Purpose: Enable a method by which County approval may be obtained by Alcoholic Beverage Control (ABC) Licensees located in Albemarle County pursuing an accelerated process for requests for temporary approval of outside dining pursuant to Executive Order 51 dated March 12, 2020, Executive Order 61 dated May 13, 2020, which are stated in Topic 16, ABC Response to Temporary Approval of Outside Dining Areas, (“Topic 16 guidance”), which may be viewed here.

Scope: This policy applies to Albemarle County ABC Licensees (Licensees) and County employees processing requests for temporary approval of an outdoor dining and beverage service area. Under the Topic 16 (Item 2) guidance, current ABC Licensees must obtain written approval from localities for expedited approval of temporary outdoor dining.

Procedure:

The following procedure outlines the process for the ABC Licensee applying for COVID-19 related approval from the County for temporary outdoor dining.

1. **Application** - Licensees shall complete the digital Temporary Outdoor Dining and Beverage Service Area Application including the required attachments listed below. The application may be found on the County’s website, HERE. **Only electronic applications shall be accepted.** At this time, no paper applications will be accepted.

   a. Required attachments are as follows:
      1. Diagram of the outdoor dining area shall be the layout including the hours of operation, location of the building entrances, numbers of tables and chairs, well-defined and ADA accessible points of ingress and egress, lighting, and do not impede safe access or sight distance for pedestrians or vehicles.

   b. Fees for this Application are waived per the County Executive, acting as the County’s Director of Emergency Management, on May 15, 2020 per his authority under Virginia Code § 44-146.21.

   c. Approval for the use of tents or other shade structures are subject to additional requirements.

   d. A site plan will not be required. The diagram will suffice.

2. **Compliance Review** – Applications received electronically shall be processed by Community Development and reviewed. The Applicant will be notified if information is incomplete and awaiting correction, and the Application shall not be processed. Once complete and compliant, a copy of the Application approved by the County shall be issued to the Licensee or their designee via email for retention by the Licensee.

3. **Termination of Approvals** - Approvals automatically terminate pursuant to the revocation or termination of the related Executive Orders and ABC Bureau of Law Enforcement procedures.

4. **Noncompliance with other applicable regulations may result in termination.**

5. **Questions?** Call Community Development at (434) 296-5832.