



# City of University City

## Outdoor Dining Permit and Application Process

### Introduction

The City of University City encourages outdoor dining to increase use of public space, enjoyment and security. With proper design and management, outdoor dining can be a great way to encourage walking, add vitality to the street, and promote local economic development.

All food and beverage establishments that want to provide accessory outdoor seating (tables, chairs, furniture, etc.) on public or private property within the City of University City must obtain an Outdoor Dining Permit, annually.

An Outdoor Dining Permit allows the holder of the Permit to place tables and chairs within an outdoor area adjacent to an established restaurant, food and beverage establishment, cigar-smoking lounge, and bar or tavern that s/he owns or operates. The Permit requires the permittee to ensure that its outdoor dining meets the regulations as set by the City of University City.

This packet contains all of the information you need to understand and apply for an Outdoor Dining Permit. Please read the contents before you start the application process. If you have any questions, feel free to contact the City's Department of Community Development at 314-505-8500.

### Outdoor Dining Permit

#### Permit Requirements

Every business providing outdoor seating for patrons on public or private property must obtain a valid outdoor dining permit. Said permit shall be renewed on an annual basis. An annual fee of one-hundred dollars (\$100) is due with the permit application. For first time applicants, required documents include:

- Outdoor Dining Application
- Outdoor Dining Concept Drawing
- Outdoor Dining Property Owner Consent
- Outdoor Dining Responsible Party Agreement

If permittee is applying for a renewal, only an application and \$100 fee is required unless the responsible party, property owner, or outdoor dining area concept have changed.

## **Outdoor Dining Season**

Outdoor dining is allowed between March 1 and December 31 of each year or any day the temperature is at least fifty (50) degrees Fahrenheit. During the off-season, all outdoor dining furniture and barriers shall be stored indoors.

## **Outdoor Dining Hours and Location**

Outdoor dining is allowed during any hours that the business is opening and operating within the season. Outdoor dining can only be located directly adjacent to the business storefront for which the outdoor dining permit has been issued and may not encroach or spill over in front of neighboring businesses or properties. Outdoor dining shall only be located between the front building wall of the establishment and the curb. The following guidelines must be adhered to in order to obtain an Outdoor Dining Permit:

1. All outdoor dining furniture must be located so that a minimum four (4) foot wide clear zone for pedestrians is maintained at all times, in compliance with the American with Disabilities Act (ADA) requirements;
2. Within the pedestrian clear zone, there shall not be any obstructions including but not limited to trees, bike racks, newspaper stands, parking meters, trash receptacles, and light poles;
3. No outdoor dining furniture shall obstruct the pedestrian clear zone at any time;
4. No element of outdoor furniture can block any ingress/egress to the business establishment or any fire department connections;
5. Outdoor dining furniture must be at least five (5) feet from any curb ramps at intersections;
6. Temporary barriers or planters are allowed so long as they do not interfere with the pedestrian clear zone.

## **Outdoor Dining Standards**

### *Furniture – Tables and Chairs*

The City does not regulate the material for tables and chairs. However, furniture should be made of a durable material and maintained in appearance and kept clean. Tables and chairs are allowed to be secured outside overnight during outdoor dining season, but must be removed and stored indoors during the off-season.

### *Umbrellas*

Umbrellas must be located completely out of the pedestrian clear zone, unless they are at least six and one-half (6.5) feet above the sidewalk when opened.

### *Fencing, Barriers, and Planters*

Outdoor dining may be separated from the right-of-way by the use of a temporary railing, fence, or planters. Such barriers must be durable and removable when not in use. Planters must be maintained with live plants. All barriers and fences must adhere to the following guidelines:

- No portion of a fence or barrier can be located in the four (4) foot wide pedestrian clear zone

- Any fencing must be at least thirty (30) inches in height but no taller than forty-two (42) inches
- Barriers shall not be anchored to the public sidewalk at any time
- Barriers located on public property must be removed during the off-season.

#### *Trash*

Businesses are required to maintain the outdoor dining area and adjacent public places free of all refuse of any kind. Trash shall not overflow onto the ground and the sidewalk shall be kept clean from food and beverage materials. Any food, drink or other items spilled must be cleaned and removed for the safety of the pedestrians.

#### **Revocation**

The Department of Community Development staff will conduct inspections to ensure compliance with these regulations and require corrections to any violations in a timely manner. Any business that does not adhere to the outdoor dining regulations shall be subject to permit revocation at any time during the dining season, or subject to non-renewal of the outdoor dining permit.

#### **Citations**

Any business that provides an outdoor seating area without obtaining an outdoor dining permit shall be subject to citation under Article 9, Division 5 of the Zoning Code.



# Outdoor Dining Permit APPLICATION

## Applicant Contact Information

Applicant Name: \_\_\_\_\_ Business Owner: Yes/No \_\_\_\_\_ Property Owner: Yes/No \_\_\_\_\_  
Phone: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## Business Information

Business Name: \_\_\_\_\_  
Business Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

## Accessory Outdoor Dining Location

Name of street or streets on which outdoor dining will be located:  
Street(s): \_\_\_\_\_  
I have completed and attached the Concept Drawing:  Yes  No

## Application Type

Type of Application:  New  Renewal  
If renewal, please describe proposed changes from previous year and update the Concept Drawing, if needed.  
\_\_\_\_\_

I certify that the information contained in the application and all other materials submitted with the application for an Outdoor Dining Permit is true to the best of my knowledge.

Applicant Signature: \_\_\_\_\_ Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

## Complete Application Checklist

The following materials must be submitted to complete your application; if all materials are not received within 30 days of initial submittal your application may be returned as incomplete.

- Outdoor Dining Application (this form) - Annual
- \$100 annual fee at time of application submittal; check made payable to the City of University City
- Outdoor Dining Responsible Party Agreement – New only, unless Applicant changes
- Outdoor Dining Property Owner Consent – New only, unless ownership changes
- Outdoor Dining Concept Drawing – New or renewal with changes

Mail to: City of University City, Department of Community Development, 6801 Delmar Boulevard, University City, MO 63130



# Outdoor Dining Permit

## Concept Drawing

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In the space below, provide a conceptual drawing of the location of your proposed outdoor dining area. Please measure your building width and indicate the approximate number of tables and chairs. Also, indicate the distance from the exterior wall of your building to the street curb. Please indicate the minimum 4-foot pedestrian clear zone.

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# Outdoor Dining Permit Property Owner Consent

I, \_\_\_\_\_, own the building at *(property address)* \_\_\_\_\_ and \_\_\_\_\_  
Name of Property Owner

authorize \_\_\_\_\_  
Name of Applicant

to apply for an Outdoor Dining Permit for an outdoor dining area at the above address.

I certify that the applicant is a tenant in my building.

I understand that the applicant will hold the City of University City, its officers, agents and employee, and the adjacent property owners free and harmless from any claims for damages to persons or property including legal fees and costs of defending any actions or suits thereon, including any appeals thereon, which may result from the granting of the permit.

I understand that as the property owner, I am ultimately liable for any damages resulting from the condition of the sidewalk or any obstructions placed thereon. I agree to hold the City harmless for any damages resulting from the operation of the outdoor dining area.

Property Owner Name (Print): \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner Signature: \_\_\_\_\_

Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

E-mail Address: \_\_\_\_\_



# Outdoor Dining Permit

## Responsible Party Agreement

I, \_\_\_\_\_  
Name of Applicant applying for the Outdoor Dining Permit

understand that my outdoor dining establishment must follow all the regulations as set forth by the City of University City and that failure to do so may result in the revocation of my permit.

I understand that I am ultimately responsible for all applicable codes and regulations to operate the outdoor dining establishment. I am familiar with any applicable codes and the regulations and will take immediate action to ensure that any violations are corrected.

I have read the regulations and requirements to operate an outdoor dining area and I will familiarize all my employees with the regulations. I will ensure that all employees will take immediate action to ensure all violations are corrected.

I understand that I must notify the City of University City of any changes to my approved Outdoor Dining Permit application during the dining season.

I shall hold the City of University City, its officers, agents and employees, and the adjacent property owner free and harmless from any claims for damages to persons or property including legal fees and costs defending any actions or suits thereon, including any appeals therefrom, which may result from the granting of this permit. And I verify that I hold insurance on the business and outdoor dining area.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Mail to: City of University City, Department of Community Development, 6801 Delmar Boulevard, University City, MO 63130

### FOR OFFICE USE ONLY

- Community Development Intake Date \_\_\_\_\_
- Community Development Review and Approval \_\_\_\_\_
- Finance Issue Date \_\_\_\_\_