

# CITY OF OAK PARK

DEPARTMENT OF COMMUNITY &  
ECONOMIC DEVELOPMENT



## Restaurant Outdoor Dining

Restaurant Outdoor Dining is permitted in all commercial Zoning Districts in the City of Oak Park after approval by the City.

### Approval Process

- **Proposed new restaurants and restaurants with Tavern or Liquor Licenses** receive approval for Outdoor Dining through a Site Plan Review Process by the Planning Commission and City Council. Please request a *Site Plan Review Application* that contains information regarding the submission requirements and the approval process.
- **Existing restaurants** receive approval for Outdoor Dining through an Administrative Approval process. Please request an *Outdoor Dining as part of an Existing Restaurant Application* that contains information regarding the submission requirements and the approval process.

### General Standards

1. Outdoor dining shall only be permitted between March 1st and November 30th with all furniture and fixtures including, but not limited to, tables, chairs and waste receptacles removed from the exterior premises after November 30th.
2. The hours of operation for the outside dining area shall be consistent with the hours of operation inside the restaurant.
3. For plans showing more than 20 occupants within the outdoor dining area, additional off-street parking shall be provided as required in Section 1726, G (39) Restaurants – Sit down.
4. Tables, chairs, umbrellas and any other objects provided with outdoor dining areas shall be of good quality and of a durable material such as wood or metal. The design, materials and workmanship of these items should ensure the safety and convenience of the users and enhance the visual and aesthetic quality of the outdoor area.
5. No table umbrella or other outdoor fixture in the outdoor dining area shall contain any sign or advertising matter.
6. Lighting for the outdoor dining area shall be shielded downward and away from adjacent properties and installed so that the surface of light shall not be visible from adjacent properties or to passing traffic.

7. The restaurant shall clean the entire outdoor dining area and all other adjacent landscaped and sidewalk areas by removing debris, trash, sweeping and washing down the area each day. The cleaning shall be conducted as frequently each day as necessary to prevent debris and trash from being blown or scattered onto other properties. A thorough sweeping and cleaning shall be conducted at the close of business each day.
8. Outdoor dining areas shall be enclosed in instances where there is beer and wine service. Enclosures shall consist of metal railing, wood railing, brick walls or other suitable materials approved by the Planning Commission, City Council or administratively, as applicable.
9. No food preparation, preparation equipment or bars shall be permitted in the outside dining area, including heating or cooking on open flames.

### **Additional Requirements for Outdoor Dining Areas Located on a Public Sidewalk**

1. Outdoor dining areas, on a public sidewalk, shall be located in a manner to maintain a minimum pathway width of five feet (clear of structures such as light poles, trees and hydrants) so as not to interfere with pedestrian traffic moving around the outdoor dining area.
2. Outside dining areas located on a public sidewalk or within any public right-of-way requires approval by the corresponding jurisdiction (City of Oak Park, MDOT, Road Commission of Oakland County). A license agreement in a form deemed acceptable to the City attorney's office shall also be required.
3. Any restaurant approved to operate an outdoor dining area on a public sidewalk shall pay to the City Treasurer a license fee in the amount established by resolution of the City Council.
4. Outdoor dining areas located on a public sidewalk are required to provide a policy or certificate of insurance, in an amount acceptable to the city, including workers compensation, naming the city as additionally insured. Establishments serving beer or wine shall provide a liquor liability policy or certificate of insurance naming the city as additionally insured. A company authorized to do business in the state shall issue such insurance. Required insurance amounts shall be set by resolution of City Council. The policy or certificate shall contain a clause requiring the insuring company to give fifteen days written notice to the City Manager prior to cancelling the policy. The required insurance certificate shall be in effect for any period during which the outdoor Dining area is in operation. No establishment shall operate an outdoor dining area on a public sidewalk without filing proof of proper insurance. Failure to provide a current insurance certificate shall be cause for immediate discontinuation of use of sidewalk for an outdoor dining area.
5. The owner of the restaurant with the outdoor dining area on a public sidewalk assumes full responsibility for damage to public property caused by the placement and operation of the outside dining area. The restaurant will also repair any damage to public property at their own expense.

Date of Application: \_\_\_\_\_

SECTION 1 - APPLICANT'S INFORMATION

Name of Business: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Business Address: \_\_\_\_\_

Telephone: ( ) \_\_\_\_\_ Fax:( ) \_\_\_\_\_

Email address: \_\_\_\_\_

I acknowledge that I shall maintain and clean the utilized right-of-way areas daily, keeping such areas clear of debris and shall promptly remove waste or food from such utilized areas, pursuant to the City of Oak Park Code of Ordinances.

Applicant's Signature: \_\_\_\_\_

SECTION 2 - OWNER'S INFORMATION

If applicant is not the property owner, this section must be completed and signed by the property owner or a designated representative.

Name of Property Owner: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_, MI

Telephone: ( ) \_\_\_\_\_ Fax:( ) \_\_\_\_\_

Email address: \_\_\_\_\_

I affirm that I am the owner of the property referenced in Section 1, or the owner's authorized representative, and I hereby grant permission for the Applicant named in Section 1 to operate a Sidewalk Café at the location stated.

Signature of Property Owner \_\_\_\_\_

SECTION 3 - RENEWAL PERMITS

Is this an application for renewal of an existing License Agreement? \_\_\_ Yes \_\_\_ No

Does applicant agree to utilize existing anchoring sites in the sidewalk for securing required railings?

\_\_\_ Yes \_\_\_ No

SECTION 4 – DESIGN

Is this an application for a new Sidewalk Café? \_\_\_ Yes \_\_\_ No

Will alcoholic beverage be served?  Yes  No

Is your site plan attached?  Yes  No

No, if not, when will it be submitted? \_\_\_\_\_

Number of Seats: \_\_\_\_\_ Total Square Feet: \_\_\_\_\_

Hours of operation of sidewalk café: \_\_\_\_\_

Description of nature, character of business and type of food and drink offered:

Attach one set of scale drawings clearly illustrating:

- a. The overall appearance of the premises with the outdoor cafe in place;
- b. The number, type, materials, color and location of all tables, chairs, umbrellas or other furnishings or fixtures intended to be placed at each outdoor cafe (Note: Advertising In the public right-of-way Is prohibited. Therefore, tables, chairs, umbrellas or other furnishings or fixtures shall not have Imprinted upon them anything that could be construed as advertising.);
- c. The location of any doors leading from any abutting buildings to each outdoor cafe;
- d. The number of feet and location of unobstructed, paved space permitting free passage of pedestrian traffic around or through each outdoor cafe;
- e. The type of protective barrier separating the eating and serving area of each outdoor cafe from pedestrian traffic which shall be portable and approximately three (3) feet In height
- f. The type and location of any existing or proposed outdoor lighting fixtures