Guidelines for Permitting
Tents and Temporary Membrane Structures
during COVID-19

We understand that businesses and organizations are erecting tents in order to meet CDC guidelines, including that of social distancing, during the COVID-19 pandemic. DPS has implemented a 5-Day Permitting Process for these temporary structures during this pandemic. The purpose of this document is to identify the permitting requirements for this modified process.

GUIDELINES FOR TENTS DURING COVID-19 – SECTION I

A. SCOPE
The Guidelines contained here-in are for the permitting of temporary membrane structures (tents) during the COVID-19 pandemic for any of the proposed uses below:

- Assembly (place of worship, public event, restaurant with 50 or more occupants)
- Education (pre-k – 12th grade)
- Business (medical services, college classrooms, training rooms)
- Mercantile (sale of goods, merchandise)
- Daycare (childcare, adult day care)

Restaurants using tents complying with the COVID-19 Outdoor Café Seating Permits, (with 49 occupants or less) follow a separate process, click here.
B. WHEN IS A PERMIT NEEDED?

Neither a Building Permit nor a Use and Occupancy Certificate is required when both conditions below are met:

- Tent(s) have an aggregate area of 200 ft² or less
- Tent(s) are erected for less than three (3) consecutive days.

A Building Permit and Use Occupancy Permit are required if either of the following apply:

- Tent is erected or occupied for three (3) or more consecutive days.
- Tent is over 200 ft² in total area.

IF A BUILDING PERMIT IS NEEDED – REFER TO SECTIONS C THROUGH F.

Once you’ve gathered all of the required documents, SCHEDULE A CONSULTATION with us PRIOR TO submitting a permit application and uploading files. You will be assigned a permit technician to personally assist you.

Please e-mail us at DPS.CovidTents@montgomerycountymd.gov to schedule your consultation.

C. GENERAL REQUIREMENTS

- No tent or group of tents can exceed 1200 square feet in interior area.
- Tents or tent groups separated from other tents or tent groups by at least 20’ are considered separately regarding the 1200 square foot limit.
- Tents or tent groups must be 20’ from all other buildings on the property, cannot extend into the public right of way, and must be at least 10’ from all lot lines (property lines).
- Tents must be erected on a noncombustible, slip-resistant surface, meeting ASTM D 2859, ASTM E 648 or NFPA 253. Grass, dirt, and gravel are not acceptable.
- All tents must have not less than two exits from the tent. Exit signs are required above all exits.
- An Occupant load must be calculated using applicable factors based on occupancy.

<table>
<thead>
<tr>
<th>Assembly</th>
<th>7 square feet per person</th>
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</thead>
<tbody>
<tr>
<td>Educational</td>
<td>20 square feet per person (all functions)</td>
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<tr>
<td>Business</td>
<td>50 square feet per person</td>
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<tr>
<td>Day care</td>
<td>35 square feet per person</td>
</tr>
<tr>
<td>Mercantile</td>
<td>30 square feet per person</td>
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</tbody>
</table>

- Interior lighting must be provided by building service power, or through a device accepted by DPS meeting the following criteria:
  - The unit(s) must be battery-operated and solar-recharged.
  - The unit(s) must be wired to a solar cell located outside of the tent.
  - Batteries must not need to be removed or replaced for recharging.
  - The unit(s) must be able to provide 10 lumens/foot candles per square foot of tent area.
  - The unit(s) must be capable of providing at least 8 hours of light on a full battery charge.
☐ A path must be provided from the existing building or accessible parking (parking for the disabled) to all tents. The path shall be firm, level, and slip resistant – grass, dirt, and gravel are not acceptable.

☐ Tent stake lines must be no less than 10 feet apart.

☐ The tent is not permitted to block egress from nearby buildings, access to fire hydrants, block a fire lane, or prevent access to building fire department connections.

☐ Tent sides are assumed to be down unless indicated otherwise.

☐ The tent is not proposed to be attached to, or an extension of, any existing building or structure.

☐ Fire protection systems (fire alarm, fire sprinklers) are not required.

☐ No cooking is permitted under or within ten (10) feet of the tent.

☐ Tents shall be adequately roped, braced and anchored to withstand the elements of weather and prevent against collapsing. See Section D, Structural.

☐ Generator rules and exceptions:
  
  o In remote areas where utility power is not readily available a commercially installed and maintained generator will be considered.

  o Generator power installed to provide heat as part of a heating package will be considered, provided the generator is commercially installed and maintained.

  o All generator installations must be reviewed by DPS. If the heating and/or generator was not part of the original design, then a separate electrical permit will be required.

  o In cases where generators and/or heat is installed and there is a conflict in the clearances required by the generator manufacturer, the tent manufacturer and the NEC, the most stringent rules will prevail.

  o Where more than one source of power is present, a plaque or sign at each source indicating presence and location of the other source must be installed. The field markings must follow the rules of Article 110.21 NEC 2017.

☐ Approval is for 180 days from the issuance of the permit. Prior to permit expiration a new application must be applied for.

D. SUBMITTAL REQUIREMENTS FOR BUILDING and U&O PERMIT APPLICATIONS

Building permit application documents must be submitted electronically through the DPS eServices system. Please submit the documents listed below:

☐ A site plan drawn to scale

☐ Construction plans and details (with architect/engineer seals & signatures is required)

☐ The seating and exit plan, if applicable, drawn to scale

☐ Code analysis showing the proposed use group (IBC and NFPA), occupant load(s), and square footage of each tent, where applicable. Refer to Section C.

☐ Certificate of fabric flame resistance showing compliance with NFPA 701 Test Method 2
☐ Structural plans or design approval letter/report that includes the following:
  o Designer seal and signature (registered in Maryland).
  o List and demonstrate compliance with applicable codes (note Mo.Co. has adopted IBC 2018 code series, including IFC 2018 and ASCE 7-16),
  o Documentation of structural stability of the tent:
    ▪ site specific tent anchorage details (anchor type, size/weight, spacing, quantity, stake soil/pavement embedment etc.)
    ▪ written procedures for prevention of tent collapse during severe weather conditions such as wind and snow events as defined by the manufacturer/designer.

The Use and Occupancy Certificate may have conditions according to the requirements for the International Building Code, NFPA 1 Fire Code, the 2017 National Electrical Code as amended by Montgomery County Executive Regulation ER23-19, the Maryland Accessibility Code, and other applicable Montgomery County codes and regulations where applicable.

PLEASE NOTE: Tent Use and Occupancy Certificates are valid for 180 calendar days.

E. ELECTRICAL PERMIT APPLICATION

An electrical permit is required for any electrical installations, wattage 6500 watts (6.5KW) or more, and temporary electrical must comply with the requirements of the electrical code. Electrical permit application documents must be submitted electronically through the DPS eServices system. Please submit the documents in accordance with the information below:

☐ All electrical permits must be pulled by a Montgomery County licensed Master Electrician.

☐ All tents with utility electric or solar powered require an electrical permit. An electrical plan review is not required for solar powered tents.

☐ Electrical review is required for utility powered tents unless the electrical plans are signed by a Montgomery County Master Electrician, an engineer or an architect. The architect or engineer must be professionally licensed in the State of Maryland.

☐ All electrical installations must comply with the 2017 National Electric Code as amended by Montgomery County Executive Regulations and Department of Permitting Services policies. Extension cords are not acceptable in tents.

☐ Photoluminescent exit signs are acceptable in solar powered tents with adequate lighting to charge the photoluminescent devices. The photoluminescent devices must be listed in accordance with UL924.

☐ The electrical installation for tents with lighting and heating loads must follow the guidelines for outdoor loads as published by DPS.

☐ The electrical permit fees will be calculated based on square footage, unless powered by a separate utility electrical service. Electrical permits must follow the scope and number of the building permit. The minimum number of electrical permits required must match the number of building permits. (For example, if there are four tents with two building permits then at least two electrical permits are required, but additional electrical permits may be acquired depending on the scope of work).
F. TENT HEATING

A separate permit is not required for heating the tent space; however, the tent must comply with the provisions of the NFPA 1 Fire Code as adopted and amended by Montgomery County. Tent heating appliances and methods are subject to inspection by DPS building and fire inspectors.

☐ Open-flame and fuel-burning heating appliances are not permitted inside or under any overhanging portion of the tent structure. Such appliances must be kept at least five (5) feet away from the tent structure and its exit points.

☐ Installations of appliances exterior to the tent that provide heated air into the tent enclosure are permitted. These units must be listed for their intended use. Any appliances that require ducts for the transfer of air must show the duct layout and appliance information on the construction plans.

☐ Listed or approved portable electric heaters are permitted provided they are operated in accordance with all listing restrictions and manufacturer's instructions and have adequate protection against ignition of adjacent combustibles and contact with persons occupying the tent. Electric heaters must be designed and located so that they cannot be easily overturned.

☐ Electrical power for portable electric heaters is not permitted to be supplied by a generator. Extension cords may not be used. An electrical permit from DPS is required.

☐ Other types of commercial heating appliances are permitted provided they are installed and operated in accordance with all listing restrictions and manufacturer's instructions and have adequate protection against ignition of adjacent combustibles and contact with persons occupying the tent.

GUIDELINES FOR TENTS DURING COVID-19 – SECTION II

G. WHAT YOU NEED TO DO NOW

STEP 1 is to schedule a consultation with us. Please contact us at DPS.CovidTents@montgomerycountymd.gov. This consultation is mandatory for this 5-day permitting process and must be scheduled in advance of submitting your permit application and file submission. A point of contact, or permit technician, will be assigned to your project. Once you have had the initial consultation and have gathered all required plans and documents, we will assist you with the required permit applications and fast track the permitting process through to permit issuance within 5 days.

H. WHAT TO EXPECT AFTER PERMIT ISSUANCE

Upon permit issuance the tent Owner (entity requesting the tent installation, and responsible for the tent’s erection and day-to-day maintenance) shall:

☐ Erect the permitted tent(s) as per the approved plans and manufacturer’s/designer’s written directions.

☐ Request Inspections for the tent under the Commercial Building Permit and Use and Occupancy Permit via MC311 (240-777-0311) or online here.

☐ Abide by all Safety Conditions noted above, and the following:
- The Owner is responsible for the maintenance of the tent. The tent shall remain in the same configuration, and condition as originally approved and inspected.
- The Owner is responsible for following the designer's/manufacturer's written procedure for preventing tent collapse in the event of a severe weather event including evacuating the tent structure of occupants.
- Approval is for 180 days from the issuance of the permit. Prior to permit expiration a new application shall be applied for, and re-inspection scheduled accordingly.

Please note that all applicable codes, standards, ordinances and regulations must be adhered to. This document is intended to be used as guidance and capture most applicable requirements. These guidelines have been developed to streamline the permitting process for tents and temporary membrane structures in general during the COVID-19 pandemic. For more information, please view our Code Interpretation/Policy for Temporary Tents and Membrane Structures.