

- vi) Handicapped-accessible tables and safe, handicapped-accessible routes to and from washrooms shall be provided.
- (5) Outdoor dining areas are not located on any private or public road, drive aisle, or public sidewalk.
- (6) Outdoor cooking or food preparation is prohibited.
- (7) Tables and chairs in outdoor dining areas shall not be arranged in such a manner as to impede pedestrian access to the food service establishment or create an environment in which social distancing is difficult or impossible due to pedestrian traffic entering and exiting the establishment through the outdoor dining area.
- (8) Outdoor dining areas shall comply with handicapped accessibility requirements, and shall provide for a minimum clear and open pathway of 36 inches.
- (9) Outdoor dining areas shall provide a minimum clearance of 3 feet from all fire department access and devices, such as Fire Department Connections (FDCs) and hydrants.
- (10) Outside public address systems are prohibited, except in connection with outdoor entertainment as permitted by section [33-150\(H\)](#) of the Miami-Dade County Code or equivalent municipal regulation.
- (11) Alcoholic beverages may be served in accordance with the establishment's current state beverage license, provided that such service is strictly incidental to the service of food and is from a service bar only.
- (12) Blinking and flashing lights are prohibited.
- (13) The total occupancy of the interior and outdoor dining areas combined shall not exceed the establishment's current approved occupancy maximums under non-emergency conditions.
- (14) All spacing and social distancing mandates shall be adhered to within both the primary establishment and the outdoor dining areas (see Diagrams 2 and 3).
- (15) The sanitation standards and mandates set shall be observed in all outdoor dining areas.
- (16) This allowance under emergency powers shall not be construed to absolve a tenant from seeking any required consent from the property owner to provide for outdoor dining.

II. Outdoor Dining Areas for which Permits Are Required

In addition to the foregoing, food service establishments may provide additional outdoor dining areas in accordance with the following requirements while this Emergency Order remains in effect, subject to prior review and approval by the County's Development Services Division or applicable municipal zoning department. Approval of such additional outdoor dining areas, which may include, without limitation, landscaped and parking areas, shall be subject to the following requirements:

- (1) The property owner submits, or provides written authorization for a tenant to submit, an application for a “short term event permit” on a form provided by the County’s Development Services Division. The application shall be accompanied by the following exhibits:
 - a) Site plan or survey depicting the area to be utilized.
 - b) Indication of the proposed occupancy of the proposed area.
 - c) Indication of the type of shade structures to be used.
 - d) Signature and seal of a Florida licensed and registered architect or engineer who will be responsible for performing plan reviews and inspections for Florida Building Code requirements.
- (2) The proposed site complies with all of the conditions in section I above, except that the location of the dining area shall not be limited to walkways or pedestrian areas that front the establishment or to the first row of parking spaces.
- (3) Landscaping is not removed or altered in any manner that would cause the foliage to die.
- (4) Outdoor dining areas shall not be located in dry retention areas.
- (5) No more than 20 percent of the parking area may be used for outdoor dining, including any parking stalls used in accordance with section I above.
- (6) Building permits shall be obtained for all structures that normally require one.

In unincorporated Miami-Dade County, applications can be submitted online at <https://www.miamidade.gov/Apps/RER/EPSPortal>. County staff is available to assist applicants by phone at 786-315-2660 or email at james.byers@miamidade.gov or sydney.vincent@miamidade.gov.