

Standards for Use of Public Realm

- 1) With approval, businesses may occupy the public sidewalk directly in front of the business location, and may elect to expand to be in front of the adjacent storefront, with property owner or tenant permission. Sidewalk uses must maintain an unobstructed pedestrian way between the sidewalk obstruction and the sidewalk curb.
- 2) With approval, businesses may occupy public on-street parking spaces, but must provide an accessible path of travel to the area from abutting sidewalks. Such expansions must occupy the area directly in front of the proposed business. If the applicant proposes utilization area beyond the extended boundaries of their storefront and into parking, street, or sidewalk area in-front of abutting businesses – applicant must provide abutter consent for use of such spaces.
- 3) In all situations, an unobstructed pedestrian way that allows for clear and unimpeded passage and access along the area must be maintained adjacent to the area approved for use by the business. In Market Square the minimum width for the adjacent pedestrian way shall be 10-feet to 12-feet depending on site conditions. In all other areas the adjacent pedestrian way must be a minimum of 5-feet wide. The pedestrian way shall be located entirely on the public sidewalk and shall meet criteria that ensure pedestrian safety, usability and ADA compliance.
- 4) All outdoor dining areas where food or alcohol service is provided shall comply with the following requirements:
 - The internal dimensions and table/chair layout of the sidewalk café area must allow for the passage of customers and wait staff and shall meet local and State Building/Fire Codes and ADA requirements.
 - Sidewalk cafe’s must provide a 5-foot radius clearance from the center of restaurant doorways (exterior) and doorways shall be kept clear at all times and a 5-foot minimum clear pedestrian path in front of restaurant doorways (exterior) shall be maintained at all times.
 - Canopies over the sidewalk café shall not be allowed unless they are completely supported by hardware on the building structure, that is, there shall be no vertical supports in or around the sidewalk café; table umbrellas without logos are allowed, but must not extend beyond the Area. Canopies require permitting through the Inspection Department and the Historic District Commission applicable.
 - No advertising of any kind shall be allowed in the Area.
 - No improvements or personal property located within the Area shall extend on or over any municipal property located outside the Area.
- 5) Outdoor dining areas where alcohol will be served must comply with the following requirements:
 - Be separated from the public pedestrian space on the adjacent municipal sidewalk by an enclosure system consisting of heavy duty black decorative metal materials or equivalent as approved by the City Manager or designee; special attention shall be paid to the method used to support the enclosure system in order to avoid damage to public property and insure public safety;
 - The minimum height of the enclosure system shall be 30 inches and the maximum height shall be 36 inches.
 - The enclosure system, tables and chairs shall be movable/non-permanent.
- 6) Occupancy will be based on total restaurant approved indoor capacity plus the additional capacity provided on city streets.