

# California Conference of Directors of Environmental Health

## *Guidelines for Outdoor Beverage Bars*

July, 2001

### I. BACKGROUND

Historically, outdoor beverage bars have been approved in some jurisdictions under local policy. This type of installation has gained widespread acceptance and patronage by the public who like to enjoy the California climate on a patio, or at the side of a pool or spa, while being served food or drink. The California Health and Safety Code requires that each food establishment, except produce stands and swap meet prepackaged food stands, to be fully enclosed in a building meeting specified criteria. Traditionally, outdoor dining areas, open-air barbecue facilities, and outdoor displays that meet specified requirements have been excluded from this requirement. On January 1, 2001, outdoor beverage bars, contiguous with a fully enclosed food establishment, and under the constant and complete control of the operator of the food establishment, were also excluded from enclosure requirements. The exclusion from enclosure requirements is conditional, provided that: the establishment is a bona fide eating place; meets the other requirements of the California Health and Safety Code; and the operator of the food establishment where the outdoor beverage bar is being operated, possesses a valid State of California Alcohol Beverage Control License.

### II. SCOPE

CCDEH recommends that local environmental health jurisdictions in California use these guidelines in order to standardize the way outdoor beverage bars are constructed and operated. These guidelines are designed to help ensure the safest and most sanitary operation of both permanently installed and portable outdoor beverage bars.

### III. DEFINITIONS

- A. **Outdoor Beverage Bar** – means an unenclosed facility operated on the same premises as, or in conjunction with, a fully enclosed food establishment where any alcoholic and nonalcoholic beverages are prepared out of doors.
- B. **Permanently Installed Outdoor Beverage Bar** – means an outdoor beverage bar that has permanently installed equipment and facilities.
- C. **Portable Outdoor Beverage Bar** – means an outdoor beverage bar that is readily moveable for cleaning and storage.

### IV. STRUCTURAL REQUIREMENTS

#### PERMANENTLY INSTALLED OUTDOOR BEVERAGE BARS

- A. **Plans.** Any person proposing to build a permanently installed outdoor beverage bar shall submit plans to the local enforcement agency for review and approval.
- B. **Location.**
  - 1. Permanently located outdoor beverage bars shall be contiguous with an approved food establishment.

2. The floor area adjacent to the outdoor beverage bar shall consist of a material that inhibits potential adulteration of the beverages served at the facility.
  3. The outdoor beverage bar shall be placed in a location that reduces the potential adulteration of beverages served at the establishment. To the maximum extent possible, the location shall be free from dust, dirt, vermin, animals, birds unnecessary handling, overhead leakage, or other contamination.
- C. **Utensil washing sink.** An approved utensil-washing sink shall be located within the permanently located outdoor beverage bar.
  - D. **Hand wash sink.** An approved hand wash sink shall be located within the permanently located outdoor beverage bar.
  - E. **Janitorial sink.** An approved janitorial sink shall be located within 200 feet of the permanent outdoor beverage bar.
  - F. **Equipment.** All food-related and utensil-related equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program. In the absence of an applicable ANSI sanitation certification, food-related and utensil-related equipment shall be approved by the enforcement agency. Ice machines, ice bins, refrigeration units, or similar equipment shall indirectly drain into an approved floor sink.
  - G. **Storage.** Adequate and suitable facilities shall be provided for the storage of food and utensils inside the fully enclosed food establishment.
  - H. **Floors.** The floor surfaces shall be smooth and of durable construction and nonabsorbent material which is easily cleaned. The floor surfaces shall be coved at the juncture of the floor and wall with a 10 millimeter (3/8 inch) minimum radius coving and shall extend up the wall at least 10 centimeters (4 inches).
  - I. **Walls.**
    1. Wall areas adjacent to bar sinks and areas where beverages are prepared shall be of a durable, smooth, nonabsorbent, light-colored, and washable surface.
    2. During non-operating hours and periods of inclement weather, the outdoor beverage bar must be totally enclosed to exclude vermin. The materials used to enclose the outdoor beverage bar must be of solid, easily cleanable, nonabsorbent construction.
  - J. **Overhead protection.** Overhead protection shall be provided that fully extends over all beverages, condiments, utensil holding facilities and equipment associated with the outdoor beverage bar. The overhead protection shall be of solid construction and extend at least 12 inches horizontally beyond all equipment, work, and storage areas.
  - K. **Lighting.** At least 10 foot-candles of light shall be provided.
  - L. **Hot water.** All sinks shall be provided with potable hot and cold running water under pressure through a mixing valve.
  - M. **Plumbing.** All sinks shall be plumbed to an approved wastewater disposal system.

#### PORTABLE OUTDOOR BEVERAGE BARS

- A. **Location.**
  1. The surface of the ground adjacent to the outdoor beverage bar shall consist of a material that inhibits potential adulteration of the beverages served at the facility.
  2. The outdoor beverage bar shall be located in an area that protects the food, utensils, and equipment from contamination or adulteration.
- B. **Sanitary facilities.** Outdoor beverage bars, not permanently located, shall have sanitary facilities, including but not limited to toilet facilities, hand washing facilities,

janitorial facilities, and utensil washing facilities available within 200 feet of the outdoor beverage bar operating location.

**C. Equipment.**

1. All new and replacement food-related and utensil-related equipment shall be certified or classified for sanitation by an American National Standards Institute (ANSI) accredited certification program. In the absence of an applicable ANSI sanitation certification, food-related and utensil-related equipment shall be approved by the enforcement agency.
2. All beverage service equipment associated with a portable beverage bar must be readily and easily movable for general cleanup activities in the approved, fully enclosed food establishment. A bar support structure may be left in place as long as all food and utensils are easily transported to the cleanup facility.
3. Bar support structures, which are left in place, must be covered or otherwise protected from contamination when the portable beverage bar is not in operation.
4. Blenders, or other beverage processing equipment, may not be used at a portable beverage bar unless the portable outdoor beverage bar meets the requirements of a mobile food facility as set forth in Article 11 of the California Uniform Retail Food Facilities Law.
5. No permanent water, drain, or electrical connections are permitted at portable beverage bars.

**D. Storage.** Adequate and suitable facilities shall be provided for the over-night storage of food, utensils, and equipment inside the approved fully enclosed food establishment.

**V. OPERATIONAL REQUIREMENTS**

**Operating requirements.**

1. Outdoor beverage bars shall be under the constant and complete control of the operator of the enclosed food establishment.
2. The food establishment must be a bona fide public eating place as defined by sections 23038, 23038.1, and 23038.2 of the Business and Professions Code.
3. The operator of the food establishment is required to be a licensee, as defined by section 23009 of the Business and Professions Code, performing under authority of a license issued pursuant to the Alcohol Beverage Control Act for the outdoor beverage bar.

**Operating conditions.**

1. An outdoor beverage bar may not be operated under conditions such as inclement weather, which may cause the food, utensils or equipment to become contaminated or adulterated.
2. Permanently located outdoor beverage bars shall be enclosed during non-operating hours. Portable outdoor beverage bars shall be stored inside the approved fully enclosed food establishment during non-operating hours.
3. All food shall be prepared, stored, displayed, dispensed, placed, transported, sold and served as to be protected from dirt, vermin unnecessary handling, droplet contamination, overhead leakage or other contamination.

**Ice.** Ice machines and ice bins must be equipped with tight-fitting lids, which are kept closed when ice is not being dispensed. Scoops must be provided at all ice machines and ice bins and shall be protected from contamination.

**Condiments.** Drink condiments may not be sliced or otherwise prepared at an outdoor beverage bar. They shall be dispensed from approved containers equipped with tight-fitting attached lids or other suitable protective devices. The lids must be kept closed when condiments are not being dispensed.

**Glassware.**

1. Glassware may be utilized at outdoor beverage bars. However, due to the potential hazards of broken glass, the use of glassware around a swimming pool or spa is not recommended.
2. Glassware and all drinking related utensils must be stored in such a manner so as to protect them from contamination.

**Outdoor food service.** All food, other than beverages, shall be prepared inside an approved, fully enclosed food establishment.