



City of Martinez

**Temporary Outdoor Personal Service Operations Permit on Private Property
Permit Application**

Name of Business _____

Address of Business _____

Barber Shop/Beauty Salon

Nail Salon

Massage Services

Business Owner Information

Property Owner Information

Name _____

Name _____

Address _____

Address _____

Phone _____

Phone _____

Email _____

Email _____

Signature _____

Signature _____

I have read the Martinez Temporary Outdoor Personal Services Operations Permit Guidelines, attached, and understand that each such Guideline constitutes a condition of approval of this Permit and that non-compliance with any of these will result in revocation of the Permit and /or enforcement action by the City of Martinez.

IMPORTANT: CHECK THE MOST RECENT CONTRA COSTA HEALTH SERVICES REGULATIONS REGARDING INDOOR/OUTDOOR OPERATIONS FOR THE RESPECTIVE BUSINESS TYPE. The City has no control over these regulations, which change frequently. You are responsible for adhering to these regulations.

REQUIRED INFORMATION/DOCUMENTS

Submit this application, including the following documents, electronically to cratcliffe@CityofMartinez.org

1. Certificate of Insurance and endorsements for commercial general liability coverage for the business, including the area to be used for the Outdoor

Operations Area, in a coverage amount no less than \$1 million per occurrence in a form acceptable to the City and naming the City of Martinez as an “Additional Insured” and Certificate of Insurance evidencing workers compensation coverage as required by the California Labor Code.

2. Copy of 2020 City of Martinez Business License. If the business does not already have one, a business license can be applied for by emailing Martinez@hdlgov.com or calling (925) 273-7439. Calling will be faster.
3. Provide a plan showing the area designated to be used for Outdoor Personal Service, (Outdoor Operations Area) including all walkways, entry and exit points and identifying the mandatory 4-foot path of travel. Identify all sources of electrical power and all connections. Identify the path of all electrical power as well as how and where all power cords will be secured. Include in your description all items that you plan to place in the space, i.e. chairs, tables, supplies, brooms, canopies, or other items.
4. List proposed days and hours of operation:

Day	Hours
Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

5. **Optional:** You may also use a space immediately adjacent to your existing business frontage as set forth in the guidelines below. Such use requires the property owner(s) and business owner(s) permission.

I am the owner of a business or property adjacent to the Applicant’s business, and I grant the Applicant permission to use the walkway and/or parking space adjacent to my business frontage:

Name of Adjacent Business _____

Address of Adjacent Business _____

Adjacent Business Owner Name _____

Phone _____

Email _____

Adjacent Business Owner Signature _____

Adjacent Property Owner Name _____

Adjacent Property Owner Signature _____

If more than one business owner (“Owner”) grants the Applicant permission to use the walkway and/or parking space adjacent to their business frontage, please attach the information for that additional Owner(s) to this application.

The City reserves the right to immediately revoke, without notice, any Temporary Outdoor Personal Service Operations Permit in case of revised applicable COVID-19 Regulatory Requirements, non-compliance with conditions or approval, or as determined in the sole judgment of the City to be necessary for the immediate preservation of public health, safety or welfare or in the event of an emergency.

CONDITIONS AND REQUIREMENTS FOR ISSUANCE OF PERMIT AND OPERATION

The following conditions and requirements apply to the issuance of a Temporary Outdoor Personal Services Operations Permit (TOPSOP) and the conduct of all Outdoor Operations pursuant to said TOPSOP.

All Permits and Outdoor Operations are subject to the most current order of the Health Officer of Contra Costa County and the COVID-19 Industry Guidance for the operation of the particular business published by the California Department of Public Health and CAL OSHA (“Applicable COVID -19 Regulatory Requirements”).

Nothing in the TOPSOP, including the conditions or Guidelines shall permit any activity or operation contrary to the Applicable COVID-19 Regulatory Requirements.

Refer to the most recent County Health order here:
<https://www.coronavirus.cchealth.org/health-orders>

1. ALL PERMITEES MUST ADHERE TO THE FOLLOWING CONDITIONS AND ATTACHED GUIDELINES.

All Guidelines constitute conditions of approval of this Permit

2. LIABILITY AND INSURANCE

Conduct of all Outdoor Operations shall be in accordance with the Martinez Municipal Code and all other applicable codes including, but not limited to the Applicable COVID-19 Regulatory Requirements. Except for City's sole negligence, willful misconduct or active negligence, applicant agrees to indemnify, defend, release and save harmless City, its officials, officers, agents and employees from and against any and all claims, liabilities, actions, damages or penalties by any person including applicant, his/her employees and agents for any personal injury, death or damage to property from any cause whatsoever arising out of or in connection with the issuance of this permit, the activities of Permittee, his/her employees, officers, officials, guests, contractors, invitees and agents and/or work and/or activities permitted pursuant to this permit. Applicant shall so indemnify City regardless of: City's approval of plans or inspection, any limitation on the amount or type of damages or compensation payable by or for applicant under worker's compensation, disability or other employee benefit acts, or the terms, applicability or limitations of any insurance held by applicant. The applicant shall file with the City certificates evidencing Commercial General Liability insurance coverage in the minimum required amount and endorsements in a form acceptable to the City, prior to the effective date of the Permit. The City shall be included as an additional insured by separate endorsement. In addition, the applicant shall provide certificates evidencing worker's compensation coverage for all employees as required by the California Labor Code.

3. TYPES OF PERSONAL SERVICE USES ALLOWED OUTDOORS ARE LIMITED TO:

- Barber Shops and Beauty Salons: as directed and permitted by State and County agencies.
- Nail Salons: as directed and permitted by State and County agencies.
- Massage Services: As directed and permitted by State and County agencies.
Note: Staff and Clients of outdoor massage must be fully clothed at all times.

4. DESIGNATED AREAS WHERE USES SUBJECT TO THE TOPSOP MAY BE LOCATED MUST COMPLY WITH ALL OF THE FOLLOWING:

- a) All Applicable COVID-19 Regulatory requirements for location.
- b) May be located:
 - i. On the walkway immediately adjacent to and up to the maximum frontage of the existing business, provided that at least four feet of width for access is maintained as a clear path of travel for pedestrians at all

times. The four feet must be free of any obstructions, such as but not limited to: trees, poles, parking meters, trash containers, tables, chairs, merchandise, display areas, etc.; AND/OR

- ii. In the parking area immediately adjacent to and up to the maximum width of the frontage of the business; AND/OR
- iii. If the existing business is licensed as a Home Occupation, located in a fully fenced rear yard;
- iv. In addition, to the walkway and parking area of the frontage of the applicant business, the applicant business may use the walkway or parking space(s) within the frontage of a business immediately adjacent to the applicant business, subject to that business owner(s) and property owner(s) approval and signature on this application.

5. DURATION OF THE PROGRAM

The Temporary Outdoor Personal Service Operations Permit Program is a temporary program with a limited duration. The Program may be discontinued and/or the Permit may be revoked or revised at any time. Any Permit issued under this program is only valid from the date of issuance of such permit until the date that the State of California, the County of Contra Costa or the City of Martinez issue, amend or rescind public health or emergency orders related to COVID-19 which either: (1) end the state of emergency; (2) permit Barbershop, Beauty Salon, Nail Salon, or Massage Service businesses to operate indoors; or (3) Barbershop, Beauty Salon, Nail Salon, or Massage Service businesses are prohibited by orders, rules, regulations and/or guidelines issued by any department of the State of California, the County of Contra Costa, or the City of Martinez from continuing to operate outdoors.

ADDITIONAL CONDITIONS ATTACHED (<i>Staff Use Only</i>) <input type="checkbox"/> Yes <input type="checkbox"/> No

All applicant submittal materials are attached as part of this permit and are incorporated herein by reference.

Any additional Conditions are attached hereto and are incorporated herein by reference.

All provisions of the Guidelines attached constitute conditions of approval of this Permit.

All power connections and installations have been installed in accordance with applicable requirements.

By: _____
Building Division Inspector
Photos attached

Date of Inspection: _____

PERMIT APPROVED

By: _____
Community Development Director or Designee

Date: _____

Please Note: The applicant is responsible for adhering to Federal, State, local laws, rules regulations and requirements, including all **Applicable COVID-19 Regulatory Requirements** applicable to their specific business type, including all social distancing requirements and shall at all times maintain a 4-foot clear path of travel on the walkway.

City of Martinez

Temporary Outdoor Personal Service Operations Permit Guidelines for Applications on Private Property

The City of Martinez Temporary Outdoor Personal Service Operations Permit Program (“TOPSOP Program”) has been developed to help business owners maintain and re-establish the operation of their businesses while maintaining compliance with the COVID-19 restrictions prescribed by the orders of the Contra Costa County Health Officer. Effective Thursday, August 14, 2020, the Program is designed to permit Personal Service providers in Martinez (described below) to locate outside, adjacent to their business.

There is no fee for the application. In order to participate in the program, the City must receive a complete application form and all required materials. Staff will review the application and all required materials and if all requirements have been met the Permit will be issued administratively by staff.

ELIGIBILITY

1. Personal Services, defined as: Barber Shops, Beauty Salons, Nail Salons and Massage Services, may apply for a Temporary Outdoor Personal Service Operations Permit on private property to conduct outdoors the business operations otherwise legally permitted at the applicant premises (Outdoor Operations). These permits shall be available only for those current tenants of the shopping center or commercial building and shall not be available to mobile businesses, or on vacant property, or on property without commercial tenants.
2. All Outdoor Operations conducted on private property must be done with consent of the property owner.

SAFETY AND ACCESSIBILITY

3. All Outdoor Operations shall be consistent with Applicable COVID -19 Regulatory Requirements Outdoor Operations must, at all times, be conducted in accordance with all applicable federal, state and local law rules and regulations and Applicable COVID-19 Regulatory Requirements applicable to the specific type of business being conducted, including, but not limited to, number of patrons, disinfectants, the wearing of masks, chair spacing, use of shared materials, staff hygiene, and social distancing.
4. If outdoor use is immediately adjacent to a restaurant with outdoor seating that is open at the same time, a solid barrier must be erected between the TOPSOP use and the outdoor seating at the restaurant. If there is an existing restaurant with

outdoor seating on more than one side, an alternate location for the TOPSOP will need to be found or a permit may not be issued.

5. Temporary barriers not exceeding three (3) feet in height shall be placed in a safe manner around the Outdoor Operations area.
6. The Outdoor Operations area must be located and operated in a manner that all drive aisles and fire lanes necessary to provide adequate vehicular circulation and access by public safety vehicles in the event of a fire, medical, or other emergency remain clear at all times.
7. A temporary accessible ramp from curb to Outdoor Operations area is required if a grade separation exists and a permanent ramp is not already readily available subject to the Public Work Director's approval.
8. Accessible parking stalls, accessible van loading areas, and associated paths of travel shall not be impeded by Outdoor Operations Areas.
9. All walkways and sidewalks shall maintain a minimum of four-foot clear path of travel.
10. Extension cords or other equipment shall be located so as not to present a trip hazard and not impede paths of travel. All extension or other power cords and connections shall be elevated above 7 feet in height or secured with an approved durable covering to prevent tripping. The City of Martinez Building Division must approve all power connections and installations.
11. No permanent item or structures shall be installed in the Outdoor Operations Area.

OPERATIONS

12. Temporary canopies or tents must comply with fire requirements, as well as State and County requirements and have no more than one enclosed side.
13. Hours of operation for Outdoor Operations shall not exceed the normal hours of operation for the corresponding business with which the Outdoor Operations are associated.
14. Outdoor Operations areas shall be maintained free of trash and debris at all times.
15. Outdoor Operations shall be conducted in accordance with all OSHA standards.