



CITY OF PITTSBURGH
DEPARTMENT OF MOBILITY & INFRASTRUCTURE

Department of Mobility and Infrastructure Order No: 20-0004

GUIDANCE FOR WINTER OUTDOOR DINING AND RETAIL IN THE CITY OF PITTSBURGH

I. Overview and Purpose

A. Objective

Provide consistent guidance to applicants to enable permitted temporary use of public and private space for outdoor dining and retail (“streeteries”) to operate through the colder months of the year by providing patrons shelter and/or warmth. The objective of permitting and supporting temporary “streeteries” is to sustain local businesses, the city economy and municipal fiscal health through the unprecedented challenges associated with the COVID-19 pandemic.

B. Authority

City’s Code of Ordinances §411.01 subsection b.3, “The Director shall establish and administer policies as necessary for the implementation of this Article, including, but not limited to, operating procedures, permits, forms, rules, and regulations, to ensure the management of the right-of way for the public good.” This guidance applies to the public right-of-way under the stewardship of the Department of Mobility and Infrastructure. It does not extend to any public lot, park or other property or any private property.

City’s Code of Ordinances §114.02 and §135.02 provides authority to the Department of Permits, Licenses, and Inspections (PLI) and the Department of City Planning (DCP), respectively, to regulate structures on and the use of private property.

C. Relevance to Adopted Policy or Plan

Mayoral Emergency Order and statements of support

D. Need.

COVID-19 is a potentially fatal viral infection readily spread through close human interaction. The virus appears to spread more easily in indoor conditions. Capacity limits have been placed upon dining and retail establishments. The use of outdoor street space enables businesses to restore patron capacity in whole or in part vital to their continued operation.

This guidance to provide predictable and consistent standards for the review and implementation of equipment to safely provide shelter and/or warmth to patrons during periods of cooler weather while maintaining the operation of the public way.

II. GUIDANCE.

A. General Guidance

1. All outdoor spaces in the public right-of-way must have a Temporary General Permit issued by the Department of Mobility and Infrastructure (DOMI).
2. All outdoor dining and drinking spaces and temporary structures must have a current Temporary Occupancy Permit issued by the Department of Permitting, Licensing and Inspections (PLI).
3. All furnishings, structures and equipment to be used in the public right-of-way must be included in the permit application. Only those furnishings, structures, and equipment that have been approved by issuance of the permit shall be allowed for use by the applicant.

B. Shelters and Structures: Temporary outdoor structures, including tents, are allowed on private property or the public way under the following regulations:

1. Tents, canopies, domes, igloos or other similar structures are generally prohibited on sidewalks or other pedestrian paths. Site plans that include tents or other structures on sidewalks or other pedestrian paths may be considered if applicant can clearly demonstrate that an adequate pedestrian clear zone will be consistently maintained.
2. Tents and canopies covering less than 400 square feet may be used on streets or parking lanes which have been permitted to be used as outdoor dining space by businesses holding a Temporary General Permit and a Temporary Occupancy Permit.
 - A. Temporary structures greater than 150 sq. ft. require drawings from a PA licensed architect or engineer.
 - B. Temporary structures less than 150 sq. ft. do not require drawings from a PA licensed architect or engineer and shall follow [DCP and PLI guidelines](#).
3. Tents or canopies that hold multiple parties must have at least 75% of the sides open to allow air flow, or will otherwise be considered "indoor" and will be subject to indoor capacity limitations.
4. Enclosed structures, such as plastic domes or igloos, may be used for individual parties and must have adequate ventilation to allow for air circulation.
5. If plastic domes, igloos, or other enclosed spaces are used, the business must post signs next to the entrance of each structure advising about increased risk of transmission within an enclosed space.
6. All tents, canopies, and enclosed structures such as domes and igloos must be adequately anchored or weighted to resist strong winds. The anchorage shall follow PLI guidelines or be prescribed by a PA licensed architect or engineer.

C. Heating devices: Heating devices are allowed but must meet the following operational regulations:

1. Heating equipment must be shown on site plans submitted with the permit application. Existing permits for outdoor dining or retail space must submit an updated plan including heating equipment to slow.street@pittsburghpa.gov.

STREETERY WINTERIZATION GUIDANCE

2. Electric-powered heating devices may be utilized. Electrical cords traversing any travel way must be secured to the street surface and not present a trip hazard or other impediment. This is the only heating type allowed inside a temporary structure.
3. Propane heaters with portable, propane containers of 500 gallons (1893 liters) or less, and gas-fired heating appliances, are permitted under the following regulations:
 - a. Propane heaters must be kept 10 feet away from any combustible materials, such as tent walls or roof, at all times.
 - b. The storage or use of portable outdoor propane and gas-fired heating appliances are prohibited in any of the following locations:
 - i. Inside of any occupancy where connected to the propane cylinder
 - ii. Inside or under tents, pop-up canopies, domes, igloos, or other similar structures
4. Propane cylinders shall not be stored inside of buildings under any circumstances. Gas containers must be removed from the heater and stored outdoors when not in use in the following manner:
 - a. In a metal storage locker or shed, and
 - b. Securely fastened to prevent tipping and unauthorized movement

D. Lights: Certain lights are permissible without an additional permit under the following regulations:

1. Battery operated and solar lighting are permissible without a permit
2. Electric-powered string lighting is permissible without a permit under the following regulations:
 - a. An unobstructed vertical clearance of not less than 13 feet 6 inches is maintained on streets and sidewalks to allow emergency access
 - b. No wires or extension cords may in any way impede the public right of way, including sidewalks and parking lanes.

Claims of ignorance of the law or these Guidelines are not a defense. The City of Pittsburgh's Department of Mobility and Infrastructure reserves the right to amend this policy at any time. Any revisions to this policy shall take effect immediately upon posting of the revised policy.

Approved: _____

(signature)

Effective Date: _____

Amendment Date(s): _____

Superseded By: _____

Supersession Date: _____