



## Central Business District Outdoor Dining Guidelines

### Outdoor Dining Overview

Outdoor dining areas may be present within the public right-of-way with license agreement approval or renewal from the City Commission. Outdoor dining areas which take shape within the public right-of-way are classified as a Sidewalk Café or a Street Patio.

**Sidewalk Cafes** are outdoor dining spaces which immediately connect to the host business' building and occupy a portion of the public sidewalk.

**Street Patios** are outdoor dining spaces which are located directly adjacent to the host business and are located within metered parking spaces.

Summer sidewalk cafes and street patios are permitted from April 1st through October 31st each year.

Winter sidewalk Cafes and street patios are permitted from November 1st through March 31st each year.

### GENERAL REQUIREMENTS

1. Outdoor dining areas, especially street patios, must be constructed and installed such that they can be easily removed when needed. Host businesses must be able to remove the temporary structure within a 30-day notice, and some emergency instances may require faster removal.
2. Host businesses are responsible for all costs and labor associated with the disassembly and removal of their outdoor dining materials.
3. Host businesses are responsible for all maintenance duties and costs to keep the structure in good condition.
4. Street patios within metered spaces may occupy authorized spaces between the curb and vehicular travel lane, with a minimum buffer of at least 1 ft. from the edge of the travel lane as defined by the Engineering Division.
5. The City of Royal Oak reserves the right to reject or revoke outdoor dining requests.
6. Businesses seeking to serve alcoholic beverages outdoors must acquire approval from the State Liquor Control Commission prior to beginning outdoor services.
7. If your business has changed ownership since you last received license approval for a sidewalk café, you must apply as a New Application.

### DESIGN OF OUTDOOR DINING AREAS

1. The length of the sidewalk cafe or street patio is limited to the building width of the host business's building. The length may extend in front of adjacent businesses with voluntary submission of No Objection Affidavit.

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2. Under no circumstances may a business create accessibility issues by allowing any electrical cords, wiring, or other tripping hazards to cross any portion of the public right-of-way or ingress/egress to the establishment.
3. Must maintain minimum horizontal clearance of 5 feet of walkable space between all obstructions and the proposed café railing including but not limited to, trees, tree grates, fire hydrants, benches, parking meters, and light posts.
4. Must maintain a minimum vertical clearance of 7 feet between the sidewalk and the bottom edge of canopies or table umbrellas or overhead electrical lines. The outer edge of table umbrellas must remain at least 6 inches inside the café railing. No objects may project beyond the café railing.
5. Street patios may incorporate built-in seating or planters within the railings/edges if the railing is structurally secure to allow for this use.

#### **STREET PATIO PLATFORMS**

Street patios located within metered spaces require a structural foundation platform that rests on the street surface. Platforms for street patios must meet the following minimum requirements:

1. Street patio platforms should be constructed of high-quality, durable, non-reflective, and aesthetically pleasing materials.
2. The top of the street patio must be flush with the sidewalk and be laid out to maintain compliance with ADA guidelines
3. Platforms must be installed to allow for an 18-inch-wide drainage channel (gutter) adjacent to the curb to allow for proper stormwater drainage. Platform openings shall be covered with screening to prevent debris from collecting beneath the platform and shall be checked for debris blockage daily.
4. Wheel stops are required on any edge which interacts with adjacent parking spaces.
5. All walking surfaces should be non-slip and weather resilient to ensure safety and accessibility.
6. Platforms shall not be anchored into any roadway pavement, curb, or sidewalk.

#### **RAILINGS / EDGES**

Sidewalk cafes and street patios must feature a continuous physical barrier which separates and protects pedestrians from the flow of traffic. Railings for all outdoor dining areas must meet the following minimum requirements:

1. Railings must be constructed of high-quality metal, wood, or other suitable material deemed acceptable by the Community Development Department. Fabric inserts, chain-link fences, or unconstructed lumber pieces are not permitted barrier types. Material not specifically manufactured for fencing or pedestrian control are not allowed (e.g. buckets, cinder blocks, stumps, food containers, planters, etc.).
2. Railing height shall be between thirty-six (36) and forty-two (42) inches in height measured from the sidewalk.

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3. Sidewalk café railings must be held in place securely by base plates with 4 anchors in each plate threaded into expansion type anchors in the sidewalk.
  - a. Railing anchors once established cannot be moved to new locations in the sidewalk. Any additional holes to those approved in the original Site Plan will constitute damage to the sidewalk/streetscape and must be repaired by the sidewalk café owner prior to the beginning of the next outdoor dining season.
  - b. Following each season, the City shall inspect all sidewalk café spaces to determine sidewalk and streetscape damages.
4. Street patio railings must be held securely in place surrounding the base of the platform, with exception to edges kept free of blockage for foot traffic access to the patio. Street patio railing may not be secured to any portion of the sidewalk or curb.

### VERTICAL ELEMENTS / OVERHEAD PROTECTION

Overhead weather protection such as umbrellas or built-in structure features are encouraged. Any built-in features established must be done so with the intent of weather protection and must not fully enclose the temporary structure.

1. Vertical elements may not extend into the vehicular travel lane and must maintain a minimum clearance of 12-inches from the travel lane.
2. Vertical elements must maintain at least 7-foot vertical clearance for pedestrian traffic.
3. Vertical elements may not impede sight lines into neighboring establishments, pedestrian flow in the Outdoor Dining area, or pedestrian or vehicular traffic flow outside the Outdoor Dining area.

### OUTDOOR FURNITURE

1. Outdoor dining area seating and tables may only be constructed primarily of metal, wood, or materials of comparable quality.
2. Street patios are encouraged to feature planters and other aesthetically appealing decorative features. Where planters are used only live vegetation is allowed and must be well-maintained by the host business.

### OUTDOOR HEATING AND ELECTRICAL ELEMENTS

1. Under no circumstances may a business create accessibility issues by allowing any electrical cords, wiring, or other tripping hazards to cross any portion of the public right-of-way or ingress/egress to the establishment. **Extension cords or electrical cords must be run overhead, at least 7ft high.**
2. If using outdoor propane heaters, the following requirements apply:
  - a. Propane must be stored at least 10ft from any tents or structures if using 500 gallon or less containers, 25ft if using over 500 gallon containers
  - b. Propane cylinders must be secured to protect against falling
  - c. Heating equipment must be a minimum of 10 feet from exits

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### INSURANCE REQUIREMENTS

1. Insurance must be for the entire time frame of the license, April 1<sup>st</sup> – October 31<sup>st</sup> (summer) or November 1<sup>st</sup> – March 31<sup>st</sup> (winter)
2. Minimum requirements are as follows:
  - a. Commercial General Liability - \$1,000,000
  - b. If applicable, Liquor Coverage - \$300,000
  - c. Umbrella coverage of \$1,000,000 may also be used if the General Liability coverage is less than \$1,000,000.
  - d. Additional Insured **must** read as follows:  
*“City of Royal oak, and including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers.”*
  - e. The cancellation notice on the certificate must read as follows:  
*“Should any of the above described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions.”*

### SITE PLAN REQUIREMENTS

1. An architect or Engineer Sealed Site Plan to scale:
  - a. Must include the entire area to be considered, including curb lines and building walls.
    - i. Sidewalk cafes must include between the building and the curb.
    - ii. Street patios must include between the building and the vehicular traffic lanes.
  - b. Must show all existing and proposed obstructions in the area.
    - i. Including trees, tree grates, fire hydrants, benches, parking meters, light posts, bus stops, driveways, etc.
    - ii. Including the seat and table layout plan for the area. Each table and chair must be identified in the Site Plan.
  - c. Detailed elevations of the railing design must be shown, including information on fastening.
  - d. The building wall shall identify all doors, windows, and other openings, as well as any building feature requiring emergency access.
  - e. Detailed stormwater drainage and management information for both beneath and atop any street patio platforms.
  - f. Material specification details must be listed for each required element.



# EXAMPLE

## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
00/00/0000

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT	
	NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Insurance company name		
INSURED	INSURER B: As required	
	INSURER C: " "	
	INSURER D: " "	
	INSURER E: " "	
	INSURER F: " "	

## COVERAGES

## CERTIFICATE NUMBER:

## REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	GENERAL LIABILITY			Policy number	Effective date	Expiration date	EACH OCCURRENCE	\$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 2,000
	<input type="checkbox"/>						PERSONAL & ADV INJURY	\$ 1,000,000
GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 1,000,000	
<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO- JECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG	\$ 1,000,000	
							\$	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE	\$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE	\$
	<input type="checkbox"/> DED	<input type="checkbox"/> RETENTION \$						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N	A				WC STATUTORY LIMITS	OTHR
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT	\$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$
A	Liquor Liability			Policy number	Effective date	Expiration date	\$300,000.00	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

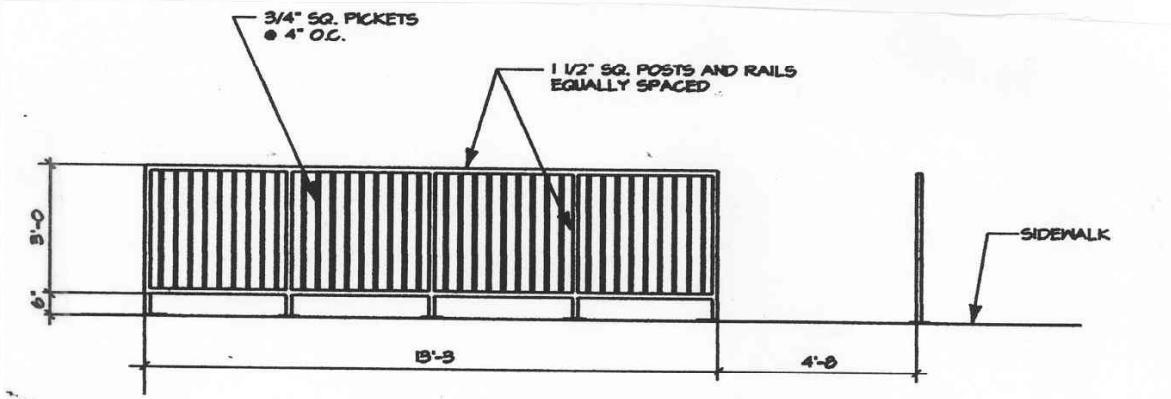
The City of Royal Oak, all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and board members, including employees and volunteers thereof are additional insureds. Coverage afforded is considered primary and any other insurance the City of Royal Oak may have in effect shall be considered secondary and/or excess.

## CERTIFICATE HOLDER

## CANCELLATION

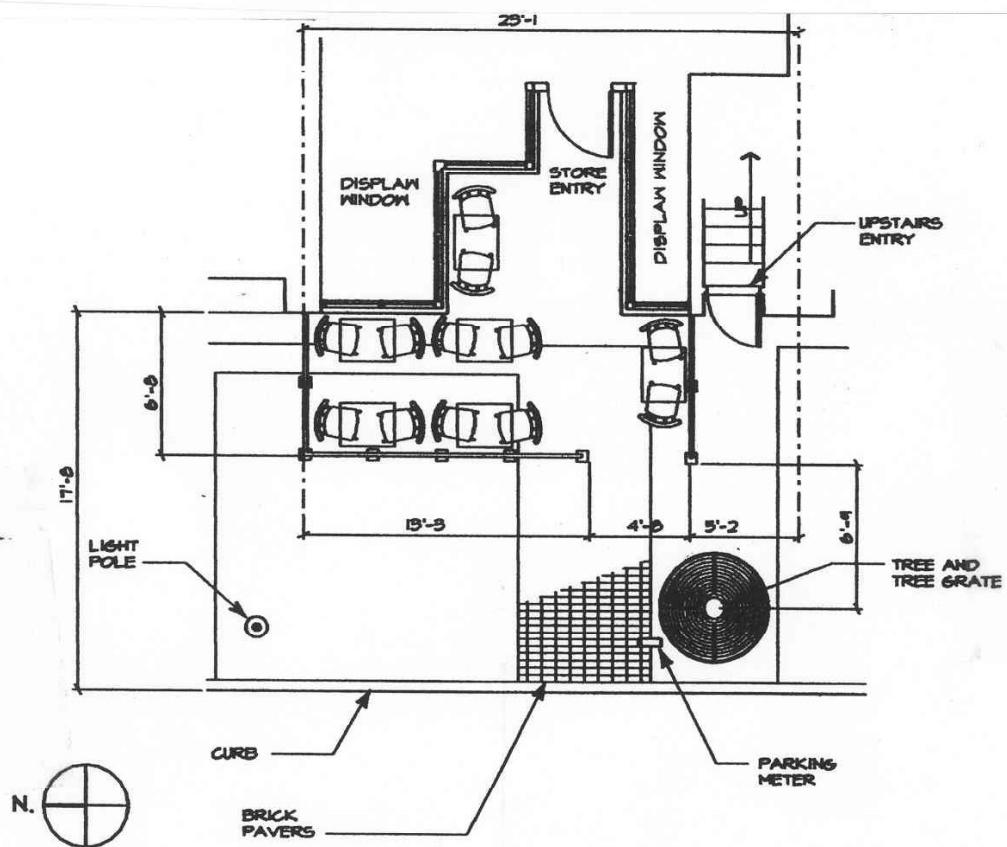
City of Royal Oak City Engineer 203 S. Troy Street Royal Oak, MI 48067	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

# Sample Railing Elevation & Site Plan for Sidewalk Café



**FRONT RAILING ELEVATION**

$1/4" = 1'-0"$



**MAIN STREET**

**CAFE PLAN**

$1/8" = 1'-0"$

## Required Railing Base Plate Anchoring Detail for Sidewalk Café

