



# CITY OF LA MIRADA

*DEDICATED TO SERVICE*

13700 La Mirada Boulevard  
La Mirada, California 90638  
P.O. Box 828  
La Mirada, California 90638  
Phone: (562) 943-0131 Fax: (562) 943-1464  
[www.cityoflamirada.org](http://www.cityoflamirada.org)

## **CITY OF LA MIRADA EMERGENCY TEMPORARY OUTDOOR DINING PROGRAM (ETODP)**

The City of La Mirada has established the Emergency Temporary Outdoor Dining Program (ETODP) to provide existing dine-in restaurants with an opportunity to increase seating capacity during the implementation of COVID-19 social distancing measures.

This program will allow existing dine-in restaurant operators to temporarily provide supplemental patron seating immediately outside of their restaurants on adjacent private sidewalks, walkways, and parking lot areas. The program temporarily suspends City Zoning and land use provisions applicable to restaurant dining areas, on-site parking requirements, and conflicting Conditional Use Permit restrictions.

In order to participate in the program, existing dine-in restaurant operators must complete an ETODP Registration Form, complete the Self-certification Compliance Checklist, agree to the Indemnification below, and submit them to the City's Community Development Department. The registration form will require property owner approval of the location and size of the outdoor dining area and final inspection/approval by the County of Los Angeles Fire Department. No City fee will be assessed to participate in this program.

Participation in the ETODP does not relieve participants from complying with all State of California and County of Los Angeles Department of Public Health requirements.

This ETODP will be in effect for as long as the County of Los Angeles Department of Public Health requires the implementation of social distancing within the interior of dine-in restaurants to combat the spread of COVID-19. Within 10 calendar days following the expiration of the ETODP, all outdoor fixtures shall be removed, and the area returned to its original condition.

The City of La Mirada reserves the right to suspend, revoke or amend the ETODP at any time to address any unanticipated problems or impacts. Any operator found to be in violation of the requirements/standards listed within the Self-Certification Compliance Checklist shall correct the violation or remove all outdoor dining amenities and return the area to its original condition/state within 24 hours of written notice by the City of La Mirada.

**INDEMNIFICATION:** To the maximum extent permitted by law, by participating in the ETODP, each restaurant operator agrees to indemnify, defend and hold harmless the City, its elected officials, officers, agents, contractors, and employees with respect to: any and all claims, damages and losses whatsoever occurring or resulting to any and all persons, firms, or corporations in connection with or arising out of the exercise of rights granted by the ETODP; and any and all claims, liabilities, lawsuits and/or actions for damages of any kind, personal and bodily injury, or death, including serious or fatal illness due to Covid-19/Corona Virus infection, occurring in connection with or arising out of the granting of or the exercise of the rights under the ETODP. The participant's defense and indemnity obligations herein include, but are not limited to, paying all fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits, or actions, and payment of any damages, judgments, court costs and/or attorneys' fees awarded in any such lawsuit or action.



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**REGISTRATION FORM**

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Business License No.: \_\_\_\_\_ Expiration Date: \_\_\_\_\_

Owner/Operator: \_\_\_\_\_ Email: \_\_\_\_\_

Telephone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Outdoor Seating Calculation:

A) Current Interior Seating Capacity: \_\_\_\_\_

B) Social Distancing Interior Seating Capacity (A x 60% = Maximum): \_\_\_\_\_

C) Outdoor Dining Seating Capacity Proposed (A – B = Maximum): \_\_\_\_\_

Number of parking spaces occupied for outdoor seating: \_\_\_\_\_

Outdoor Dining Fixtures:

Exhibits "A" and "B" of the ETODP Self-Certification Compliance Checklist provide acceptable barrier and furniture designs and materials, describe the design of you proposed barrier and furniture below or attach pictures to this form:

Barrier Design: \_\_\_\_\_

Table Deign: \_\_\_\_\_

Chair design: \_\_\_\_\_

Canopy Design: \_\_\_\_\_

**PROPERTY OWNER AUTHORIZATION:** I, \_\_\_\_\_ (Print Name) property owner of the subject property, hereby authorize the utilization of the private sidewalk, walkway, plaza, and number of parking spaces noted above for outdoor dining activities.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Date

**CERTIFICATE AND AFFIDAVIT OF OWNER/OPERATOR:** I certify that my outdoor dining operations will comply with the attached ETODP Self-certification Compliance Checklist and agree to the Indemnification on page one. I understand that any false statements may result in a notice to correct or notice to cease outdoor activities.

\_\_\_\_\_  
Owner/Operator Signature

\_\_\_\_\_  
Date



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**SELF-CERTIFICATION COMPLIANCE CHECKLIST**

**Property Owner/Outside Agency Requirements:**

- Written authorization from the property owner or property management company has been granted for the outdoor dining operations and for the outdoor area, including parking lot/spaces occupied. (Signature is required on Registration Form)
- Restaurant and outdoor dining operations will comply with all California and County of Los Angeles Departments of Public Health regulations and protocols.
- The location of the outdoor dining operations as well as sunshade devices, space heaters, occupancy load and points of egress will be inspected and approved by the County of Los Angeles Fire Department before initiating outdoor dining. (To request inspection contact local Fire Inspector at (562) 691-9369 or via email at: [jonathan.mckinley@fire.lacounty.gov](mailto:jonathan.mckinley@fire.lacounty.gov))
- Outdoor alcohol service (if applicable) will comply with all California Department of Alcoholic Beverage Control regulations.

**Applicant Insurance Requirements**

- Restaurant Operator will maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, for bodily injury, personal injury, and property damage. If alcohol is sold during the permitted activity, coverage will include full liquor liability.

**Location:**

- The outdoor dining activities will only occur on private property and will not obstruct pedestrian and vehicular circulation.
- The walkway/private sidewalk utilized for outdoor dining is located directly adjacent to the subject business.
- The parking spaces utilized for outdoor dining are located closest to the subject business.
- The outdoor dining layout complies with the most recent County of Los Angeles Departments of Public Health minimum spacing requirements and the maximum number of seating at any one table does not exceed six.
- Pedestrian walkways and aisles, within the outdoor dining area, will provide adequate space for pedestrian circulation and will provide access as required under the American with Disabilities Act (ADA) at all times.

**Operations/Activities:**

- The outdoor Dining activities will not include any food preparation or cooking; beverage bar or counter; beverage dispensing; or other equipment storage.
- No entertainment, amplified music, dancing, broadcasts, or video will be provided within the outdoor dining area.

- Alcoholic beverage service within the outdoor dining area will be limited to the level of alcoholic beverage service currently permitted within the restaurant's interior dining area and will only be provided to patrons ordering and consuming meals within the outdoor dining area.
- The outdoor dining area will be kept in a good, safe, neat, and sanitary condition free of any trash, litter, and debris; and trash receptacles will be emptied on a regular basis
- Smoking will not be permitted within the temporary outdoor dining area.
- The outdoor dining area hours will be limited to the operating hours of the business, and in no case will it be open before 7:00 a.m. or after 10:00 p.m.
- The outdoor dining area will comply with the City's noise regulations.
- The total number of outdoor seating provided will not exceed the number of seats removed from the interior of the restaurant as a result of social distancing measures.

Fixtures:

- With the exception of openings for patrons and restaurant staff, highly visible barriers will be provided around the entire perimeter of the outdoor dining area. The design of the barriers will simulate one of the barrier designs identified on Exhibit "A" of this checklist and will not exceed a maximum six foot height.
- The tables and chairs within the outdoor dining area will be commercial grade, quality furnishings intended for outdoor use and will not include plastic resin or folding tables and chairs. The design of the tables and chairs will simulate one of the designs identified on Exhibit "B" of this checklist.
- The outdoor furnishings will be consistent: all chairs will have the same design, color, and materials; and all tables will have the same design, color, and materials.
- The outdoor fixtures will not be permanently affixed, fastened, mounted, or installed and will be moved indoors or secured within the outdoor dining area during non-business hours.
- Building Permits will be obtained for canopies, awnings, shade sails, EZ-Ups larger than 350 square feet or taller than 12 feet. (The requirement also applies to individual canopies, awnings, shade sails, EZ-Ups bound together that exceed the 350 square foot threshold.)
- Umbrellas, canopies, awnings, shade sails and EZ-Ups will be made of fire retardant/resistant material.
- Signs identifying the subject business's outdoor dining area will be limited to one temporary sign per side with a maximum size of 100 square feet. The temporary sign will be attached to the perimeter barrier.
- A minimum of one decorative trash receptacle with self-closing lid will be conveniently located within the outdoor dining area.
- The space heaters used will be specifically designed for outdoor use and will be located in accordance with manufacturer's specifications and will not be located below or near any flammable awning, canopy, shade sail, EZ-Up, umbrella or other material.
- The exterior lighting used will be specifically designed for outdoor use and the power source will be concealed and will not create a tripping hazard or obstruction.



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## EXHIBIT "A"

### Barriers





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## EXHIBIT "B"

### Furniture

