

# TEMPORARY RETAIL STORE CRITERIA

## (Popup stores, kiosks, flea and craft markets, or mobile retail stores)

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A temporary retail store is a transient retailer that uses leased space or an approved location for a limited time to sell products or services.

### REQUIREMENTS

All temporary retail stores must meet current [Order](#) requirements for [businesses and retail sales](#), including:

- Implement business policies for hygiene, cleaning, and protective measures
- Show acknowledgement or training of the implementation of business policies
- Comply with capacity restrictions (outdoors has no capacity limit)
- Provide hours for vulnerable individuals. Under the Order, retail stores larger than 50,000 square feet must offer at least two hours per week of dedicated shopping time for vulnerable individuals.
- Manage entrances, exits and lines for meeting distancing requirements
- Enforce distancing and masking where required under the Order. Provide accommodations. See [Americans with Disabilities Act and Masks](#)

### MEETING CAPACITY REQUIREMENTS

- General tickets describing the day of the temporary retail store are acceptable; however, ticketing with times and/or for a fee are not allowed. A pre-paid ticket and/or a ticket for a specific time slot does not fit the model of a temporary retail store but rather a show. A show would fall under the mass gathering definition of the emergency Orders and be limited to mass gathering number restrictions.
- The space should meet the needs for a retail sale (i.e. line management, traffic flow, and monitoring capacity). Floor plans may be drawn to show how the store will maintain 6-foot distancing and capacity requirements at all times. Multiple retail booths must be distanced 6 feet or more.
- The temporary retail store must be in compliance with capacity limits for retail operators at all times. To determine capacity, take into consideration the floor space used up by vendor booths, presentation tables, display racks, and registers/checkout stations. At all times, the capacity needs to be restricted to a number that does not exceed the Order requirements AND keeps people distanced. To ensure capacity limits are maintained, the business/organizer could; use counter monitor at entrance; designate separate entrance/exit; have one-way traffic flow throughout space; or have additional monitors and/or security).
- If the retail space has an independent concession section, that area must abide by the restaurant requirements in the Order.

### MASKS OUTDOORS

The current order does not require masks outdoors in any situation. However, the order does recommend masks outdoors when it is difficult to maintain six (6) feet physical distancing. The order states:

*Face coverings are strongly recommended in all other settings, including outdoors, when it is not possible to maintain six (6) feet physical distancing.*

Event coordinators or businesses can be stricter than PHMDC orders and require face coverings outdoors at their events and businesses. This requirement would be an additional protective measure and is strongly recommended outdoors when six (6) feet physical distancing may not be possible at all times.

An outdoor structure (ex: tent, park pavilion) or area is considered indoors if it has all of the following:

- A roof
- More than 2 substantial walls. "Substantial wall" means a wall with no opening or with an opening that either does not allow air in from the outside or is less than 25 percent of the wall's surface area.

See the Order for masking requirements indoors.

## BEST PRACTICES

- Toilet rooms – Consider blocking off every other stall, floor marker and 6 foot, signage
- Elevators – Post [signs](#) and floor markers to remind people to limit the number of individuals, mask, and distance.
- Maintain HVAC and increase air exchange to the extent possible.
- Have electronic registration process for retailers, facility employees, and customers. Use electronic services or apps to share information.
- Use an electronic checkout process electronic or manage lines to maintain distancing during checkout
- Use rope and stanchions to manage lines as needed throughout.
- Make masks and hand sanitizer available at entrance doors.

## OUTDOOR TEMPORARY RETAIL VS. OUTDOOR GATHERING

Many temporary retail stores are planning outdoor markets for the spring and summer of 2021. These retail markets can happen as long as they meet the emergency order requirements in effect at the time of the event.

Retail markets such as farmers markets, flea markets, and temporary retail stores are not gatherings as long as food is not served for immediate consumption (sampling is allowed) and there is no entertainment. Under the Order, businesses are required to ensure six (6) feet distancing whenever possible (including at entrances, exits, and in lines) between individuals that are not part of the same household or living unit. Distancing is not required when individuals are in transit in retail spaces (e.g. walking around the retail space).

If the retail space has other activities such as food for on-site consumption and entertainment, then this is considered a gathering and not a retail space. For outdoor gatherings, the Order states: "Numbers must be limited to ensure individuals who are not members of the same household or living unit maintain six (6) feet physical distancing at all times, except when in transit." In transit means things like going to the restroom, going to order food, walking around booths at a fair).

Outdoor temporary retail and outdoor events/gatherings do not have capacity or gathering limits.

If an outdoor location does not have specific entry or exit points (ex: an outdoor fair or festival where people can enter the space from any point around the perimeter of the event), businesses or event coordinators are not required to regulate distancing for entry and exit to the space.

## ADDITIONAL QUESTIONS

If you have additional questions, feel free to send them to [CovidBusinessSupport@publichealthmdc.com](mailto:CovidBusinessSupport@publichealthmdc.com).