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**Sarah Fowler Arthur**  
State Representative

Chairman Johnson, Vice-Chair Manchester, Ranking Member McNally, and members of the committee,

HB 65 observes the same interpretation of outdoor patio spaces that was generally accepted by the state during Covid-19 closures... namely that being outdoors doesn't count towards the indoor capacity rating of a facility.

This interpretation enabled many small wineries and businesses to continue to operate in a safe and healthy manner during a challenging period of time. It is common sense to continue this interpretation when it comes to state fire codes for facilities with outdoor patios with three sides of safe egress.

Last summer, my husband and I joined some friends at a local winery. There was an open yard at the back of the facility with a local band playing and many people stayed to enjoy the sun and music. We happened to be in a jurisdiction where the guests in the patio and yard didn't count toward the total capacity of the facility.

If we had been just five miles down the road, however, this same gathering would have been considered subject to the total capacity of the building's fire codes. This restrictive interpretation severely limits the number of guests who can safely enjoy our local wineries, harming our local businesses and tourism.

I urge your support of HB65 to codify patios as non-building facilities for the purposes of fire code. Thank you.



Sarah Fowler Arthur