

Open Air and Outdoor Seating Requirements

Summary of April 12, 2021 edits:

- For Open Air Concept 1, allows for 50% occupancy, with CO₂ monitoring, in Phase 2.

Summary of February 12, 2021 edits:

- Technical edits and clarification that all phase 1 concept 1 dining must comply with table size and distancing requirements.

The following four alternatives to indoor seating increase outdoor air flow to reduce risk, but do not replace other COVID-19 prevention requirements. Businesses using the alternatives are required to follow the industry-specific guidance documents, maintain table seating at least six feet apart from neighboring table seating, and ensure customers and staff always wear cloth face coverings except when consuming food or beverages while seated. Any establishment adhering to the following requirements is deemed to be operating outdoors. Consequently, general outdoor requirements for the industry will apply.

Note: Before adding or expanding open-air seating options, make sure your plans comply with local building codes, your local health jurisdiction, Liquor Cannabis Board, and Labor and Industries requirements and do not create a hazard. Adequate lighting for tasks such as cleaning and sanitizing must be provided.

Open Air Concept 1 & 2: Permeable Walls

Open air seating occurs in a structure with one or more permeable¹ exterior walls, allowing outside air to easily exchange within occupied seating areas and maintain carbon dioxide (CO₂) levels below 450ppm². CO₂ values are continuously monitored in Phase 1 to ensure adequate exchange with outdoor air to adjust the seating and air flow as needed. Examples of permeable walls include open bay doors, multiple open windows, screened openings, open tent panels, ventilation holes in side panels, and uncovered lattice. Single windows and interior, entrance or emergency exit doors do not count toward permeability because there is less likelihood of meeting the performance standard of 450ppm CO₂ or below. Carbon dioxide (CO₂) should be monitored when the seating area is in use to ensure adequate exchange with outdoor air. Follow the recommendations below:

- If CO₂ levels exceed 450ppm for 15 minutes, patrons must be relocated to an open-air seating option that meets requirements. CO₂ monitor must be in the seating area furthest away from the outdoor air source.
- If using physical barriers between tables/booths, monitor CO₂ levels at each table for 15 minutes to verify that the barrier is not creating an area of insufficient airflow.
- Windows and doors must be opened 10 minutes prior to seating customers and remain open 10 minutes after customers leave.

Table size is limited to six people in all structures and spaces. For Concept 1, occupancy of permanent structures is limited to 25% capacity as set by fire code (not including employees). Capacity can be increased to 50% with use of CO₂ monitor. Capacity of non-permanent spaces is determined by spacing

¹ A permeable wall is one that is made of a material or design which does not significantly impede natural air flow.

² CO₂ is used as a measure of air movement. Ambient CO₂ levels in outside air are about 400 ppm. People release CO₂ in their exhaled breath, so if air movement is enough to maintain levels below 450 ppm, this indicates that there is enough air flow to dilute respiratory droplets and particles. CO₂ concentrations at this level are not of direct concern.

of tables to maintain a minimum of 6 feet between customers at neighboring tables. See chart below for Phase 1 and 2 requirements.


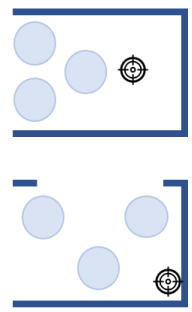
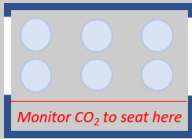
Open Air Concept 3: Unobstructed Outside Air

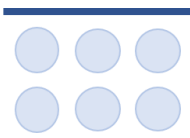


Seating occurs in unobstructed outdoor air. This includes seating on sidewalks, covered patios, courtyards, or similar outdoor areas. Outdoor seating may have an overhead cover, one wall, and no other impermeable barrier exceeding 4 feet in height within 10 feet of the seating area. Table size is limited to six people and tables must be spaced to maintain a minimum of 6 feet between customers at neighboring tables. See chart below for Phase 1 and 2 requirements.

Open Air Concept 4: Enclosed Structure for Small Group

Enclosed structures provide protection from the weather and include pods, igloos, and similar outdoor structures occupied by six or fewer people at a time. Structures must be completely aired out, cleaned, and disinfected before each use. Businesses using enclosed seating structures, such as pods/igloos must:

1. Limit to one seating group (six or fewer people) at a time.
2. Keep doors and windows open when the structure is occupied by staff.
3. Ensure the structure is aired out and sanitized between groups. Wait 10 minutes to air the structure out before cleaning and sanitizing.
4. Use ordering and service methods to reduce or limit employee time in the occupied pod; employees serving the pod must, at a minimum, use disposable masks for medium risk.

Schematic	Features	Type	Description
	Over three of the exterior walls are impermeable. Entrance doors are not used to determine permeability.	Indoor	Closed structures obstruct air flow and confine air. Phase 1: No indoor dining allowed. Phase 2: Indoor dining allowed at 25% capacity.
	One, two, or three walls are permeable with multiple fully opened windows or bay doors.	Open Air 1	Air circulation is decreased in the areas where the "closed" adjacent walls meet and will confine air. Phase 1: CO ₂ monitoring required. Maximum capacity 25% for each permanent structure. All spaces must limit capacity by physical distancing requirements and table size restrictions. Phase 2: Maximum capacity 25% for each permanent structure; with no CO ₂ monitoring required. Increased maximum capacity at 50% <u>with</u> required CO ₂ monitoring. All other spaces must limit capacity by physical distancing requirements and table size restrictions.
	Dining area has two non-adjacent permeable walls with no barriers that exceed 4 feet in height within 10 feet of the dining area.	Open Air 2	With at least 50% of the non-adjacent walls open, cross ventilation allows for droplets/aerosols to disperse. Phase 1: No CO ₂ monitoring required for seating within air pathway. Requires CO ₂ monitoring for seating in areas not within air pathway. Capacity limited by physical distancing requirements and table size restrictions. Phase 2: No CO ₂ monitoring required. Capacity limited by physical distancing requirements and table size restrictions.

	<p>Covers, umbrellas, pergolas, or canopies; no sidewalls or other airflow barriers that exceed 4 feet in height within 10 feet on three or more sides of the dining area.</p>	<p>Open Air 3</p>	<p>This type of structure allows open-air ventilation and rapid dispersal of droplets/aerosols.</p> <p>Phase 1 and 2: No CO₂ monitoring required. Capacity limited by physical distancing requirements and table size restrictions.</p>
	<p>Enclosed, small-group structure such as igloo or pod.</p>	<p>Open Air 4</p>	<p>This type of structure limits capacity to one dining group limited by current phase table size restrictions.</p> <p>Phase 1 and 2: No CO₂ monitoring required. Capacity limited by table size restrictions. Allow at least one air replacement after each group. Ensure the structure is aired out and sanitized between groups. Wait 10 minutes to air the structure out before cleaning and sanitizing.</p>
<p> Indicates preferred location of CO₂ monitor(s) in relation to seating.</p>			

OPEN AIR DINING TIPS AND FREQUENTLY ASKED QUESTIONS

The purpose of Open Air Concept 1 spaces

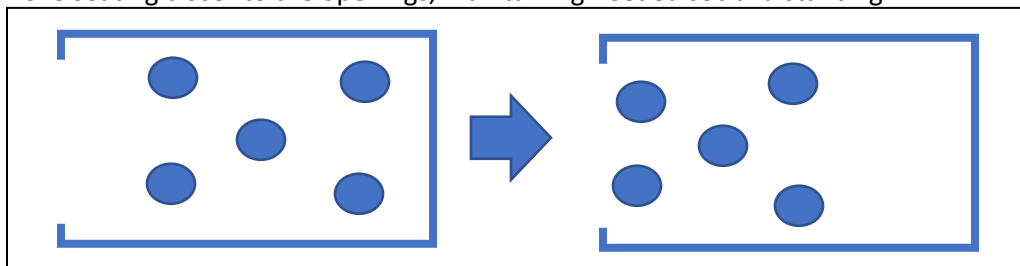
Businesses are permitted to operate outdoor dining following all COVID-19 health and safety [requirements, including permitted seating configurations](#). The [open air dining requirements](#) are intended to allow seating inside existing structures that have achieved conditions consistent with outdoor dining. This document is intended to supplement the Open Air and Outdoor Seating Requirements guidance above and is not intended to be used for regular [indoor dining](#) guidance.

In order to ensure adequate airflow in areas that have some non-permeable walls, the following are tips and frequently asked questions that may assist in compliance with the general open-air dining requirements and with increasing airflow when CO₂ readings are elevated over 450 ppm.

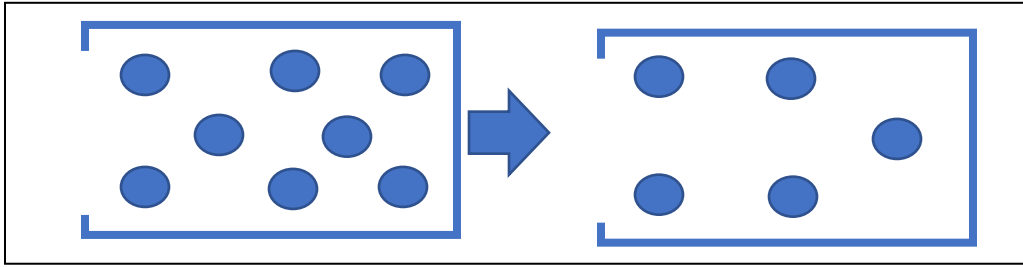
Physical changes to reduce CO₂ levels

The following adjustments can be made to further reduce CO₂ levels in a space that is exceeding 450 ppm. In some cases, a combination of changes may be necessary.

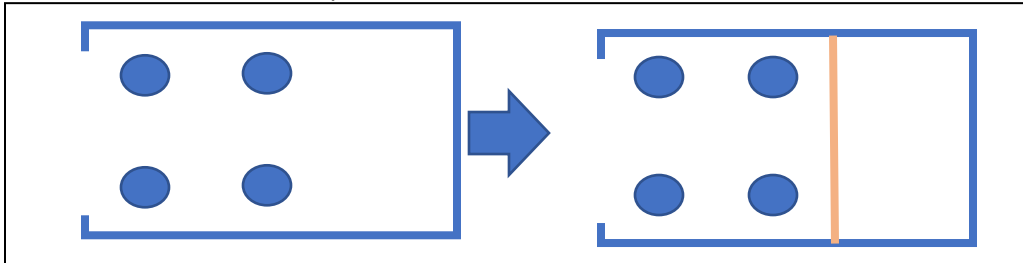
- Move seating closer to the openings, maintaining needed social distancing



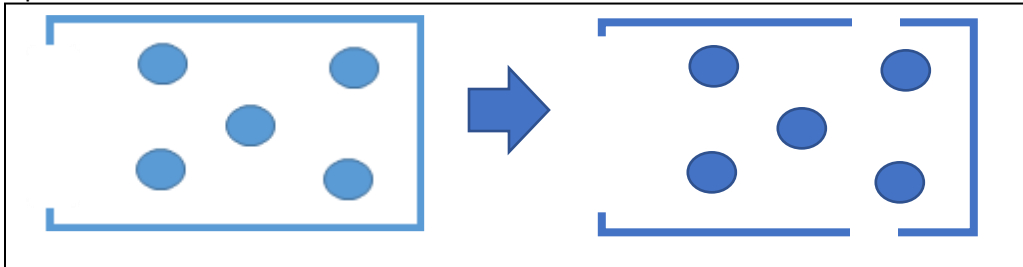
- Reduce occupancy



- Use barriers to reduce the open area that dilutes outside air



- Open additional windows or doors



In all Phases and all open air concepts table size is limited to a maximum of six (6) people and a maximum of two (2) households. Tables must be placed a minimum of 6 feet away from adjacent tables, or there must be a physical barrier or wall separating booths or tables. If the establishment does not offer table service (i.e. wait staff), they must have protocols in place to ensure adequate social distancing at food and/or drink pick-up stations, and within their seating area.

Reduce other potential CO₂ sources

Check other possible CO₂ sources

- Propane heaters—make sure there is a path for the hot exhaust to vent upwards from the seating area to carry the CO₂ produced by burning the propane away
- Wood or gas ovens—locate them away from the seating area or place barriers to separate them from the seating area
- Brewing or winemaking—vent these areas separately and block air flow to the seating area
- Some facilities sharing HVAC with other businesses may find CO₂ levels rise when closed up during off hours. It may be necessary to open up to air out for more than 10 minutes to restore air to outside levels.
- Check outside CO₂ levels

Check outside CO₂ levels

Outside CO₂ levels are generally around 400 ppm or lower but may be elevated in some areas of population density or due to some industrial or environmental conditions. If significantly elevated CO₂

Frequently Asked Questions

Are we able to have our standard doors open and comply with regulations, as opposed to a bay/garage door?

No, you cannot rely solely on the main entrance to the facility, there must be other openings along at least one wall. To meet the requirements for Open Air Concept 1, have at least one permeable wall with open windows and doors other than the main entrance door or emergency exits. Then you must monitor to show the CO₂ requirement is met. Keeping the main entrance door or other doors and windows open may help with maintaining low CO₂ levels. Opening emergency exit doors is not recommended since this may cause issues with their designed safety function.

Are there regulations for how big the window must be?

There is no size requirement, but you will not meet the CO₂ requirements if you don't have enough fresh air movement.

If there are several large doors in the front, but not directly in the dining area and CO₂ monitors are reading okay, does that qualify as concept one?

This may meet Open Air concept 1 but the CO₂ monitor must be in the seating area furthest away from the outdoor air source. If you don't meet the CO₂ requirement, follow the troubleshooting tips above. If seating can be moved closer to the openings, CO₂ levels may be lower, so there may be a benefit to rearranging seating if that is possible.

If you have a large enough space with plenty of airflow as seen by the CO₂ monitor readings, do you still need permeable walls?

Yes, because you first need to meet the requirements for Open Air Concept 1 by having at least one permeable wall. Then you must meet the CO₂ requirement. The CO₂ indicates the room has sufficient airflow to reduce COVID-19 spread.

Is there a specific CO₂ monitor you would recommend and how much does the monitor usually cost?

No specific monitor is required. Units designed for indoor air quality (IAQ) monitoring will generally provide readings in the correct range. Look for a device that is designed to provide readings between 0 and 1000 ppm.

Is there a capacity requirement for Open Air Concept 2?

No but dining parties must be 6 feet apart.

So if you don't fit the "open air concept" but do fit the air quality/ CO₂ levels, you CANNOT serve inside. This doesn't fit with what is required of other businesses, such as airplanes. Shouldn't it simply be based on the air/ CO₂ levels?

Indoor spaces have considerably less air flow than found outside. CO₂ levels are not a comprehensive measure of the air quality, so simply relying on those levels is not sufficient. Because people are seated closely and not masked during dining, there is a greater potential for disease transmission than in other types of business where people remain masked and distanced.

Can fans be used to move fresh air in and out?

Yes, if you also have permeable walls. Outside air must flow into the restaurant. It is recommended that fans be positioned to exhaust air from inside to outside. Do not direct air flow from a fan past one person to another.

Is there ANY agency that needs to provide plan approval to proceed with Open Air Concept 1 if we're meeting the requirements?

No, establishments are allowed to make the assessment themselves. If the open air set-up uses existing seating as covered, under the existing liquor license no further review of their license is required. If new seating or a change in the use of the seating occurs, then the establishment may need to file for a change with the LCB.

Who can we email or call if we have more questions?

Establishments may get some assistance from the LCB staff they work with. L&I also has a free consultation service that can assist with questions: <https://lni.wa.gov/safety-health/preventing-injuries-illnesses/request-consultation/>

For additional resources:

The Washington Hospitality Association hosted a webinar on open air dining and has posted it here: <https://hub.wahospitality.org/webinars-and-videos/>

For specific guidance on eating and drinking establishments, please visit: <https://www.governor.wa.gov/issues/issues/covid-19-resources/covid-19-reopening-guidance-businesses-and-workers>