

October 2020

COVID-19 Commercial Recovery

# Outdoor Dining Guidelines

# Winterization



City of  
**Philadelphia**



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## 2. ROW MANAGEMENT



# 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.

# WINTERIZATION: SHELTER OPTIONS



SHELTER OPTION 1



SHELTER OPTION 2



OTHER SHELTER OPTIONS

# **WINTERIZATION: PERMIT OPTIONS REQUIREMENTS**

## **SHELTER OPTION 1:**

- Overhead covering, pliable material
- Up to two (2) full sides
- Remaining sides must be 50% open
- Must have air exchange of 10-20 exchanges per hour
- Less than 400 square feet in area

## **SHELTER OPTION 2:**

- Overhead covering, pliable material
- Erected over sidewalk as temporary attachment to building
- Does not have full or half sides

## **OTHER SHELTER OPTIONS:**

**If any of the following are true, you will need L&I and Streets Department Permits.**

- Non-pliable overhead covering
- A tent that is more than 400 square feet in area
- A tent that is heated

# WINTERIZATION: ALL SHELTER OPTIONS

- All tents, canopies, and structures require a Right-of-way Permit from the Streets Department and may require a Building or Tent Permit from L&I.
- Do not place any tent, canopy or structure within 15' of a fire hydrant.
- Must allow emergency access (FIRE, Police, Ambulance) of 11 feet minimum.
- Maintain clear access to public utilities, manholes, building entrances, crosswalks, and transit stops.
- Must leave an 6' clear path for pedestrians.
- Vertical barriers required between parties if seated closer than 6 feet apart.
- Operations must continue to comply with Mayor's Orders on business activity and public gatherings, including social distancing, maximum occupancy levels and hygiene protocols.
- All businesses are recommended to sign up for [Ready Philadelphia Alerts](#).
- City is not responsible for any damage during a winter event.
- Shelter placements may not exceed business frontage without written permission from neighbors and City approval of extension.

# WINTERIZATION: SHELTER OPTION 1



- Requires Right-of-Way permit from Street Department
- 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

# WINTERIZATION: SHELTER OPTION 2



- Requires Right-of-way permit from Street Department
- Seating and tables must be up against the wall of the business or as close as possible
- May **NOT** attach to utility, traffic/street lighting poles, signs or street furniture
- Must be secured against strong wind
- Free corners must be weighted by 2lbs. per square foot of area

# WINTERIZATION: OTHER SHELTER OPTIONS



- Always requires right-of-way permit from Street Department
- A [tent permit](#) from L&I is required for:
  - A tent that is more than 400 square feet
  - A tent that is heated
- A [building permit](#) from L&I is required for:
  - Custom built shelter with overhead cover or sides more than 4-feet in height (including “non-manufactured” tents)
- Options that include 3 or more sides:
  - Will be subject to regulation as interior spaces for public health purposes,
  - However, the Health Department may approve configurations where a minimum of 10 complete fresh air exchanges/hour can be documented by a certified professional.
- Additional Special Approvals will be required for:
  - Permanent encroachments in the Right-of-way
  - Attachments to structures

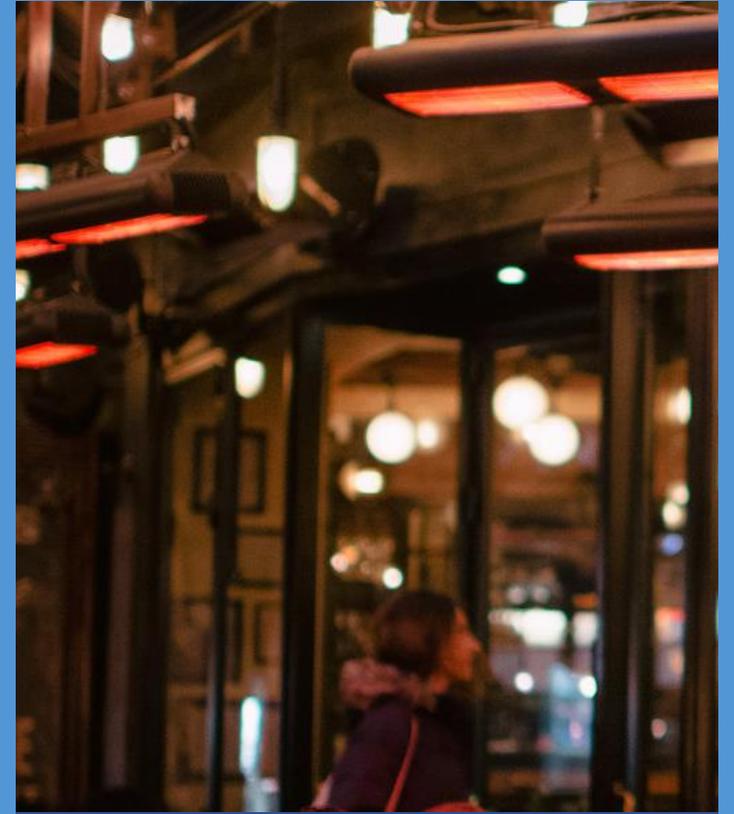
# WINTERIZATION: HEATING REQUIREMENTS



Not Permitted



Permitted Outside of Shelters



Permitted within a Shelter,  
Canopy or Structure

# WINTERIZATION: HEATING “DO’S” - REQUIREMENTS



- Comply with Philadelphia Fire Department Fire Codes
- Obtain and Use UL rated heating devices only
- Secure and “Tamper-Proof” all set-ups **every day**
- Secure propane fuel tanks whenever placed in the ROW
- Ensure propane heater exhaust has ample means to ventilate
- Keep propane cylinder five (5) feet away from tent and any heating source and building opening

# WINTERIZATION: HEATING “DO’S” - RECOMMENDATIONS



- Read and understand manufactures instructions on safe installation and operation
- Contact manufacture for additional support as needed
- Request professional inspection whenever in doubt
- Recommendation Designate a “Watch” to ensure fire safety is maintained
- Check your set up every day

# WINTERIZATION: HEATING “DON'TS” - REQUIREMENTS



- No open flames in the Right-of-Way
- No cooking allowed within tent
- Heating and Fuel equipment must not be stored in ROW when not in use.
- 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 ROW
- Do not deviate over time once a safe heating set ups is established, particularly after safe conditions have been verified by inspection.

# WINTERIZATION: HEATING – NOT PERMITTED



Source: Alamy Stock Photo

- Solid fuel (open flames) and kerosene will be prohibited in the ROW.
  - Solid Fuel (wood, coal, etc.) / Open Burning\* ([Phila Fire Code 307](#))
  - Kerosene ([Phila Fire Code - 603.4](#))

**\*NOTE:** An open flame (including fire pits with mesh coverings) is considered "Open Burning"

# WINTERIZATION: HEATING – PERMITTED OUTSIDE SHELTER OPTIONS



## Propane and Natural Gas ([Phila Fire Code - 603.4.2](#))

- Minimum 5 ft from building and all combustibles (i.e. tents, canopies, etc)
- Equipment must be listed and labeled for outdoor use
- Equipment must comply with other provisions of 603.4.2 (tipping switch, guard)
- Containers (attached or detached from device) may not be stored indoors

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

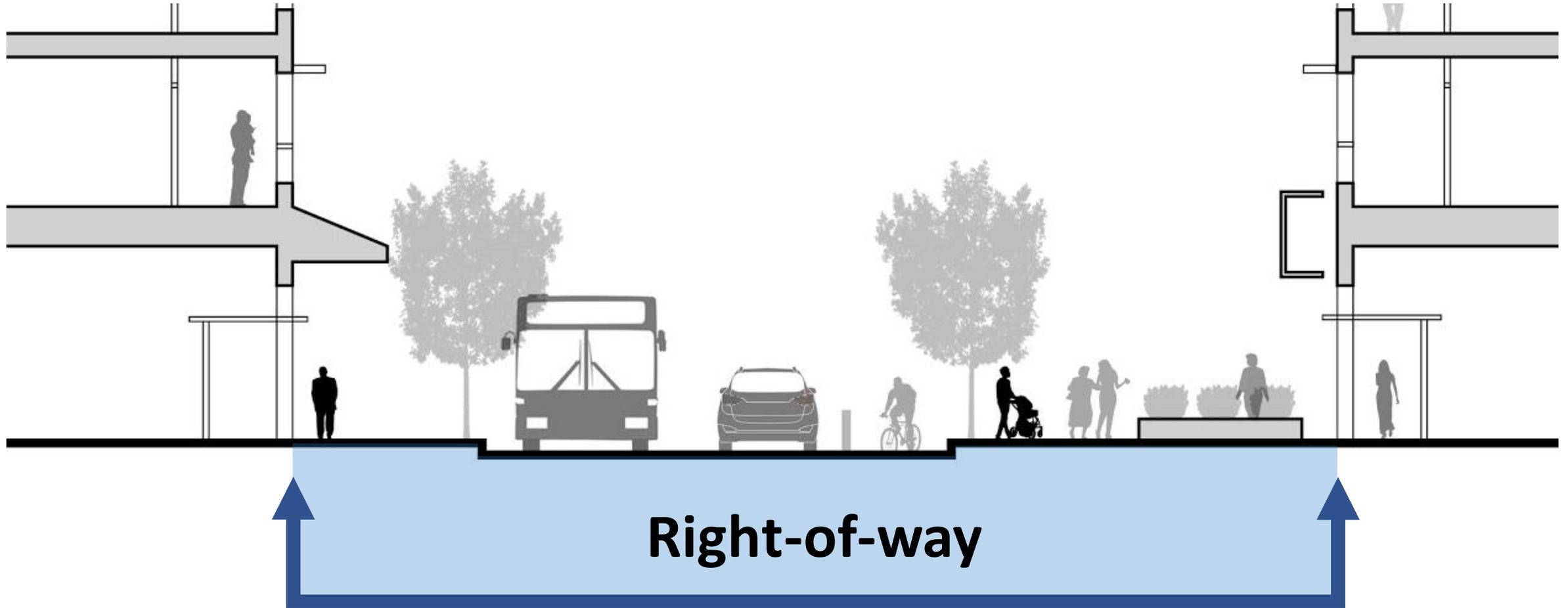
- Minimum 3 ft from combustibles (i.e. tents, canopies, etc)
- Listed and labeled for outdoor use
- Extension cords not permitted
- [Electrical permit](#) required for any new connections
- Cords must be secured to prevent tripping hazards

# WINTERIZATION: HEATING – PERMITTED WITHIN SHELTER OPTIONS



- 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.

# WHAT IS THE RIGHT-OF-WAY?

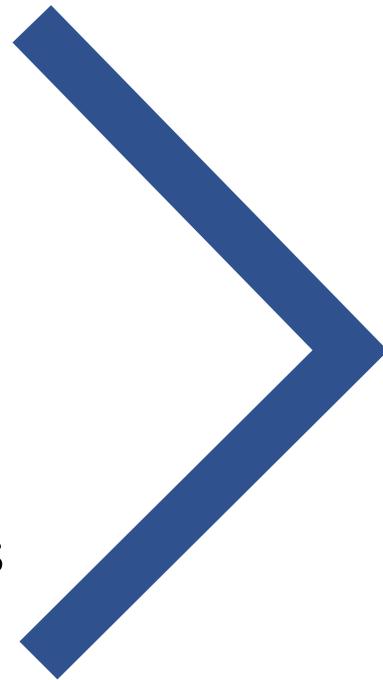


*Right of way is considered everything in between property lines, including sidewalks, streets, bike lanes, etc.*

# 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



- Steetery
- Street Closure
- Sidewalk Cafe

## DISCLAIMERS

- *Submitting an application is an acknowledgement that the establishment understands and agrees to all applicable terms and conditions and all applicable laws and guidance. If an establishment is not compliant, the City may revoke or suspend its authorization at any time during the program period.*
- *The City may immediately revise, terminate or suspend, for a period of time and without prior notice, the seating area usage based on valid complaints, lack of ADA access, need for repairs, or for any other reason.*
- The City of Philadelphia reserves the right to rescind temporary outdoor dining approvals and order the activities on site to cease should any health or safety matters warrant, or operation otherwise creates an adverse effect on the surrounding community.
- Businesses applying for temporary outdoor dining accept full liability.
- Applicant shall 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 outdoor space described in this application, any structures or objects placed in that space, or any wrongful act or negligence by Applicant, its employees, and/or contractor in the course of action described in this application.
- Any permitted modifications to a structure or lot shall not constitute a permanent use approval.
- *Applicants confirm that they have read and comply with both the outdoor dining guidelines and the health requirements.*

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