

APPLICATION FOR SIDEWALK CAFE

City of Pittsburgh
Department of Mobility & Infrastructure
611 Second Ave
Pittsburgh, PA 15219
412-255-2529

*Fax or Email this Completed Request along with all Attachments to
Ben Carlise ben.carlise@pittsburghpa.gov Fax: 412-255-8981 or return by mail.*

Business Owner Name: _____ Contact Name: _____

Business Phone: () _____ Cell Phone No: () _____

Business Address: _____ Contact Email: _____

(DBA) Business Name: _____

Days and Times of Operation: _____

PLEASE PROVIDE WIDTH AND LENGTH OF SIDEWALK & CAFÉ BELOW:

Sidewalk Width: _____ Width of Cafe _____

Sidewalk Length: _____ Length of Cafe _____

Number of Tables _____ Number of Chairs _____

List of City / Utility objects near the curb: _____

How many feet / inches from the curb is the nearest object to the building? _____

ATTACH THE FOLLOWING:

- Letter to the Director of Mobility & Infrastructure for permission to set up a café in the right of way
- Signed pre-printed Acceptance letter of conditions to operate
- Landlord pre-printed endorsement letter
- Insurance Certificate 100K/300K + 50K property: Must name City of Pittsburgh as an additional insured
- Pictures of the store frontage showing the sidewalk (front, left, & right).
- \$150 Application Fee – Plus \$1 per Café Square Foot - Checks payable to “Treasurer, City of Pittsburgh”
- Site Plan – Must be to scale and stamped by a professional *(Only for Café's with 3 or more Tables).*

DO NOT WRITE BELOW THIS LINE

For City of Pittsburgh Use:

SIDEWALK CAFE APPLICATION

- COUNCIL APPROVAL: A copy of the Approved Application will be forwarded to: Council District _____
- DISAPPROVED FOR THE FOLLOWING REASON(S):
- Falsification of Information.
- Current restrictions prohibit extension at this location.
- Other: _____

INVESTIGATED BY: _____

APPROVED BY: _____ DATE: _____

06/07/2017

**DEPARTMENT OF MOBILITY & INFRASTRUCTURE
(DOMI)**

FEE SCHEDULE

OBTAINING A SIDEWALK CAFÉ ENCROACHMENT PERMIT

You must obtain an encroachment permit for erecting a Sidewalk Café as required by Pittsburgh Code of Ordinances: Title Four: Article 1: Public Rights of Way. This encroachment permit gives you permission from the City of Pittsburgh to occupy public right of way space until it is needed again by the city.

FEE Schedule: The following fees will be charged for processing a sidewalk cafe encroachment permit application.

- * **\$150.00 Base Fee for application processing & review**
- * **\$1 per Café Square Foot will be assessed in addition to the base fee.**
- * **\$25.00 Annual Renewal Fee**
(Updated Insurance must be submitted with each renewal)

Checks payable to: **TREASURER, City of Pittsburgh**

Submitting the application and site plan:

To obtain a Sidewalk Café Encroachment permit, you must submit all application requests including a professional stamped scaled site plan of the sidewalk illustrating the location of the encroaching tables and chairs including any other items on the sidewalk encroaching the city right of way such as parking meters, telephone poles, trash cans, bike racks etc. *(exempt for café's with less than 3 tables)*. All information requested on the application must be completed in order to process your request. Your plans must contain sufficient detail to allow for an accurate review of your request. If you are uncertain about the information we are requesting, please contact our office at 412.255.2529 for a face to face interview.

When completed, mail, email, or fax all papers along with undated checks to:

**BENNETT CARLISE
DEPARTMENT OF MOBILITY & INFRASTRUCTURE
611 SECOND AVENUE
PITTSBURGH PA 15219
ben.carlise@pittsburghpa.gov
FAX: 412-255-8981**

Once you submit all of the required forms, your request will be field researched by city staff to determine whether the sidewalk café encroachment is suitable for your specific location. Once approved by DOMI, your application will be given back to you so that you can submit to City Planning located at 200 Ross St, Pgh PA 15219. When your application receives DOMI, Zoning, & PLI departmental written approvals it will be forwarded to the City Council Member of the ward & district which the café is located. Only then will you be granted authorization to set up the café and open for business. The official authorized final permanent permit will be issued from DOMI. This permit must be signed and placed on public display in your front window at all times.

(Please allow a minimum of 2-4 weeks to process your application once all required info is submitted).

CITY OF PITTSBURGH

Sidewalk Café

Application Process

General City Review Process:

After receiving the completed application from you, the city review process will begin.

§ 416.08 APPROVAL PROCESS FOR SIDEWALK CAFÉ, INCLUDING PERMITS AND FEES.

A proprietor wishing to establish a sidewalk café must follow the process described below. Responsibilities of the departments include, but are not limited to, those described. For expediency and to benefit the applicant, each department shall complete its responsibilities within ten (10) days.

A. ***Department of Mobility & Infrastructure (DOMI):*** At DOMI, the proprietor obtains an application form for a permit to encroach on the public right-of-way with a sidewalk café. A checklist of sidewalk café requirements, delineating the steps to be followed in acquiring a sidewalk café permit, is issued to the applicant.

B. ***Department of Mobility & Infrastructure:*** Applicant returns to DOMI with a completed application. As part of the application for a sidewalk café, applicant shall submit a site plan conforming to the specifications in Sections 416.09 and 922.01.d.1. The proposed site plan for the sidewalk café must be attached to the required permit application. Sample plans are available from DOMI. The permit fee is due at this time, at one dollar (\$1.00) for each square foot of café area (Gross square footage) in addition to the \$150 application fee. Also due at this time is a certificate from the proprietor's insurance company, naming the city as co-insured, with minimum amounts of one hundred thousand dollars (\$100,000) to three hundred thousand dollars (\$300,000)--public liability and fifty thousand dollars (\$50,000) property.

C. ***Zoning:*** DOMI sends the applicant to the zoning counter, with the application, and with DOMI's notice of acceptance. The application is registered and the applicant pays a one-time filing fee at the zoning counter. Zoning will verify that the applicant has a valid *certificate of occupancy* for the primary use of the property. A certificate of occupancy for a sidewalk café will not be granted without a valid certificate of occupancy for the primary use.

The zoning department reviews the site plan design of the proposed sidewalk café. If disapproved, the applicant is given an opportunity to revise the site plan to meet zoning's requirements. If the proposed sidewalk café is to be in an historic district, there will be an additional level of review by the local body that provides historic review for that site. Zoning marks the site plan as approved and directs the applicant to the Bureau of Building Inspection.

D. **Department of Permits, Licenses, & Inspections:** PLI checks the applicant's record for violations. Any violations must be rectified before a sidewalk café permit can be issued. No permit can be issued unless the proprietor has a valid occupancy permit for the establishment that the sidewalk café will abut. Upon being cleared of violations, and consistent with the requirement for commercial venues, the applicant must submit a site plan, prepared and sealed by a licensed architect or engineer, to PLI's Plan Examiner. This plan must contain the sidewalk café seating layout, aisles, enclosure, ADA requirements, and means of egress, including egress from the main restaurant to the curb.

The Plan Examiner will review the site plan for compliance with City Code and for compliance with the Americans with Disabilities Act (ADA). The applicant then pays a one-time fee for the certificate of occupancy for a sidewalk café. BBI will inspect and issue the certificate of occupancy for a Sidewalk Café, if approved. A copy of the site plan will be given to the applicant to be maintained at the establishment. The applicant will receive a copy of the certificate of occupancy by mail. Upon completion of PLI's process, PLI will forward the sidewalk café application packet, including DOMI's notice of acceptance, the certified site plan, and a copy of the certificate of occupancy for a sidewalk café, to DOMI.

E. **Department of Mobility & Infrastructure:** A DOMI representative conducts a field survey to check the accuracy of information submitted in the proprietor's application for a sidewalk café.

F. **City Council:** When it is deemed that the application is completed fully and correctly, the Director of Public Works submits the application to the District Council Person. The completed checklist of sidewalk café requirements is included in the packet provided to the District Council Person. The City Council Member representing the district where the café is proposed shall acknowledge, in writing, having reviewed the application, prior to issuance of the permit.

G. **Department of Mobility & Infrastructure:** The Director of Mobility & Infrastructure notifies the applicant of the City's decision. If approved, the sidewalk café permit is issued by the Department of Mobility & Infrastructure. A DOMI representative may at their discretion demarcate the margins of the approved sidewalk café on the sidewalk.

If the proprietor wishes to change the sidewalk café from the approved site plan, a new application and review process is required.
(Ord. No. 4-2009, § 1, eff. 1-1-10)

**If you have any questions regarding the above,
Please call: BEN CARLISE @ 412.255.2529
M-F 9:00 a.m. to 5:00 p.m.
or Email: ben.carlise@pittsburghpa.gov**

Permission Letter to the Director of DOMI

Date: _____

To: Department of Mobility & Infrastructure
Attn: Director Karina Ricks

Dear Ms. Ricks:

Please accept my application to set up a sidewalk café.

Name of Restaurant _____

Location: _____

Sincerely: _____

Owner Signature

PRINT NAME

DESCRIPTION OF SIDEWALK CAFÉ SITE PLAN

In furtherance of the intent of this legislation that sidewalk cafés shall enhance the aesthetic appeal and community activity where they are located, especially in historic business districts, the following requirements are placed on the design and operation of sidewalk cafés.

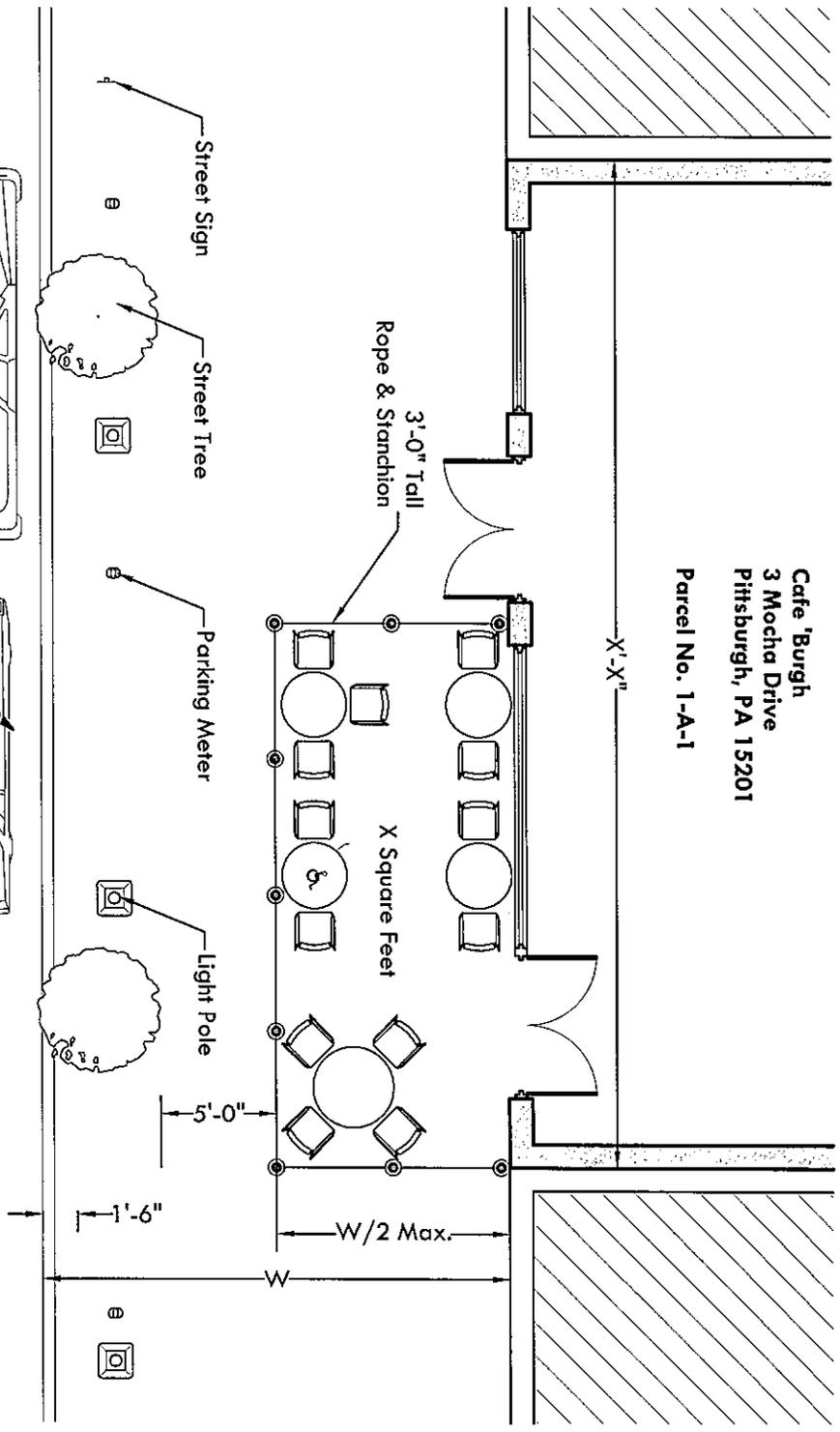
1. Site plans shall include:

- Size of encroachment onto publicly owned sidewalk
- Sidewalks up to ten (10) feet in width shall leave four (4) feet of sidewalk clear of obstructions to allow unimpeded pedestrian and disabled pedestrian traffic, in accordance with Americans with Disability Act (ADA) standards. Sidewalks over ten (10) feet in width shall leave five (5) feet of sidewalk clear of obstructions to allow unimpeded pedestrian and disabled pedestrian traffic, in accordance with the Americans with Disability Act (ADA) standards. No obstruction shall be placed within eighteen (18) inches of the face of any curb, within five (5) feet of any fire exit, fire hydrant, or building corner.
- The width of the storefront. A sidewalk café is limited to the width of the storefront of the establishment with which the area is associated. The area of ingress and egress is to be shown.
- Gross square footage.
- Compliance with federal accessibility standards, to accommodate persons with disabilities.
- Compliance with Building Code standards for egress from the café and from the establishment, in case of fire or other emergency
- City and other approved obstructions are shown outside the required ADA clear passageway. Obstructions shall include, but not be limited to, light poles, traffic signal poles, fire hydrants, utility structures, bike racks, parking meters, street trees, and street signs. Further, the sidewalk café cannot obstruct the clear sight distance for vehicles or access or crossings for the disabled.
- The seating, table layout, and barrier system, to scale, along with passageway/aisle clearances.

2. Design aspects to be included in the site plan are:

- Sidewalk cafés shall have a rope and stanchion as an enclosure, unless some other barrier system is approved by the City as an architectural design element.
- Sidewalk cafés are comprised of tables for dining. There shall be no standing room. No service equipment is permitted.
- Furnishings for sidewalk cafés shall consist solely of moveable tables, chairs, and decorative accessories. There shall be at least one (1) table that is ADA compliant.
- The square footage of the sidewalk café area shall determine the number of permitted tables and chairs based on the Building Code requirements in effect at the time of the initial application. The proprietor is also required to update sidewalk café seating to meet Building Code requirements in effect at the time of annual renewal.
- If awnings are proposed, they shall be adequately secured and retractable. If umbrellas are proposed, they are to be included in the submitted site plan, and must meet ADA standards for encroachment into the public right-of-way, that is, umbrellas must be totally within the sidewalk café area and the edges and prongs must leave the path of travel clear and unobstructed.
- Sidewalk cafés shall be at the same elevation as the public sidewalk. Paint, carpeting, artificial turf, or other floor coverings of any kind shall not be permitted at any time in the sidewalk café area.
- No signage shall be allowed in any sidewalk café, or on the adjacent sidewalk, with the exception that small lighted menu boards may be permitted.
- Sidewalk café uses shall be subject to Pittsburgh Zoning Code standards, as stated at Pittsburgh City Code section 911.04.A.68.

Cafe 'Burgh
3 Mocha Drive
Pittsburgh, PA 15201
Parcel No. 1-A-1



Mocha Drive

John Doe, Architect
Contact Information

Scale: 1/8" = 1'-0"

ACCEPTANCE FORM
Operating a Sidewalk Cafe

I, _____
PRINT NAME

Owner / Manager of _____
PRINT NAME OF RESTAURANT

Agree that I and my employees will abide by all the conditions, standards, rules, and regulations set forth in the application requirements for a Sidewalk Cafe as stated in City of Pittsburgh Ordinance Chapter 416. As part of this agreement, I agree to keep my city business taxes current. I understand that a delinquency in my taxes will result in the termination of my sidewalk cafe.

I agree that I am responsible for keeping all visitors, patrons, employees, and cafe fixtures, including, without limitation, tables, chairs, and heaters from occupying or encroaching into the required clear sidewalk pedestrian right of way.

If, at any time, I or my employees discontinue or refuse to adhere to any part of the permit requirements, I understand that the immediate termination of the Sidewalk Cafe Permit will be required and the application fee will be forfeited and no refund of any kind is expected. It is my further understanding that any application in the future will be treated as a new and separate application.

I understand that the operation of a Sidewalk Cafe without the consent of the City of Pittsburgh will be subject to a daily citation, which would include a minimum fine of \$200 up to \$1000 per day as specified in Chapter 416.23(a) of the Pittsburgh Municipal Code.

I, in my power as owner / manager of said business, agree to hold harmless the City of Pittsburgh and its representatives from all liability resulting from the operation of a sidewalk cafe. I will have the required insurance policy, naming the City of Pittsburgh as a co-insured in force at all times during the operation of the Cafe.

Initial **I fully understand the aforementioned statement and agree to all conditions.**

Signature: _____ Date: _____
Owner / Manager

For City: _____

*SIDEWALK CAFÉ
CITY OF PITTSBURGH*

PROPERTY OWNER ENDORSEMENT

Permission from landlord to set up and operate a Sidewalk Cafe

I, _____
PRINT NAME

as owner / or manager of the property located at:

STREET ADDRESS

CITY / ZIP

Do hereby endorse, authorize, and grant permission to my tenant to set up and operate a sidewalk café in front of my property.

PRINT TENANT NAME & DBA

It is my understanding that all city requirements and conditions will be met and adhered to as set forth in City Code Chapter 416.

Signature of Property Owner/Mgr.: _____
SIGNATURE DATE

RECEIVED BY DOMI: _____
INITIAL DATE