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Language Access

ATTENTION: If you speak another language, assistance services are available to you. Call 3-1-1.

ATENCIÓN: Si usted habla español, hay servicios de ayuda disponibles para usted. Llame al 3-1-1.

注意：如果您使用简体中文，可以获得相应的语言协助。致电 3-1-1。

注意：如果您使用繁體中文，可以獲得相應的語言協助。致電 3-1-1.
Purpose & Background
Philadelphia businesses are a vital part of our communities.

Restaurants power our local economy.

City departments and partner agencies are working together to safely expand options to businesses for outdoor seating and dining.

The guidance in this document will be updated periodically.
Expanded Capacity & Support

As Philadelphia gradually adapts to COVID-19, restaurants will need expanded capacity to maintain 6-foot separation.

Establishments that have existing Sidewalk Café permits may operate as allowed under Mayor Kenney’s Safer At Home reopening plan.

Businesses without existing permits are encouraged to apply for new outdoor dining options that are described in this document.

Approval is required for outdoor dining prior to opening.

• Businesses are strongly encouraged to coordinate
• City staff is here to help you:
  • Contact business@phila.gov for assistance
  • All businesses are recommended to sign up for Ready Philadelphia Alerts.
  • Complaints should be made via 3-1-1
Outoor Dining in Philadelphia

Response to COVID-19

In 2020 several ordinances were passed by City Council that gave restaurants increased flexibility to provide outdoor dining.

This document outlines some of the options that restaurants have to provide outdoor dining as well as the permits or licenses that are required for each option.

All the approvals outlined in this document are intended to be temporary. Unless otherwise noted, these approvals are valid until December 31, 2021.
What is the Right of Way?
Throughout this document, the phrase “right of way” will be used. So, what is the right of way...?

Right of Way is considered everything in between property lines, including sidewalks, streets, bike lanes, etc.
Snow Removal and Right of Way Management

To maintain functions of city infrastructure, all utility work, any snow removal, and the collection of rubbish/recycling will take precedent over outdoor dining options.

- Snow Removal
- Emergency Access
- Utility Work
- Rubbish and Recycling Collection
- City Approved Special Events

- Streetery
- Street Closure
- Sidewalk Cafe
Health Guidelines and Other Guidance
Mayor Kenney’s [Safer at Home](#) recovery plan provides details about the COVID-19 restrictions that are currently in place.

We have a shared responsibility to keep up progress to combat COVID-19.

Outdoor dining does not represent an opportunity to congregate.

All restaurant operators should familiarize themselves with the [Guidelines for Restaurants and Mobile Food Vendors](#).
Additional Guidance: Outdoor Cafés & Restaurants

Pennsylvania

• In addition to the City’s requirement, all restaurants are required to follow the State’s restrictions.
• PA orders or guidance might be more or less restrictive than the City’s. State restrictions supersede Philadelphia’s if they are more restrictive than the City’s.

Pennsylvania Liquor Control Board (PLCB)

• Restaurants that serve alcohol should also familiarize themselves with the requirements of the PLCB, including PLCB Advisory Notice 26.
• When applying for an emergency extension of licensed premises, current PLCB license-holders may use a Philadelphia license for temporary outdoor dining as the application’s required proof of the applicant’s right to occupy that location.
Indoor vs. Outdoor
Outdoor Cafés & Restaurants

Can I go inside the restaurant?

• Eating inside, even near an open window, is considered indoor dining.
Temporary Outdoor Dining Options
Outdoor Dining Options

There are four (4) categories of outdoor dining options.

1. Sidewalk Café
   • Daily use of sidewalk area in front of business for restaurant seating.
   • In certain cases, a café may be extended in front of an adjacent property.

2. Streetery
   • Street level or platform that converts curbside parking into restaurant seating.
   • In certain cases, a café may be extended in front of an adjacent property.

3. Temporary Street Closure
   • Temporary closure of streets for restaurant seating.
   • Street closures can be “full closures” or “partial closures.”

4. Temporary Use Permit
   • Temporary use of adjacent private lots for restaurant seating.
Outdoor Dining Options - Summary

See Global Requirements that apply to all outdoor dining.

1. Sidewalk Café

Click here for more information.

Applications are reviewed in 3 business days
There is no fee associated with this License.
Apply through eCLIPSE

2. Streetery

Click here for more information.

Most applications are reviewed in 3 business days*
There is no fee associated with this License.
Apply through eCLIPSE

3. Temporary Street Closure

Click here for more information.

Multiple restaurants can apply together
There is no fee associated with this Permit.
Apply through Temporary Street Closure Application

4. Temporary Use Permit

Click here for more information.

Applications are reviewed in 3 business days
$30 permit fee, due at application
Apply through eCLIPSE

* Additional review time applies if a platform is proposed
Global Requirements of Outdoor Dining
General Operations

- Operations must comply with Mayor's Orders (if any) on business activity and public gatherings.

- All outdoor dining activity must obtain the proper permits or licenses from the City.

- **Tents and Structures** require separate approval. Obtaining a **Temporary Sidewalk Café** or **Streetery License**, a **Temporary Street Closure** or a **Temporary Use Permit** does not grant permission to erect a tent or structure.

- All **heating equipment** must comply with the **Philadelphia Fire Code**.

- Propane may not be stored in the right-of-way (including sidewalks), indoors, against a building, or within 5' of a building or property line; even if in a cage.

Global Requirements

*All outdoor dining must fulfill these requirements.*

- Each business is permitted to have one portable sign (max. 10 sq. feet in area and max. 5 feet in height).
General Operations (continued)

• No food preparation in the public right of way.

• Seating capacity of interior and exterior dining combined may not exceed premise's capacity stated on City-issued food license.

• Appropriate lighting is required at night.

• Tables, chairs, and barriers must be provided by restaurant.

• Structures may not exceed 10 ft in total height as measured from pavement to top of highest roof element.

• Outdoor dining operations can be shut down if found to be a nuisance to neighbors.
Furniture Requirements

• Furniture must be spaced to provide adequate distancing per Health Requirements.

• An ADA accessible pedestrian path, minimum 6 feet in width shall be provided.

• Tables and chairs may not protrude into travel lane for bicycles / motor vehicles.

• All table locations must allow clear access to certain streetscape elements. Minimum distances are:
  • Fire hydrants: 10 feet.
  • Fire Dept. connections: 40 inches.
  • Cellar doors: 2 feet.
  • Transit stops: 15 feet.

• Establishments with fewer than 20 tables total must make at least 1 table ADA accessible. Establishments with more than 20 tables total must make at least 5% of tables ADA accessible.

Global Requirements

All outdoor dining must fulfill these requirements.
Furniture Requirements (continued)

• Tables and chairs shall not obstruct pedestrian crosswalks or driveways.

• Maintain clearance of 6 feet around corners of all other sidewalk cafes.

• Moveable furniture (tables, chairs, etc.) on streets and sidewalks must be moved inside building or secured to ground when not in use.

• Moveable furniture on streets and sidewalks must be labeled as property of the business.

• Seating and tables must be placed against the wall of the business or as close as possible.

• Planters are permitted but may not be permanently affixed to the public right of way.

Global Requirements

All outdoor dining must fulfill these requirements.

• Sidewalk seating area may not exceed business frontage without proper approval. See Temporary Sidewalk Café License Extension and Temporary Streetery License Extension.
Hours of Operation & Occupancy Rules

- Outdoor operations may only be conducted:
  - Between 8 a.m. and midnight.
Umbrella Requirements

- Umbrellas are permitted to be a maximum of 6 feet in diameter.
- Umbrella must be fire-retardant material.
- Umbrellas shall be used with a weighted base.
- All portions of the umbrella shall remain within the footprint of the approved outdoor dining area.
- Umbrellas shall not extend past barriers, obstruct access to or ventilation of utility covers, or obstruct clear paths.
- Umbrellas should not be used during high winds.
- If outdoor heaters are used, umbrellas may not be located within close proximity to the heaters. Refer to the Outdoor Heating section of this document for more information.
Additional Permit & License Requirements

• The operator and any vendors on-site must possess a Commercial Activity License.

• Any entity serving food and/or drink must possess the appropriate Food Preparation and Serving license.

• The operator must have insurance with $1M liability policy (not a condition of approval for Temporary Use Permits).

• Trash storage must comply with Section 308 of the Philadelphia Property Maintenance Code; if a dumpster is utilized, a Dumpster License is required.

• Refer to the Tents & Other Structures and Outdoor Heating Section of this document for addition requirements.

Global Requirements

All outdoor dining must fulfill these requirements.

• Alcohol – table service allowed for restaurants with existing license and temporary extension of premises permit from Pennsylvania Liquor Control Board (PLCB).
Temporary Sidewalk Café License
1 – Temporary Sidewalk Café License
Daily use of sidewalk for restaurant seating

Space Requirements
• Must comply with all Global Requirements.
• Sidewalk must be a minimum of 10 feet wide.
• No tables, chairs, umbrellas etc. are permitted to block the building entrance.
• Seating and tables must be up against the wall of the business or as close as possible.

Permit & License Requirements:
• A Temporary Sidewalk Café and Streetery License is required.
• Both a Temporary Sidewalk Café and Streetery may be applied for on the same application.

Processing Time & Fees
• Applications for Temporary Sidewalk Cafes are reviewed in 3 business days.
• There is no fee associated with this License.
1 - Temporary Sidewalk Café Extension
Daily use of sidewalk area adjacent to business for restaurant seating

Space Requirements

- Same as Temporary Sidewalk Café.
- Each property must be directly adjacent to the restaurant. Properties that are separated by a street, alley, shared driveway are not abutting.
- May extend to a maximum of 2 properties, limited to 1 on either side. May not extend to 2 properties in a row.
- Permission of the adjacent property owner must be obtained.

Approval Process

- The Authorization of Outdoor Seating Extension must be submitted with the Temporary Sidewalk Café / Streetery License application.
- If Authorization was obtained for 2020, a new authorization form must be submitted for 2021. This can be done by amending your license.
1 – Temporary Sidewalk Café Layout – Narrow Sidewalk

The figure below is for illustrative purposes only.
1 - Temporary Sidewalk Café Layout – Wide Sidewalk

The figure below is for illustrative purposes only.
Temporary Streetery License
2 – Temporary Streetery License

Daily use of adjacent parking lane for restaurant seating

Space Requirements

- Must comply with all Global Requirements.
- Structure height cannot exceed 10 ft from pavement to highest point of roof. NOTE: If you are considering building a structure, it is highly recommended that you build no higher than 4 ft to comply with expected changes after 12/31/21.
- The parking lane must be a minimum of 7 ft wide.
- Create a protective barrier 36-42 inches in height, such as planters or objects of similar size and weight, to visibly separate seating from the travel lane.
- Place such barriers directly adjacent to each other and no more than 8 feet from the curb.
- Do not place seating or barriers within 8 feet of a crosswalk to provide for safe vehicle turns and avoid crowding.
- Ensure visibility of patrons and barriers at night by clearly marking all barriers with yellow high intensity retro-reflective tape or reflectors.
- Do not place seating within a No Stopping Anytime or No Standing Anytime zone.
- The seating area must directly adjoin the sidewalk of the restaurant. If there is a bicycle lane or similar separation between the parking lane and the sidewalk, the two do not adjoin. Bicycle lanes may not be used without a Temporary Street Closure Permit.
- Do not provide any lighting that is blinding to passing traffic.

Streetery Locations

- Streeteries are allowed on most Philadelphia streets. However, some streets are excluded. Click here for more information.
- Go to Online Map

Daily use of adjacent parking lane for restaurant seating

///
2 – Temporary Streetery Extension
Daily use of parking lane in front of adjacent business for restaurant seating

Space Requirements

• Same as Temporary Streetery.

• Each property must be directly adjacent to the restaurant. Properties that are separated by a street, alley, shared driveway are not abutting.

• May extend to a maximum of 2 properties, limited to 1 on either side. May not extend to 2 properties in a row.

• Permission of the adjacent property owner must be obtained.

Approval Process

• The Authorization of Outdoor Seating Extension must be submitted with the Temporary Sidewalk Café / Streetery License application.

• If Authorization was obtained for 2020, a new authorization form must be submitted for 2021. This can be done by amending your license.
2 – Temporary Streetery License (Street Level)
Converts curbside parking into outdoor dining or take-away food and beverages

Operations
• Restaurants may leave barriers in place within a metered zone or *No Parking Anytime* zone, provided that tables and chairs are removed or secured when not in operation.
• Propane heater and tank placement is prohibited *anywhere* within the street, including approved Streetery areas. Propane heaters may be used on sidewalks.

Space Requirements
• See [Temporary Streetery](#)
• Provide a ramp for ADA compliance, which can be made of non-permanent materials.

Permit & License Requirements:
• A [Temporary Sidewalk Café and Streetery License](#) is required.
• A Temporary Sidewalk Café and Streetery may be applied for on one application.

Processing Time & Fees
• Most applications for Temporary Sidewalk Cafes are reviewed in **3 business days**. Some streets require additional review time. Click [here](#) for more information.
• There is **no fee** associated with this License.
2 – Temporary Streetery License (Platform)
Where seating is authorized along a curb, the restaurant may install a platform

Platform Requirements
Platforms must:
• Be flush with curb height to facilitate ADA compliance and prevent the curb from becoming a tripping hazard.
• Allow drainage to underpass seating.
Platforms shall not:
• Exceed 7 ft in width or 10 ft in height from pavement to highest point on roof. This is a temporary allowance, therefore it is strongly recommended to not build higher than 4 ft.
• Have more than a 2 inch gap between planks of platform.
• Block rainwater drainage getting to the curb or flowing along the curb.
• Obstruct access to or ventilation of utility covers.

Processing Time & Fees
Most reviews will be completed within 3 business days. Some streets require additional review time. Click here for more information.

Expedited approval for the following designs:
• Platform is based on past custom Philadelphia approved parklets.
• Platform is based on parklets approved in peer cities (e.g. LA DOT).
• Platform is manufactured by pre-approved vendor specifications.

There is no fee associated with this License.
2 – Temporary Streetery License - Acceptable Materials

Must use vertical partition (e.g. cones, barrels, gates, bike corrals) spaced min. 8 feet apart

**Barrier Requirements:**

- Must be 36-42 inches in height (excluding plantings) to preserve visibility for motorists and provide protection for patrons.
- Barriers must be located without encroaching into the travel-lane or sidewalk.
- Barrier type and location are subject to approval by the Streets Department.
- Additional construction may require other permits or approvals. Refer to the [Tents & Other Structures](#) for more information.

**Acceptable Materials:**

- Water-filled trash cans* (minimum 50 gallons)
- Plastic planter
- Construction barrels
- Cones
- Pedestrian fencing / gates
- Sawhorses
- Jersey barriers

* When temperatures fall below freezing, water should be brined or replaced with loose fill like sand.
2 – Temporary Streetery License Layout (Street Level)

The figure below is for illustrative purposes only.
2 – Temporary Streetery License Layout (Platform)

The figure below is for illustrative purposes only.
2 - Temporary Streeteries - Prohibited Locations
Converting curbside parking into outdoor dining or take-away food and beverages

Streeteries are allowed on most Philadelphia streets; however, some are excluded (red), some require extended review (green) (more than 3 days), and some require coordination with PennDOT review (blue).

Go to Online Map
Approved establishments will receive a parking sign. Establishments should attach the Streetery registration to the back of the parking sign.
Temporary Street Closure
3 - Temporary Street Closure
Scheduled full closure of blocks for restaurant seating

Participation

- Priority given to a coordinating/sponsor organization representing multiple establishments with capacity to manage the closure. Individual restaurants may be permitted in some cases.
- Sponsor organizations must plan for and manage all on-site operations and logistics.
- Periodic attendance from a closure sponsor at regular virtual City briefings is required.
- Closures on State Routes will require additional approval by PennDOT. The City will coordinate this process, but approval is subject to the discretion of the Commonwealth.
- Must manage use of bathrooms and avoid crowding during rain or severe weather.

Application Process

- Applications should be submitted by an organization or entity representing multiple establishments.
- Applications should be submitted by end of day Thursday each week for consideration by a review panel the following Monday. Applicants recommended by the panel will be notified and invited to a briefing session that Tuesday, where they will receive verbal notice of intent to approve or deny; permits for approved applications will be issued by Thursday.
- Each of the participating restaurants must agree to the terms of the program, and provide 2 points of contact.
- Applicant is responsible for notifying any residents or non-participating businesses on that street.
- Permits are issued short-term (1- to 2-week periods), continued renewal is required.

Permit & License Requirements:

- Temporary Street Closure Permit required. Application should be email to streetclosure@phila.gov.

Fees

- No fee for registration
3 - Temporary Street Closure
Scheduled full closure of blocks for restaurant seating

Temporary Street Closure Renewal
Permitted applicants seeking to renew for each successive week must email streetery@phila.gov by 10 am on Tuesday with the prior issued permit attached, along with clear bullet points for the requested start and end dates and times, and any proposed changes from the previous permitted closure.

Space Requirements
- Must comply with all Global Requirements.
- Delineation must be used to indicate the area under individual restaurant management, using visual aids including chalk, cones or even tape. No open street festival format allowed.
- Pedestrian throughway must be maintained with allowance for distancing. Preferred model is a 10 ft wide continuous aisle down the center of the street.
- Outdoor handwashing stations are required for each closure area.
- Must maintain minimum 10 ft access for emergency vehicles.

Operations
- Restaurants/organizations may be required to monitor and maintain a maximum occupancy within the closure zone.
- Pocket areas that could invite crowding should be made as inaccessible as possible by using that space for staging or storage or cordon it off.
- If a closure is left in place overnight, trash and recycling containers must be rolled to end of street for pickup, or other sanitation plan that allows uninterrupted service for participating restaurants, other businesses, and residents alike.
- Propane heaters and tanks are not permitted in the cartway.
3 - Temporary Partial Street Closure
Scheduled closure of a travel lane or full-block parking lane for restaurant seating

Permit & License Requirements:
- Temporary Street Closure Permit required. Application should be email to streetclosure@phila.gov.

Fees
- No fee for registration

Processing Time & Fees
- Applications will be reviewed to close a vehicular travel lane and/or a parking lane along multiple businesses’ frontages.
- Applications should be submitted by an organization or entity representing multiple establishments.
- Applicants should use the Temporary Street Closure Application. On the application, the applicant should indicate intention to maintain traffic flow.

Operations
- Closure must not affect Accessible Parking (handicap parking) spaces.
- ADA access must be provided to outdoor dining area, even if an individual participating establishment does not meet ADA requirements.
- Dining space must be delineated from vehicular travel using the same acceptable materials as for a Streetery.
- Delineation must be used to indicate the area under individual restaurant management (no open street festival format allowed).
- Diners may not be added to a table once party is seated.
- Maintain access for emergency vehicles.
- Propane heaters and tanks are prohibited.
Example Handwashing Stations
3 - Parking Lane Pedestrian Access Route
Converts curbside parking into pedestrian walkway

**Space Requirements**

- Must use vertical partition (e.g. cones, barrels, gates, planters) spaced minimum 1 foot apart.
- Clearance between curb and travel lane must be minimum 7 feet.
- No vertical partition or furniture may protrude into travel lane.
- Access route may extend in the parking lane along the principal frontage of business AND along principal frontage of adjacent businesses (with Authorization of Outdoor Seating Extension).
- No Accessible Parking (handicap parking) spaces may be used for access route.

**Permit & License Requirements:**

- Temporary Street Closure Permit required.

**Fees**

- No fee for registration.

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**Pedestrian Access Route Review Locations**
Access routes are allowed on most Philadelphia streets; however, some are excluded.

Go to Online Map
3 - Parking Lane Ped. Access Route – Acceptable Materials

Must use continuous vertical partition (e.g. cones, barrels, gates, bike corrals) spaced max. 1 foot apart

**Acceptable Materials:**

- Water-filled trash cans*  • Cones
  (minimum 50 gallons)  • Pedestrian fencing / Gates
- Plastic planter  • Sawhorses
- Construction barrels  • Jersey barriers

* When temperatures fall below freezing, water should be brined or replaced with loose fill like sand.

**Acceptable Ramp Materials:**

- Wood/metal
- Pre-fabricated ramp
- Handrail, if possible
- Ramp needs to meet 1:12 slope maximum

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*Images courtesy of City of Portland, City of Baltimore, Northampton*
3 - Temporary Street Closure - Layout

The figure below is for illustrative purposes only.
3 - Temporary Partial Street Closure - Layout

The figure below is for illustrative purposes only.
3 - Parking Lane Pedestrian Access Route Layout

The figure below is for illustrative purposes only.
Temporary Use Permit
4 – Temporary Use Permit
Temporary closure of privately owned lot for outdoor dining, retail or personal services

**Requirements**

- Must comply with all [Global Requirements](#).
- Eating and drinking establishments, retail sales and personal services may operate on a lot if permitted in the base zoning district, notwithstanding any requirements for parking.
- Tents may be erected without separate zoning approval, but a [tent permit](#) is required if the tent is over 400 square feet or heated.
- Separate [construction permits](#) are required for any structures occupied by the public.
- Amplified music and performance acts are not allowed.

**Permit & License Requirements:**

- [A Temporary Use Permit](#) is required.

**Processing Time & Fees**

- Applications for Temporary Use Permits are reviewed in 3 business days.
- **$30 permit fee**, due at time of application.
4 – Temporary Use Permit
The figure below is for illustrative purposes only.
Tents & Other Structures
Approval for Temporary Tents & Other Structures

Approval Process for Tents and Other Structures

• All necessary permits and approvals must be obtained before adding a tent or other structure to your outdoor dining setup.

• See the flowchart to determine which approvals are required.

• Note: failure to obtain the proper permits may lead to a violation being issued, fines being imposed, and/or a cease of outdoor dining operations.

• If you have already obtained a Temporary Sidewalk Café License or Temporary Streetery License, there is one more step to take after obtaining a tent permit or building permit. After obtaining the required permits, you will need to amend your license to document the scope of your approval.

• A platform associated with a Temporary Streetery is considered a structure, even if there is no overhead covering.

• Note: All tents and other structures in the right of way will be reviewed by the Streets Department. In most cases this review is done “behind the scenes.” You will not be required to submit an application or plans directly to the Streets Department.
Temporary Tents & Other Structures

Additional Requirements for Temporary Shelters (tent, canopy, structure, etc.):

- If new electrical connections or HVAC equipment is proposed, additional electrical or mechanical permits are required.

- The City is not responsible for any damage to structure in the right of way during a winter weather event or any other activity.

- Emergency access (Fire, Police, Ambulance) allowance of 10 feet minimum must be maintained on the street. Shelters that create pinch points will not be permitted.

- Clear access to public utilities, manholes, building entrances, crosswalks, and transit stops must be maintained.

- Height of structures cannot exceed 10 ft from pavement to highest point of roof. NOTE: If you are considering building a structure, it is highly recommended that you build no higher than 4 ft to comply with expected changes after 12/31/21

- Tents and other structures may NOT attach to utilities, traffic/street lighting poles, signs or street furniture.

- Tents and other structures are prohibited within 15 feet of a fire hydrant.

- Tents and other structures may not exceed business frontage without written permission from neighbors and City approval of extension.

- A 6-foot-wide clear path for pedestrians must be maintained.

- Tents to be left in place must be secured by 2 pounds per square foot of area applied at each corner.

- Unsecured tents must be broken down and stored each night.

- Tents must be secured against strong wind.
Which Approval(s) do I need to place or erect a Tent or Other Structure?

- What approval is required before erecting or placing a structure or tent?
- Is it a tent?
  - Yes: Streets Approval
  - No: Is there a rigid overhead covering/framing OR walls exceeding 4 ft in height?
    - Yes: Building Permit
    - No: How large is the tent?
      - Less than or equal to 400 ft²:
        - No: Where is the structure/tent?
          - Private Property: Temporary Use Permit
          - Right of Way: Tent Permit
      - Greater than 400 ft²: Is the tent heated?
        - Yes: Tent Permit
        - No: Streets Approval

Click here for more info
Examples of Tents & Other Structures

Click on each photo to see which permit(s) / approval(s) are needed.
Which Approval(s) Do I Need? (Example #1)

Description:
- Not a tent
- No rigid overhead covering or framing
- No walls over 4 feet in height
- Located in the right of way

Permit(s) / Approval(s):
- Based on the flowchart, a Streets Approval is required.
Which Approval(s) Do I Need? (Example #2)

Description:

• Not a tent
• No rigid overhead covering or framing
• No walls over 4 feet in height
• Located in the right of way

Permit(s) / Approval(s):

• Based on the flowchart, a Streets Approval is required.
Which Approval(s) Do I Need? (Example #3)

Description:
• Tent less than or equal to 400 ft²
• Located on private property

Permit(s) / Approval(s):
• Based on the flowchart, a Temporary Use Permit is required.
Which Approval(s) Do I Need? (Example #4)

Description:
• Tent less than or equal to 400 ft²
• Tent is not heated
• Located in the right of way

Permit(s) / Approval(s):
• Based on the flowchart, a Streets Approval is required.
Description:

• Tent larger than 400 ft²
• Tent is not heated
• Located in the right of way

Permit(s) / Approval(s):

• Based on the flowchart, a Tent Permit is required.
• Since the structure is in the right of way, the Tent Permit application will also be reviewed by the Streets Department.
Which Approval(s) Do I Need? (Example #6)

Description:

• Tent larger than 400 ft²
• Tent is heated
• Located on private property

Permit(s) / Approval(s):

• Based on the flowchart, a Tent Permit is required.
Which Approval(s) Do I Need? (Example #7)

Description:

- Rigid overhead covering or walls over 4 feet in height
- Located in the right of way

Permit(s) / Approval(s):

- Based on the flowchart, a Building Permit is required.
- Since the structure is in the right of way the Building Permit application will also be reviewed by the Streets Department.
Which Approval(s) Do I Need? (Example #8)

Description:

• Rigid overhead covering or walls over 4 feet in height

• Located on private property

Permit(s) / Approval(s):

• Based on the flowchart, a Building Permit is required.
Outdoor Heating
Heating – Not Permitted

Types of Heating that are Prohibited:

• Solid fuel (open flames) and kerosene are prohibited in the right of way.

  • Solid Fuel (wood, coal, etc.) / Open Burning*  
    (Philadelphia Fire Code 307)

  • Kerosene  
    (Philadelphia Fire Code - 603.4)

• Propane is prohibited between the curblines (ie Streeteries and other parking lane setups)

• Propane may not be stored in the right of way (including sidewalks), indoors, against a building, or within 5 ft of a building or property line, even if in a cage.

*NOTE: Fire pits with mesh coverings are still considered to be open flames and are prohibited.
Heating – Permitted Outside of Shelter

Propane and Natural Gas are Permitted Outside of Shelter (except in the cartway):

Propane and Natural Gas (Philadelphia Fire Code - 603.4.2)

• Minimum 5 feet from building and all combustibles (i.e. tents, canopies, etc.).

• **Propane and propane heaters are prohibited in the cartway.**

• Equipment must be listed and labeled for outdoor use.

• Equipment must comply with other provisions of 603.4.2 (tipping switch, guard).

• Secure propane fuel tanks whenever in use on the sidewalk.

• Ensure propane heater exhaust has ample means to ventilate.

• Propane may not be stored in the right of way (including sidewalks), indoors, against a building, or within 5 ft of a building or property line, even if in a cage.
Heating – Permitted Outside of Shelter

**Electric Heating is Permitted Outside of Shelter:**

Electric ([Philadelphia Fire Code - 604.10](#))

- Minimum **3 feet** from combustibles (i.e. tents, canopies, etc.).
- All equipment must be listed and labeled for outdoor use.
- **Electrical permit** required for any new connections.
- Extension cords may not be used for permanent wiring, may not be subject to environmental damage, and should only be used for portable appliances.
- Cords must be secured to prevent tripping hazards.

*Source: NYT*
Heating – Permitted Within Shelter

Types of Heating Permitted within Shelters:

• There are heating systems that may be safely utilized (i.e. forced air ducted systems).

• A tent permit shall be required, regardless of size, to allow for review and inspection of heating system.

• If your winter set-up includes new electrical connections or HVAC equipment, additional electrical or mechanical permits are required.

• Propane and propane heaters are not permitted.

Source: Instagram
Heating “Do’s”

Requirements:

• Comply with Philadelphia Fire Code.

• Obtain and use UL listed heating devices only. Use devices according to the manufacture’s specification.

• Secure and “tamper-proof” all set-ups every day.

Recommendations:

• Read and understand manufacturer's instructions on safe installation and operation.

• Contact manufacture for additional support as needed.

• Request professional inspection whenever in doubt.

• Designate a “Watch” to ensure fire safety is maintained.

• Check your set up every day.
Heating “Don’ts”

Propane heaters used within a tent and less than 5 feet from combustible materials is prohibited.

Recommendations:

• Propane may not be stored in the right of way (including sidewalks), indoors, against a building, or within 5 ft of a building or property line, even if in a cage.

• Propane and propane heaters are not permitted in the cartway.

• Do not exceed circuit amperage with electric connections.

• Never assume “flame-retardant” materials are non-combustible.

• No private gas lines are allowed to extend into right of way.

• Do not deviate over time. Once a safe heating set up is established, it should be maintained, particularly after safe conditions have been verified by inspection.
How to Apply or Amend your Approval
Temporary Sidewalk Café License

How to Apply:

• Application can be submitted through eCLIPSE.

Webservice:

• Click here to view the service page of the Temporary Sidewalks Café License.

How to Guide:

• Click here to view the How to Guide to walk you through the application process. The Guide can be found under the “Online Licensing” Section.

Additional Info:

• A Temporary Sidewalk Café and Temporary Streetery can be applied for simultaneously on the same application.
• A license can be closed by contacting 311.
Temporary Sidewalk Café License Application

Sections 1 and 2:
• Sections 1 and 2 should be completed for ALL applications.

Section 3:
• Section 3 should only be completed if a Temporary Sidewalk Café License is proposed.

Section 4:
• Section 4 should only be completed if a Temporary Streetery License is proposed.

Section 5:
• Section 5 should only be completed if you are proposing to extend your license in front of the adjacent property(ies). If you are proposing to extend your seating area, the Owner’s Authorization Form should also be submitted.

Section 6:
• Section 6 should be completed if any structure, tent or platform is proposed. This section will outline any additional permits or plans that must be submitted.
Temporary Streetery License

How to Apply:
• Application can be submitted through eCLIPSE.

Webservice:
• Click here to view the service page of the Streetery License.

How to Guide:
• Click here to view the How to Guide to walk you through the application process. The Guide can be found under the “Online Licensing” Section.

Additional Info:
• A Temporary Sidewalk Café and Temporary Streetery can be applied for simultaneously on the same application.
• A license can be closed by contacting 311.
Temporary Streetery License Application

Sections 1 and 2:
• Sections 1 and 2 should be completed for ALL applications.

Section 3:
• Section 3 should only be completed if a Temporary Sidewalk Café License is proposed.

Section 4:
• Section 4 should only be completed if a Temporary Streetery License is proposed.

Section 5:
• Section 5 should only be completed if you are proposing to extend your license in front of the adjacent property(ies). If you are proposing to extend your seating area, the Owner’s Authorization Form should also be submitted.

Section 6:
• Section 6 should be completed if any structure, tent or platform is proposed. This section will outline additional permits or plans must be submitted.
Full or Partial Street Closure

How to Apply:

• Complete the Temporary Street Closure Application.

• Application should be emailed to streetclosure@phila.gov.

• Renewal application should be emailed to streetery@phila.gov.

Additional Info:

• Applications submitted by end of day Thursday each week will be considered by a review panel the following Monday. Applicants recommended by the panel will be notified and invited to a briefing session that Tuesday, where they will receive verbal notice of intent to approve or deny; permits for approved applications will be issued by Thursday.
Temporary Use Permit

How to Apply:

- Application can be submitted through eCLIPSE.
- Customers have the option of making an appointment with a permitting representative at the Municipal Services Building.

Webservice:

- Click here to view the service page for Temporary Use Permits.

How to Guide:

- Click here to view the How to Guide to walk you through the application process. The Guide can be found under the “Online Permitting” Section.

Additional Info:

- In addition to restaurant uses, this permit can be used for retail and personal service uses.
Tent Permit

How to Apply:

• Application can be submitted through eCLIPSE.

Webservice:

• Click here to view the service page for Tent Permits.

Plan Review Requirements:

The application must be submitted with plans that include:

• Size and location
• Tent exits
• Proposed occupant load
• Arrangement of the seating and locations
• Type of heating and electrical equipment
• Anchoring, if applicable

The application must also submit documentation that shows tents, membrane structure, and their accessories meet the flame propagation performance criteria of NFPA 701.

One Last Step...

• If you already have a Temporary Sidewalk Café License or Temporary Streetery License, after obtaining the tent permit, you will need to amend your license to document the scope of your approval.

Note: Tent permits are valid for no more than 6 months. If the tent is to be erected for longer, a new permit is required.
Building Permit

How to Apply:

- Application can be submitted through eCLIPSE.
- Applications should be submitted as Commercial Alterations or Commercial Addition (NOT New Construction or Shelter Platform).
- When applying, the applicant should identify if the structure is built in the right of way to trigger the Streets Department review.

Plan Review Requirements:

The application must be submitted with plans that provide enough information to confirm compliant with all applicable Building Codes.

- A site plan should indicate the size and location of the structure.
- A framing plan and anchoring detail should be included.
- Details of all building materials and roof/wall coverings should be included.

Note: A zoning permit is not required for structures in the right of way.

One Last Step...

- If you already have a Temporary Sidewalk Café License or Temporary Streetery License, after obtaining the tent permit, you will need to amend your license to document the scope of your approval.

Websevice:

- Click here to view the service page for Building Permits.
Structures in the Right of Way that do not require a Tent or Building Permit

How to Apply:

• When applying for a Temporary Sidewalk Café or Streetery License or when amending a license, plans should be submitted. Plans should include a site plan, architectural details and details of crash worthy barriers. These plans will be reviewed by the Streets Department.

• The approval or denial will be documented as part of the license in the City’s records.

Amending or Closing a Temporary Sidewalk Café or Streetery License

How to Amend an Existing License:

• To make changes to an existing registration, submit the online amendment to outdoor dining form to document changes. These changes can include the addition of a structure, the extension in front of an adjacent property or other registration changes.

• The approval or denial will be documented as part of the license in the City’s records.

• A license can be closed by contacting 311.
Renewing a Temporary Approval

How to Renew:

- Under a new law, Temporary Sidewalk Café / Streetery Licenses are now valid through December 31, 2021.

- Restaurants do not have to submit another application or renew their license. However, **if your license includes the extension in front of an adjacent property**, an additional form must be submitted to L&I to document that the approval is permitted to continue into 2021. The [Authorization of Outdoor Seating Extension](#) form must be completed and submitted through L&I's website.
Understanding Your Approvals
Temporary Sidewalk Café License

License:

• Any restaurant that is approved for a Temporary Sidewalk Café License OR Temporary Streetery License will receive a license that looks like the one shown here.

• This license will always read “3123 Sidewalk Café/Streetery (Temporary)” at the top. Obtaining this license does NOT necessarily mean that you have been approved for both a Temporary Sidewalk Café and Temporary Streetery.

• This license must be displayed on the site at all times.

• Obtaining a license for a Temporary Sidewalk Café License or Temporary Streetery License grants you permission to place tables, chairs, barriers, etc. on the sidewalk or parking lane, respectively. This approval does not grant permission to place or erect a tent or structure.
Temporary Sidewalk Café License

Understanding the Approval:

• The same day that the license is approved, you will receive an email from L&I with an Outdoor Dining Decision Form attached. This form will outline:
  • What you applied for,
  • What aspects of the application were approved,
  • What aspects of the application were denied, if any,
  • How to appeal the denial, and
  • Limitations and Conditions of the license

• Please note, the license for a Temporary Sidewalk Café and the license for a Temporary Streetery are identical. It is crucial that you read and understand the email that you receive to know exactly what you have been approved for.

• If you are not sure what was approved, reply to the email that you receive with questions or contact business@phila.gov for assistance.

• On the Outdoor Dining Decision Form shown here, the applicant applied for a Sidewalk Café and a Streetery. The Sidewalk Café was approved but the Streetery was denied.
Temporary Streetery License

License:

• Any restaurant that is approved for a Temporary Sidewalk Café License OR Temporary Streetery License will receive a license that looks like the one shown here.

• This license will always read “3123 Sidewalk Café/Streetery (Temporary)” at the top. Obtaining this license does NOT necessarily mean that you have been approved for both a Temporary Sidewalk Café and Temporary Streetery.

• This license must be displayed on the site at all times.

• Obtaining a license for a Temporary Sidewalk Café License or Temporary Streetery License grants you permission to place tables, chairs, barriers, etc. on the sidewalk or parking lane, respectively. This approval does not grant permission to place or erect a tent or structure.
Temporary Streetery License

Understanding the Approval:

- The same day that the license is approved, you will receive an email from L&I with an Outdoor Dining Decision Form attached. This form will outline:
  - What you applied for,
  - What aspects of the application were approved,
  - What aspects of the application were denied, if any,
  - How to appeal the denial, and
  - Limitations and Conditions of the license

- Please note, the license for a Temporary Sidewalk Café and the license for a Temporary Streetery are identical. It is crucial that you read and understand the email that you receive to know exactly what you have been approved for.

- If you are not sure what was approved, reply to the email that you receive with questions or contact business@phila.gov for assistance.

- On the Outdoor Dining Decision Form shown here, the applicant applied for a Sidewalk Café and a Streetery. The Sidewalk Café was approved but the Streetery was denied.
Full or Partial Street Closure

Permit:

- This permit must be displayed on the site at all times.

Understanding the Approval:

- This approval does not grant permission to place or erect a tent or structure.
Temporary Use Permit

Permit:

• Any property that is approved for a temporary use will receive a permit that looks like the one shown here.

• The Type of Work will be listed as “Temporary Use” and the Approved Use(s) will be listed on the permit.

• This permit must be displayed on the site at all times.

Understanding the Approval:

• This permit allows these businesses to extend their operations onto privately-owned outdoor spaces (e.g., their parking lot or a nearby vacant lot).

• This approval does not allow the business to operate in the right of way.

• This approval does not grant permission to place or erect a tent or structure.

  • Exception: A tent that is unheated AND less than or equal to 400 ft² can be erected with this permit.
Tent Permit

Permit:

• Any applicant that is approved to place a tent will receive a permit that looks like the one shown here.

• This permit must be displayed on the site at all times.

Understanding the Approval:

• Tent Permits are valid for a maximum of 180 days. If the tent will be erected for longer than 180 days, a new permit must be obtained.

• This approval does not grant approval for the use of the right of way or a private lot for outdoor dining.

• This approval does not grant permission to erect structures such as platforms or rigid overhead coverings.
Building Permit

Permit:

- Any applicant that is approved to erect a **structure** will receive a permit that looks like the one shown here.
- This permit must be displayed on the site at all times.

Understanding the Approval:

- This approval does not grant approval for the use of the **right of way** or a private lot for outdoor dining.
- This approval does not grant permission to place **tents**.
Structures in the Right of Way that do not require a Tent or Building Permit

Approval:

- If a restaurant is approved for the placement of a platform or small (less than 400 ft²), unheated tent in the right of way, this will be documented as part of their Temporary Sidewalk Café or Streetery License.

Understanding the Approval:

- The same day that the approval is granted, you will receive an email from L&I with an Outdoor Dining Decision Form attached.
- If you are not sure about what was approved, reply to the email that you receive with questions or contact business@phila.gov for assistance.
- On the Outdoor Dining Decision Form shown here, the applicant applied for a Sidewalk Café, a Streetery and a tent. All aspects of the application were approved.
Agreements & Waivers
Agreements & Waivers

• Submitting an application is an acknowledgement that the applicant understands and agrees to all provisions of these regulations, The Philadelphia Code, and other applicable law.

• Operation of a temporary sidewalk café, streetery, or extension after December 31, 2020 constitutes agreement to the provisions of the regulation, including all requirements and waivers.

• Any licensee who does not agree to the terms of the regulation must cease their dining operations in the right-of-way and close out the establishment’s license.

• All activities under the outdoor dining license must adhere to all applicable provisions of The Philadelphia Code, any other applicable City regulations, and all business activity, health, and/or safety order requirements issued by the Mayor, Health Commissioner, and/or the Board of Health and/or the Commonwealth.

• The applicant/licensee agrees to defend, indemnify, protect, and hold harmless the City and its officers, agents, and employees from and against any and all suits, demands, claims, loss, damage, charges, or expense, whether direct or indirect, to which they may be subjected by reason of any damage, loss, or injury to persons or property caused by or resulting from the use of the right-of-way dining space, any structures or objects placed in that space, or any wrongful or negligent act by the licensee, its employees, and/or contractor.
Agreements & Waivers
Continued

- To maintain the functions of city infrastructure, all utility work, any snow removal, and the collection of trash and/or recycling take precedent over right-of-way dining options. The City may, temporarily or permanently, revise, terminate, or suspend right-of-way use prior to December 31, 2021 with reasonable notice for these reasons or others, where it is in the best interest of the City or for the health, safety, or welfare of the public. You may be asked to remove your right-of-way setup.

- The regulation can be terminated by the Managing Director’s Office by issuance of an emergency regulation upon a determination that there is no longer a need for an expansion of dining in the right-of-way.

- No authorization granted under or subject to these regulations, including any permitted modifications to a structure or lot, shall constitute a permanent use approval.

- Failure to follow any of the requirements of the regulation shall constitute a violation of the Philadelphia Code and may lead to fines as set forth in law, a cease operations order, suspension or revocation of the Temporary Sidewalk Café/Streeter License or Extension, and any other remedy available at law.

*Applies to all outdoor dining options referenced in this document.*
Questions Regarding Outdoor Dining?
Contact business@phila.gov for assistance
Complaints should be made via 3-1-1

Text COVIDPHL to 888-777 to receive COVID-19 updates to your phone.