on the "Tents" page and the tent can be accessed by customers without going through the food establishment.



Frequently Asked Questions

What should I do when I need to change out the LP gas tank on a heating appliance?

Follow the manufacturers guide on removing the old gas tank and reattaching a full one. When complete, you must use a soapy water solution when the system is under pressure to check for any potential leaks. This must be completed prior to reigniting the heating device again.

Will I need a permit to add or expand an outdoor seating area?

A Temporary Outdoor Seating Permit is required if your business is adding or expanding outdoor seating that is not already approved and permitted. For additional information on the Temporary Outdoor Seating Permit requirements, please visit <https://www.loudoun.gov/5363/Temporary-Outdoor-Seating-Permit>



How can I increase my marketing and social media?

Make sure you're connecting directly to visitors and residents alike by tagging @VisitLoudoun in your posts and using #LoveLoudoun. You can also place any special events on the Visit Loudoun calendar by going to VisitLoudoun.org/events/submit-an-event.

#LoveLoudoun



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Still Have a Question?

If you still have a question that has not been covered, please call one of the following:

If you have a question related to the Loudoun County Fire Prevention Code, please call (703) 737-8600 and ask to speak to a Fire Marshal.

If you have a question related to a Building Code or the Temporary Outdoor Seating Permit requirements, please call (703) 777-0220.

If you have a question related to the Health Code, please call (703) 777-0234.

If you have questions related to growing your business, please call the Loudoun County Department of Economic Development at (703)777-0426