

Street Café & Street Furniture Guidelines

Overview & Purpose

The purpose of these guidelines is to provide a consistent approach and response to restaurants, cafés and other businesses primarily serving food and drink in the downtown that wish to apply for a permit to provide tables, chairs, benches, planters and other amenities for their customers on sidewalks and other public properties, such as alleys and parking lots.

The intent of these guidelines is to facilitate outdoor seating in the **public realm** that is functional, secure and desirable while simultaneously maintaining public safety and accessibility on public streets, alleys and parking lots and creating cohesive, high-quality outdoor seating venues that enhance the community.

General Requirements – All Street Cafes

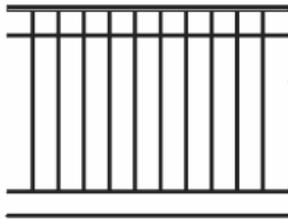
1. Street furniture, planters and fencing shall be placed within the public property adjacent to the applicant’s place of business as per the approved street café application. Street furniture on public sidewalks and alleys should be placed as close as possible to the building in order to maintain adequate pedestrian access. **The linear width of the street café shall be determined by extending “imaginary” lines from the actual property lines into the public way or property. The street café shall be limited to this area unless a neighboring property owner provides written approval allowing the street café to be extended in front of their building and such exception is granted by the city.**
2. A minimum of 5-feet of pedestrian clearance must be maintained on all public sidewalks and alleys. Trees, tree grates and planters; benches, parking meters, streetlights or other structures shall be kept out of the 5’ pedestrian clearance area.
3. Placement of fences, street furniture and planters shall not interfere with crosswalks, curb ramps, access to buildings, driveways or access to any fire escape.
4. Placement of fences, street furniture and planters on the sidewalk must conform to all federal, state and local laws and regulations.
5. The street café/street furniture will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.
6. The Directors of Public Service & Safety may impose additional requirements for outdoor seating proposed within a public alley or public parking lot to ensure that the intent and purpose of these regulations are met.

Specific Requirements for Places Serving Alcoholic Beverages

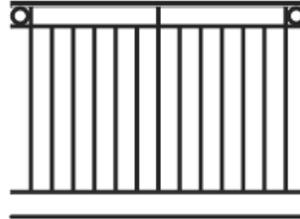
1. For restaurants and cafés serving alcoholic beverages outside of a building, the outdoor seating area shall be enclosed by a physical barrier that complies with regulations promulgated by the State Division of Liquor Control.
2. For outdoor seating areas located on or within a public sidewalk, alley, parking lot or other public right-of-way/public property, the enclosure shall be in the form of a fence, the details of which are described in the *Design Standards* section.

Design Standards

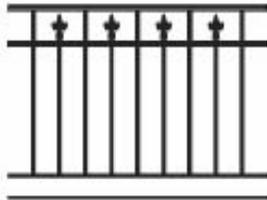
1. **Tables & Chairs.** All tables and chairs shall be constructed of metal or wood; and shall be stained or painted to complement the storefront. Acceptable colors for these furnishings are black, dark brown, dark green, and burgundy. Other colors may be permitted if approved by the Architectural Design Committee.
2. **Fencing.** All fenced enclosures shall comply with the following requirements:
 - a) The fence shall be 36” in height.
 - b) The fence shall not be permanently mounted to the ground but shall be secured in such a way as to be removed upon request. The method of mounting shall be approved by the City.
 - c) The fence shall be constructed of wrought iron, cast iron, steel, aluminum or composite materials that mimic metal and designed to resemble historically-appropriate wrought iron fences typically found in urban commercial areas. Examples of appropriate fence styles include the following:



Fence Type 1 – Midrail



Fence Type 2 – Midrail Rings



Fence Type 3 – Midrail Spear



Fence Type 4 – Loop & Spear

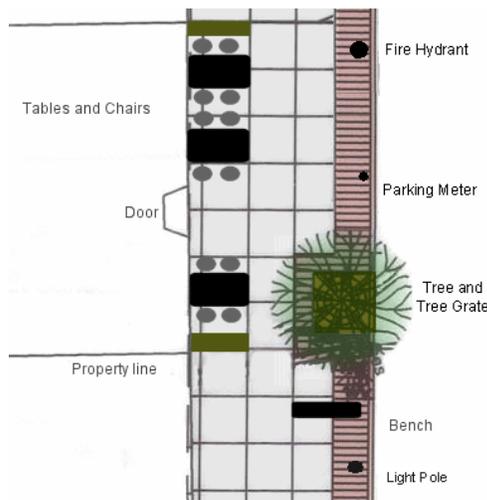
- d) The fence shall be black.
 - e) No signage or banners may be hung from the fencing.
3. **Planters.** The material, style and color of all planters shall complement the storefront; fencing style; and the materials and color of the tables and chairs.
 4. **Umbrellas.** The canopy of an umbrella shall not encroach past the boundary of the designated sidewalk café area. Only the name of the business may be displayed on umbrellas unless additional advertising is approved during the permit review process.

Permit Requirements

Any party seeking to obtain a permit for a new street café shall submit the following:

1. A completed application on form provided by the City and non-refundable fee of \$75.00. Subsequent applications are exempt from the fee except for those situations noted on the actual application.
2. A site plan illustrating the following (see Exhibit A):
 - a) Location of the building, adjacent buildings and their entrances.
 - b) All property lines, building walls, sidewalks, alleys and surface obstructions within 20 feet of the area proposed to be occupied. Surface obstructions include, but are not limited to fire hydrants, streetlights, parking meters, trees, planters, signs, benches, etc.
 - c) The dimensions of the sidewalk in the area proposed to be occupied; dimensions (length and width) of the area to be occupied; location of proposed fencing; approximate location of tables, chairs within the seating area; and the dimension of the pedestrian clearance area of the sidewalk, alley or parking lot.
3. Information and drawings for all proposed street furniture, fencing and umbrellas, detailing the materials, design and colors of each.
4. Evidence of a personal liability insurance policy naming the City as an “insured party”.

Exhibit A – Site Plan



Completed applications should be submitted to:

City of Wadsworth
120 Maple Street
Wadsworth, Ohio 44281
Attn: Director of Public Service

Sidewalk Café Permit Review Process

1. Once an application is submitted and found to be complete, the Director of Public Service shall review the application for compliance with these guidelines.
2. During the review process, the application shall be submitted to the Director of Public Safety, Building & Planning and Engineering Departments for additional input.

3. The application may also be referred to the Architectural Design Committee (ADC) for input relating to design, materials and colors.
4. Within thirty (30) working days of submittal, the Director of Public Service shall approve; approve with modifications and/or conditions; or disapprove the permit and communicate the decision to the applicant in writing.
5. Once a permit has been issued, the Director of Public Service or his/her designee may inspect all sidewalk cafés and street furniture to ensure compliance with these guidelines.
6. A sidewalk café permit is a discretionary permit and may be revoked, suspended or modified at any time by the City.

Responsibilities of Permit Holder

A holder of a Street Café Permit shall comply with all applicable federal, state and city regulations, as well as the following requirements:

1. The permit holder is responsible for ensuring that all activity stays within the designated area.
2. Food trays or carts, receptacles for dirty dishes, etc. shall not be stored on any portion of the sidewalk/public property.
3. Fences, tables, umbrellas, chairs and planters in the sidewalk area must be kept free of litter and other debris at all times.
4. A permit holder with a self-service restaurant must provide at least one durable, covered and appropriately sized refuse container within the permit area at all times area is in use. The container shall be emptied as necessary to prevent overflow and spillage onto the sidewalk.
5. Permit holder shall clean the surface area of the designated sidewalk café as requested by the City or the Medina County Health Department and the surface shall be power washed at least once per calendar year.
6. All tables, chairs, etc. must be promptly removed from the sidewalk at the end of each business day, unless they are secured overnight.
7. Permit holder shall keep a current liability insurance policy that names the City of Wadsworth as an insured party.
8. Permit holder shall keep a copy of the approved Street Café Permit on the premises at all times.
9. The sidewalk café shall comply with applicable Health Department regulations.
10. Permit holders intending to serve alcoholic beverages at the sidewalk café shall possess a valid Liquor License pursuant to the Ohio Revised Code. Consumption of alcohol within the designated sidewalk café area is regulated by the permitted uses and restrictions defined in the individual liquor license. The site diagram submitted to the Ohio Department of Commerce Division of Liquor Control must include the sidewalk area and shall be approved by the City.
11. Restaurants possessing an alcoholic liquor license of any classification and located within the downtown may sell alcoholic beverages within the delineated area of a sidewalk café. The sale of alcoholic beverages shall be for on-premise consumption only and alcohol may not be removed from the designated area. This provision must be clearly stated on sidewalk café menus.
12. Sidewalk cafés shall not operate earlier than 7:00 am or later than 11:00 pm on Sunday through Thursday, nor later than 12:00 am on Friday or Saturday.
13. Sidewalk cafés shall generally not be operable from December through March and all furniture and fencing shall be removed from the sidewalk or other public property during this time. Weather permitting, the Director of Public Service may grant exceptions during these months.