



City of Calexico
Development Services Department – Planning Division
Important Notice 09.04.2020
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Via Press Release
www.calexico.ca.gov

COVID-19 GUIDELINES FOR CERTAIN BUSINESSES QUALIFIED TO OPERATE OUTDOORS

IMPERIAL COUNTY IS IN TIER I – WIDESPREAD COVID-19 TRANSMISSION: CERTAIN BUSINESSES MAY OPERATE OUTDOORS UNDER THESE GUIDELINES

This document provides guidelines for the outdoor operation of Certain Outdoor Businesses within private property and on sidewalks on the public right-of-way or what is commonly known as a public sidewalk. Please note that the proceeding guidelines are not to be understood to replace or supersede law, orders, or regulations issued by the County of Imperial Public Health Department, State of California Department of Public Health, or other applicable agency.

The Imperial County Department of Public Health Department and/or the State of California may change the list of certain business qualified to operate outdoors, the Imperial County Health Officer Order is available at the following link:

<http://www.icphd.org/health-information-and-resources/healthy-facts/covid-19/guidance-and-resources/state-&-county-orders/>

ALL BUSINESSES SEEKING TO OPERATE OUTDOORS MUST OBTAIN A TEMPORARY USE PERMIT FROM THE PLANNING DIVISION, THE PERMIT AND INSTRUCTIONS ARE ATTACHED TO THIS NOTICE.

What is the public right-of-way?

The Calexico Municipal Code (CMC) defines a "Public way" as any street, channel, viaduct, subway, tunnel, bridge, easement, right-of-way or other way in which a public agency has a right (CMC 16.08.220). A public right of way is any part of a public street, sidewalk, alley or property that the government owns or has the exclusive right to use.

CERTAIN BUSINESSES QUALIFIED TO OPERATE OUTDOORS MUST COMPLY WITH THE AMERICANS WITH DISABILITIES ACT AND THE CALIFORNIA DISABLED ACCESS REGULATIONS:

1. The "Path of Travel" requirements **shall not be infringed upon** in any public right-of-way or private parking lot or area.
2. The area for which a certain outdoor business qualified to operate outdoors is seeking to establish a presence **must abide by any and all rules/regulations listed in the ADA and California Disabled Access Regulations.**

Businesses must have a valid City Business License in addition to any other federal, state or local license if said business requires additional licensure.

Certain Outdoor Business Qualified to Operate Outdoors:

- Personal care services including body waxing studios, estheticians, massage therapy studios, nail salons, and skincare and cosmetology services.
- Fitness facilities including dance studios, gyms and fitness centers, and yoga studios
- Bars, wineries, and breweries that serve alcoholic drinks only as part of a meal in compliance with the County of Imperial Health Officer order or as amended
- Restaurants

Operation of Certain Outdoor Businesses and Private Property:

In order for a business to operate outdoors on private property, the location of the outdoor operation must be located either on the premises owned or leased by the business or immediately adjacent. Further rules are as follows:

- Businesses are prohibited from obstructing a public road, alley or other right-of-way.
- Businesses must obtain written permission from the property owner or property management company in order to obtain a Temporary Use Permit for the operation of certain outdoor businesses on private property.
- Entrances and exits to private parking lots must remain free and open and shall not be obstructed in any manner.

Operation of Certain Businesses in the Public Right-of Way:

In order for a business to operate outdoors in the public right-of-way, the location of the outdoor operation must be located either on the premises owned or leased by the business or immediately adjacent. Further rules are as follows:

- A minimum of four (4) feet must be free and clear within the public right-of-way
- Building entrances and exits, utility poles/boxes, fire hydrants, curb ramps and public benches must remain free and open and shall not be obstructed in any manner.
- If a certain business qualified to operate outdoors wishes to encroach or operate in a public parking space or street an Encroachment Permit must be obtained from the Engineering Division – you may reach them at 760.768.2100 or engineering@calexico.ca.gov

COVID-19 OUTDOOR BUSINESS GUIDELINES FOR BUSINESSES – Operating Standards and Rules

Certain Businesses Qualified to Operate Outdoors must comply with the following operating standards and rules.

** Additional restrictions and operating requirements may be imposed by the City for certain businesses qualified to operate outdoors for the purpose of protecting life, safety, and welfare of the public as determined by the City.*

- Occupancy Limit for certain businesses qualified to operate outdoors shall not exceed that business's maximum allowed indoor occupancy limit.

- Any placement or installation of temporary improvements, including but not limited to tables and chairs, lights, heat lamps, fans, canopies, generators, signage, and other items that support certain businesses qualified to operate outdoors shall be subject to all applicable provisions of the CBC, CFC and Title 17 of the CMC
- Electrical cords must be secured to the ground
- Discharge of any types of solids or liquids, including water are prohibited from entering any storm drain.
- Areas used by certain businesses qualified to operate outdoors, including any adjacent landscaped areas, sidewalks, and parking areas, shall be kept free of trash and debris at all times. Cleanup and removal of any trash and debris is required at the conclusion of operation hours on each and every day of operation.

Size and Structure Rules

** Any canopies or shade structure that lies outside the proceeding rules shall require a building permit*

Canopies may be erected, operated, or maintained in accordance with the following standards and rules:

- Title 17 – Buildings and Construction of the Calexico Municipal Code (CMC)
- 2019 California Building Code (CBC) and the 2019 California Fire Code (CFC)
- Individual canopies or the aggregate area of multiple canopies placed side by side without a fire break clearance of 12 feet shall not exceed 1,000 square feet in area
- All canopies legs or stands must be secured to the ground or weighted with at least 40 lbs.
- Heaters of any kind shall not be used under canopies.

For More information or to request a courtesy inspection please call the Development Services Department at 760.768.2105 or email us at planning@calexico.ca.gov

We appreciate you doing business in Calexico, we are here to assist.