



Revised January 7, 2008

RESTAURANTS: A restaurant is any building, other than a dwelling unit, where food is processed, stored, prepared, served, sold, or consumed at the facility. Restaurants must meet a number of special standards.

BUILDING PERMITS: A building permit is needed whenever a restaurant is built, remodeled, altered, or expanded. Building permits can only be issued to appropriately licensed contractors or the building owners. Tenants cannot obtain a building permit unless they have written authorization from the building owner to do so. For further information please contact the Building Inspection Division at 37101 Newark Boulevard or call (510) 578-4261.

PLANNING DIVISION REVIEW: City Planning Division review and approval is needed whenever a restaurant is built or an existing facility is expanded. In some zone districts, planning review and approval are also required if the exterior of the building is altered. For further information please contact the Planning Division at 37101 Newark Boulevard or call (510) 578-4330.

HEALTH DEPARTMENT: The Alameda County Health Department must review and approve the plans for all restaurants, commercial kitchens, food preparation facilities, and any other food service facility in which food is processed, handled, sold, or distributed. Health Department approval must be obtained prior to the City issuing a building permit. The Alameda County Health Department is located at 1131 Harbor Bay Parkway, Alameda, CA 94502. Their phone number is (510) 567-6700. Once the plans have been approved by the Health Department, submit both signed sets to the City Building Inspection Division.

UNION SANITARY DISTRICT: The sewer system in Newark is operated by the Union Sanitary District (USD). USD must review and approve the plans for all new or expanded restaurants. USD approval must be obtained prior to the City issuing a building permit. USD is located at 5072 Benson Road, Union City, CA 94587. Their phone number is (510) 477-7500.

GARBAGE FACILITIES: It is recommended that anyone planning on building or expanding a restaurant contact Waste Management for information on garbage pickup. Waste Management is located at 7010 Auto Mall Parkway, Fremont, CA 94538. Their phone number is (510) 624-5900.

DRAWINGS: Three (3) sets of construction drawings describing the proposed work for any restaurant must be submitted to the Building Inspection Division for review and approval prior to obtaining a building permit. If any rooftop-mounted equipment is to be installed, a roof plan and elevation must be included to demonstrate that the equipment cannot be seen from adjacent streets. The construction documents must be completed and plans included for any electrical, plumbing, and mechanical work anticipated. In most cases, the drawings must be prepared by a California licensed architect or engineer.

RESTROOMS: Restaurants must have restrooms available to their customers. Specialty restaurants with small seating areas less than 270 square feet may only need a single restroom which can be utilized by both customers and employees. Restaurants with seating areas larger than 270 square feet will need separate restrooms for men and women. For the number of toilets and lavatories in each restroom, refer to Table “A.”

When all of a restroom’s doors (including entrance and partition doors) are in the open position, toilets and urinals cannot be visible, either by direct line-of-sight or by reflections from mirrors, from outside the restroom.

All restrooms shall be accessible to people with disabilities.

| Table A Minimum Quantity of Plumbing Fixtures in Restaurants | | | | |
|---|---|-----|---------|-----|
| Dining Area (in square feet) | Men | | Women | |
| | Toilets | Lav | Toilets | Lav |
| Up to 270 | A single restroom with one toilet and one lav is acceptable | | | |
| 271 to 1,500 | 1 | 1 | 1 | 1 |
| 1,501 to 4,500 | 2 | 2 | 2 | 2 |
| 4,501 to 7,500 | 3 | 3 | 3 | 3 |
| 7,501 to 12,000 | 4 | 4 | 4 | 4 |

Dining area is the net area in which tables are set up for eating. Common aisles, lobbies, entries, and cashier areas need not be counted.

HANDICAPPED ACCESSIBILITY: All restaurants must be accessible to persons with disabilities. This would include both employees and patrons. Some, but not all, of the handicapped accessible features restaurants must have are:

- A minimum 36 inch wide portion of the cashier counter must be no higher than 34 inches above the floor.
- Restaurants and bars shall have no less than one wheelchair seating space for each 20 seats in the entire facility and no less than one in each functional area (dining, banquet, bar). When more than one wheelchair space is provided, they shall be integrated throughout the general seating area(s).
- Tray slides at food counters shall be no higher than 34 inches above the floor (refer to Figure “D”).
- Self-service dispensing devices for tableware, dishware, condiments, and beverages shall comply with Figure “D.”
- All restrooms shall be accessible to persons with disabilities.

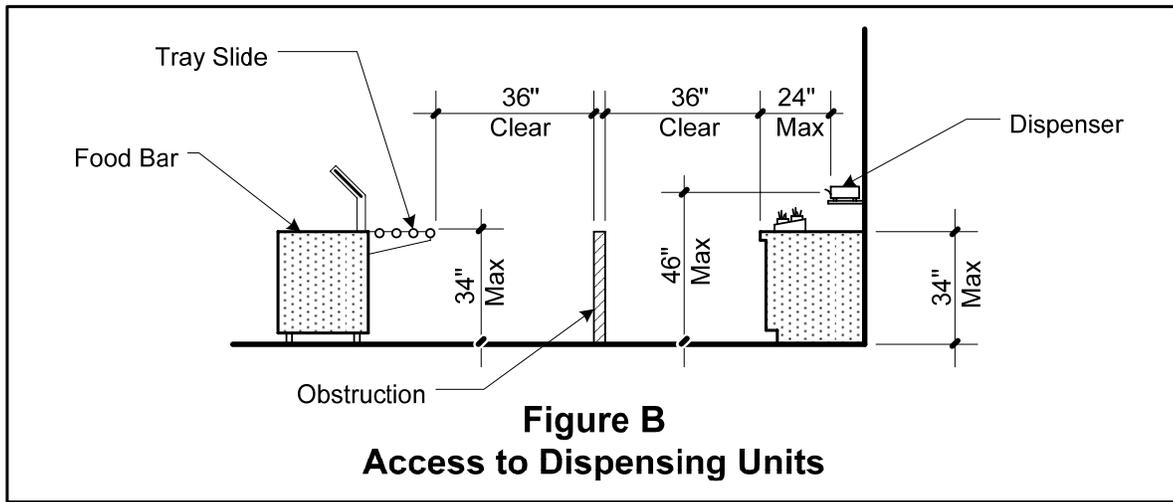


TABLE SPACING IN RESTAURANTS: Aisles and circulation ways in dining rooms utilizing movable tables and chairs must be maintained to provide safe exiting at all times. For details showing minimum dimensions, please refer to Figure “C.”

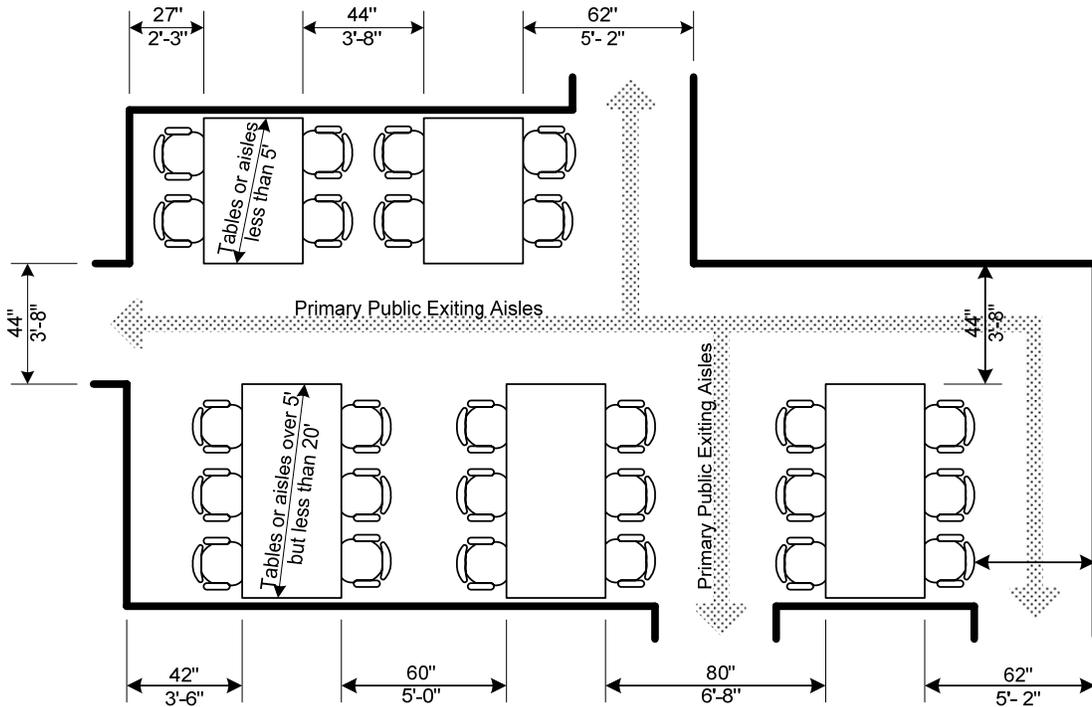


Figure C
Typical Aisles for Restaurant Seating

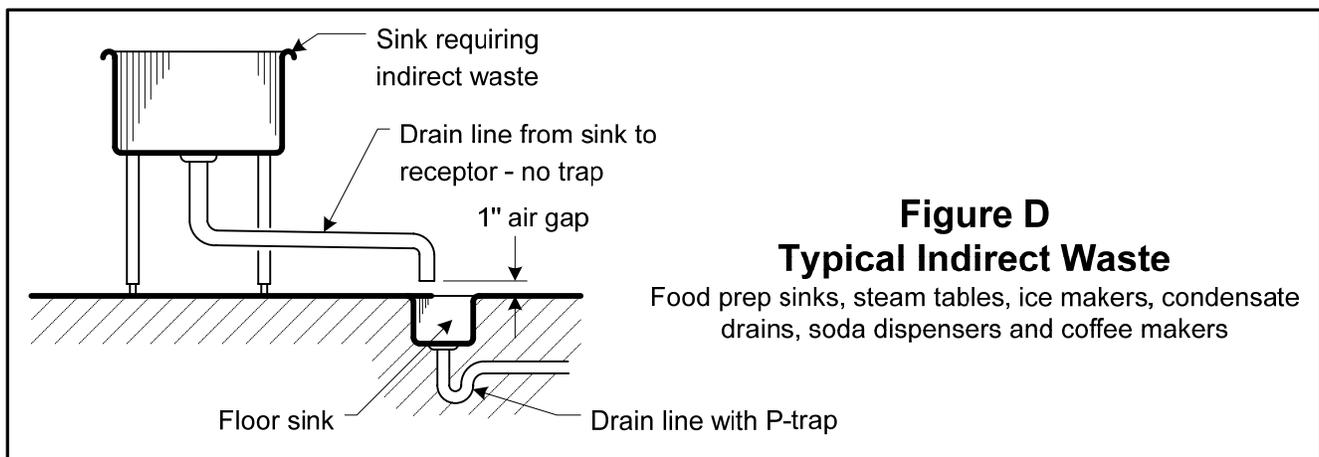
GREASE TRAPS AND INTERCEPTORS: The Plumbing Code requires the wastes from specified plumbing fixtures in a commercial kitchen discharge through a grease trap or interceptor. A grease trap is a device with a rated flow of 50 gpm or less, is located within a building, and serves one to four fixtures. A grease interceptor is a device with a rated flow exceeding 50 gpm, with a capacity of at least 750 gallons and is located outside of a building. The method of sizing a grease trap or interceptor is

found in the Plumbing Code. Utensil sinks, pot sinks, and floor drains, if there are grease producing materials in the area, must be connected to either a grease trap or interceptor. Dishwashers are prohibited from discharging into a grease trap, but it is recommended they be connected to a grease interceptor if one is available. Garbage disposals are prohibited from discharging into either a grease trap or interceptor.

INDIRECT WASTE: Because of the potential for contamination, certain plumbing fixtures and food handling equipment cannot be connected directly to the sewer system. The fixtures and equipment listed below must drain into a receptor, which can accommodate an air gap. Generally, a floor sink is used as a receptor (see Figure “B”).

- | | | |
|----------------|-------------------|----------------|
| Food prep sink | Steam table | Soda dispenser |
| Ice maker | Condensate drains | Coffee maker |

The Alameda County Health Department has a standard requiring pot and utensil washing sinks in commercial food handling facilities to be drained through an indirect waste. This requirement is in conflict with the California Plumbing Code Section 704.3 which reads “Pot sinks, scullery sinks, dishwashing sinks, silverware sinks, commercial dishwashing machines, silverware-washing machines, and other similar fixtures shall be connected directly to the drainage system.” The Health Department recognizes this conflict and defers to local building officials. The City enforces the California Plumbing Code Section 704.3.



EXHAUST HOODS: Any piece of equipment used in a food establishment which produces grease vapors, steam, fumes, smoke, or odors shall be equipped with either a Type I or Type II exhaust hood.

Type I hoods are used over cook tops, grills, deep fat fryers, and similar grease producing equipment. Hoods must be equipped with an automatic fire suppression system. A separate permit (in addition to any building permits) shall be obtained from the Newark Fire Department for the installation of all Type I hoods.

Type II exhaust hoods are used over appliances, which generate grease-free steam, hot air, smoke, or odors. The installation of Type II exhaust hoods needs a building permit but does not need a separate permit from the Fire Department.