



# City of Brockville

## Guidelines for Outdoor Seasonal Sidewalk Patios

The purpose of this document is to establish procedures for the approval process and operational guidelines for the use of sidewalks and boulevards for outdoor seasonal sidewalk patios within the City of Brockville.

### GENERAL

Sidewalks and boulevards are being used to provide areas where merchants might establish an ambient atmosphere in the form of seasonal outdoor cafes and/or food concessions.

There may be times that these areas may wish to be used to serve alcoholic beverages. The Liquor Control Board of Ontario is the governing body and sets the requirements to establish this type of operation. Any necessary approvals from the LCBO must accompany the application.

### PROCESS

1. The application must be fully completed and submitted to the City Clerk's office. Accompanying the application must be a series of legible sketches, plans and/or drawings showing all relevant information including but not limited to dimensions, construction material, location of signs, railings, trees, awnings, planters, enclosure, etc. The drawings must also take in the sidewalk and/or parking space(s) where pedestrian traffic would be re-routed. All drawings/plans/sketches are to be "to scale" and in measured in metric. Any incomplete or poor quality drawings/plan/sketches will be rejected until such time as they are deemed acceptable by City staff.
2. Once a completed application is received it will be circulated for comment from the various City departments, the Downtown Board of Management, Heritage Brockville and the Brockville Municipal Accessibility Advisory Committee.

### GUIDELINES

1. It is the responsibility of the business owner to initiate the request and pay all costs associated with the approval and construction of the patio.
2. This application is subject to the provisions of the City of Brockville Noise By-law No. 090-2013, Sign By-law 84-89 and any other by-laws that may be applicable.
3. The installation of a seasonal sidewalk patio must provide for a minimum 1.2 meter unobstructed pedestrian pathway.
4. If the sidewalk area requested to be used is at a location other than immediately in front of the business making the request, or if it will affect parking spaces other than immediately in front of the business making the request, the applicant must

provide correspondence from the neighboring business owners with the application obtain the signed permission of the merchants who will be directly affected.

5. The style of the barrier encompassing the enclosed, such as railings, stanchions, partitions, etc must in keeping with the downtown's heritage theme. The goal is to standardize the barriers and to have them similar to that décor and furnishings that are in place. Patios not located in the downtown area are not required to follow this theme but are subject to review and approval by the City.
6. Pennants, flags and any other type of sign is prohibited from being installed on the barriers.
7. The enclosed area must have a fixed barrier system which clearly delineates the patio area from pedestrian traffic. In addition, a second fixed barrier system must be in place to separate pedestrian and vehicular traffic. For King Street locations, the City will supply, install and remove the required barrier system separating pedestrian and vehicular traffic. All association costs for the City to install and remove the barrier will be borne by the business owner.
8. Prior to the use of any patio, the merchant is required to provide proof of insurance naming the City of Brockville as an additional insured with a minimum amount of \$2,000,000.
9. Once all conditions have been met and a final inspection completed by the City of Brockville, the business owner will be issued a Certificate for Authorization of Use.
10. Every patio shall be kept in good repair and in a safe and secure condition.
11. It shall be the duty and responsibility of the owner to maintain the immediate premises occupied by the patio in a neat and tidy condition.
12. The use of City sidewalks and boulevards for outdoor patios will be limited to the period of May 1<sup>st</sup> to October 31<sup>st</sup> at which time all materials, decorations, railings, etc must be removed. If the patio is not removed by October 31<sup>st</sup>, the City will have it removed at the merchant's expense. This action may affect future approvals for an outdoor patio.
13. Failure to comply with the provisions of the policy or its purpose of use for which it was intended or authorized will cause the application to be rescinded resulting in the formally authorized applicant to remove the patio railings and furnishings and vacate the formerly approved area.