

Philadelphia Streeterly License Guide

Outdoor Dining Program

October 2022
Version 1.0

About This Guide

This guide is meant for restaurant owners and provides an overview of the goals, regulations, and application processes to obtain a Streeterly License. This type of license gives restaurants the privilege of operating outdoor dining in eligible parking spaces in front of their building.

The goal is for applicants to use this guide as an ongoing, user-friendly point of reference. We encourage thorough review of this guide, including the various site and design requirements, to determine if a streeterly is feasible before making any investments.

This guide summarizes the key regulations that most restaurants will find helpful. However, it is not a comprehensive resource for every restaurant or every situation. Web links to the City ordinance and regulations controlling streeteries can be found in the lower right-hand corner of following pages.

The City of Philadelphia values your contributions to the local economy and looks forward to reviewing your Streeterly License applications.

This guide is subject to change if there are any program updates. Please make sure to have the most up to date version of this guide by visiting phila.gov/outdoor-dining.

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Language Access

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

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。

Introduction

Philadelphia's thriving restaurant scene has helped our city become an international destination. Many of our restaurants are locally-owned and reflect the people, places, and global flavors of our multicultural population. Restaurants create jobs, enhance the economy, and create a sense of community in neighborhoods all over Philadelphia.

Outdoor dining has been a mainstay of Philadelphia's dining culture for decades, from the sidewalk awnings of cheesesteak shops and water ice stands to the cafe tables and shade umbrellas of upscale restaurants. Before the Spring of 2020, Philadelphia's Outdoor Dining Program was limited to sidewalk cafes for eateries licensed to enhance their seating capacity. Sidewalk Cafe Licenses were only issued to restaurants located in specific parts of the city for sidewalk tables and chairs placed during business hours.

Emergency Outdoor Dining

The COVID-19 pandemic brought many challenges to our city. In 2020, the City of Philadelphia quickly launched emergency outdoor dining allowances to support the restaurant industry when public health restrictions limited indoor seating. The temporary measures helped more than 750 restaurants earn much needed revenue and retain jobs during a time of crisis. The emergency provisions expired on December 31, 2021.

In the Spring of 2021, City Council enacted Bill 210776, to establish where in the City streeteries could operate, their placement in the public right-of-way, and some basic safety measures. The City is transitioning from its emergency measures to a permanent program, with regulations that build off of Bill 210776. The City has considered input from restaurant owners, residents, and the lessons learned by other cities over the past two and a half years in the creation of the permanent Outdoor Dining Program.

Permanent Outdoor Dining Program

Utilizing the public right-of-way for private dining, through sidewalk cafes and streeteries, is a privilege for restaurants as an enhancement to their seating capacity. The permanent Outdoor Dining Program provides a way for the City to allow eligible streeteries to continue to operate. This program can benefit restaurants and their surroundings without compromising fundamental aspects of urban life. The permanent program carries several goals, with public safety and accessibility being chief among them. The regulations establish a base-level of protection against auto collisions and ensure that emergency access and traffic sight-lines aren't blocked. ***Most streeteries that were put into place during the pandemic do not comply with the permanent regulations and require substantial re-design or total removal.***



Licensing & Enforcement

The permanent Outdoor Dining Program requires restaurants to obtain a streetery License to set up and operate a streetery. Applicants will need Streets Department approval for use of the public right-of-way, and the Department of Licenses and Inspections (Licenses and Inspections, L&I) will ultimately approve and award the final streetery License, which must be renewed annually. Additionally, streetery designs including large structures will require a Licenses and Inspections Building Permit and Art Commission approval.

Beyond the licensing process, the permanent program also entails a roll out of increased enforcement by the Streets Department and Licenses and Inspections. Dedicated staff will track and monitor streeteries more closely across the City and issue violations against dangerous, abandoned or unlicensed streeteries. The City will also become more vigilant about removing hazardous or unlicensed streeteries as needed.

Looking Forward

The City has come a long way since Spring 2020. The permanent Outdoor Dining Program allows safe, well-maintained, and licensed streeteries to operate while reinstating necessary safety precautions. With the permanence of the Outdoor Dining Program comes a set of regulations that restaurants can use to plan for the future. It marks a new chapter in Philadelphia's rich tradition of outdoor dining.



Outdoor Dining Program Overview

The City of Philadelphia offers two outdoor dining licensing options for eligible restaurants. The City strongly recommends that restaurant owners explore the eligibility requirements and design standards of both outdoor dining options before making any investments. Both options balance the needs of the city's right-of-way and all of its public users.



Sidewalk Cafe License

A Sidewalk Cafe License allows eligible restaurants to occupy sections of the sidewalk in front of their storefront for outdoor dining. This grants licensed restaurants the privilege of additional seating while maintaining adequate sidewalk access for pedestrians and those with disabilities. It also regulates for issues, like noise and cleanliness standards, that could impact neighboring properties and general quality of life.

Restaurants operating sidewalk cafes must comply with the sidewalk cafe regulations. More information about Sidewalk Cafe Licenses and the application process is available on [Phila.gov](https://www.phila.gov).



Streeterly License

A Streeterly License allows eligible restaurants to occupy the parking lane in front of their storefront for outdoor dining protected by crash barriers. This grants licensed restaurants the privilege of additional seating while maintaining a standard of safety and access for street traffic, diners, pedestrians, and those with disabilities. It also regulates for issues, like noise and cleanliness standards, that could affect neighboring properties and general quality of life.

Restaurants operating streeteries must comply with Section 9-25 of the Philadelphia Code and the streeterly regulations as outlined in this guide.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeterly regulations [here](#).

Streeteries Program Goals



Thriving Restaurants

Streeteries boomed as an emergency response to the COVID-19 pandemic and gained swift popularity among restaurant owners and customers alike. The regulations make streeteries a permanent enhancement to Philadelphia's resilient and internationally renowned restaurant scene.



Traffic Safety

Streeteries should be safe for both diners and drivers. The regulations limit the placement of streeteries so that they don't creep into travel lanes and interrupt driver sight lines. They also include structural standards to protect diners in the case of a vehicle collision.



Quality Design

City streets are for everyone so streeteries should be properly built and easy on the eyes. The regulations bring streeteries up to building code and provides height limitations and transparency requirements so that streeteries are an active part of the street.



Emergency Access

For everyone's safety, emergency responders need easy access to buildings. Fire fighters need access to fire hydrants and must be able to deploy ladders up the sides of buildings. EMTs and police need access to building entry points. The regulations ensure that streeteries don't block emergency responders when every second counts.



Utility Access & Maintenance

There is a lot of vital infrastructure hidden under the pavement. In a city as historic as Philadelphia, a lot of that infrastructure needs scheduled maintenance or emergency repair. The regulations limit the placement of streeteries so that they don't interfere with utilities.



ADA Compliance

All Philadelphians, regardless of their mobility limitations, deserve equal access to facilities. The regulations bring streeteries into compliance with the Americans with Disabilities Act and ensures that everyone can have a seat at the dining table.



Occupancy Standards

Streeteries add extra customer seating but they don't add extra restrooms. The regulations keep a building's occupancy in mind so that facilities aren't overwhelmed and customers can still wash their hands and use restrooms comfortably.



Legal Compliance

The City of Philadelphia doesn't always get the final say over what happens on its streets. The regulations bring streeteries into greater compliance with PennDOT and USDOT regulations.



Neighborliness

In the City of Brotherly Love and Sisterly Affection, it's our duty to look out for our neighbors. The regulations specify hours of operation and cleanliness standards for Streeteries to minimize neighborhood disturbances.

Business Eligibility

Not all food or beverage businesses are eligible to operate streeteries. Before you begin planning for a streetry or starting the streetry License application process, please review the eligibility guidelines below.

✓ With Food License

Only businesses with City issued food licenses are allowed to operate streeteries.

✗ Without Food License

Businesses without food licenses, such as beer distributors or bottle shops, are not eligible to operate streeteries.

✓ With Indoor Seating

Only businesses with at least three indoor tables are allowed to operate streeteries.

✗ Without Indoor Seating

Businesses with fewer than three indoor tables like most take-out restaurants, delis, convenience stores, and grocery stores, are not eligible to operate streeteries.

✓ With Customer Restroom

Only businesses with a restroom available to customers are eligible to operate streeteries.

✗ Without Customer Restroom

Businesses without restrooms available to customers, like most take-out restaurants, delis, and convenience stores, are not eligible to operate streeteries.



Any ineligible business operating a streetry should immediately cease streetry operations and remove their streetry.



Find Section 9-215 of the Philadelphia Code [here](#). Find streetry regulations [here](#).

Location Requirements

Streeteries are only permitted “by-right” in designated commercial areas throughout the city. This ensures that residential areas are less effected by the noise and other impacts of streeteries.

By-right areas are determined by City Council and enacted into law through the passage of ordinances. These ordinances alter the Philadelphia City Code. The part of the Code overseeing streeteries and listing where they can be located is Section 9-215.

Before starting the Streeteries License application process, make sure that you are located in a by-right area by carefully reviewing Section 9-215 of the City Code. It can be viewed online by visiting codelibrary.amlegal.com/codes/Philadelphia/latest/ and selecting “Title 9: Regulation of Businesses, Trades, and Professions” followed by “Chapter 9-200. Commercial Activities on Streets” followed by “§ 9-215. Streeteries.”



! State Roads

The City will issue Streeteries Licenses for sites located on state roads. Please be advised that PennDOT ultimately controls these roads and may require the removal of streeteries at any time. Please keep this in mind when considering your streeteries investment and design. A map of state roads in Philadelphia can be found on [Phila.gov](https://www.phila.gov)

! Critical and High-Speed Roads

Streeteries are not allowed on certain high-speed, high-traffic, high-collision, and critical arterial roads throughout the City. The Streets Department determines which roads are ineligible for streeteries on a case-by-case basis.

! Floodplain

Structure streeteries (see page 11) are not permitted within the FEMA 100 Year Floodplain. Pavement and platform streeteries (see page 11) are permitted. View the Floodplain map by visiting [OpenMaps.Phila.gov](https://openmaps.phila.gov) and selecting “FEMA 100 Year Floodplain” on the left tab.

✓ Not Located in a By-Right Area?

Restaurants falling outside of by-right areas require a City ordinance to operate a streeteries amongst all other requirements. The process for gaining an ordinance begins with contacting your district council member’s office. District maps and contact information can be found by visiting [PHLCouncil.com](https://phila.council.gov).

Find Section 9-215 of the Philadelphia Code [here](https://codelibrary.amlegal.com/codes/Philadelphia/latest/). Find streeteries regulations [here](https://phila.council.gov).

Site Requirements

It is important that streeteries are located on sites where they would not compromise public safety or block their neighbors. Before beginning the Streeteries License process, make sure that the space in front of your restaurant is suitable for a streeteries.

✓ With a Parking Lane

Streeteries can only exist in the parking lane directly in front of the business that holds the City issued Food License.

✗ Without a Parking Lane

Vehicle travel lanes, bike lanes, medians, crosswalks, and other non-parking spaces are ineligible sites for streeteries. Streeteries located in a parking space across the street from the restaurant or over a bike path are unsafe and strictly prohibited.

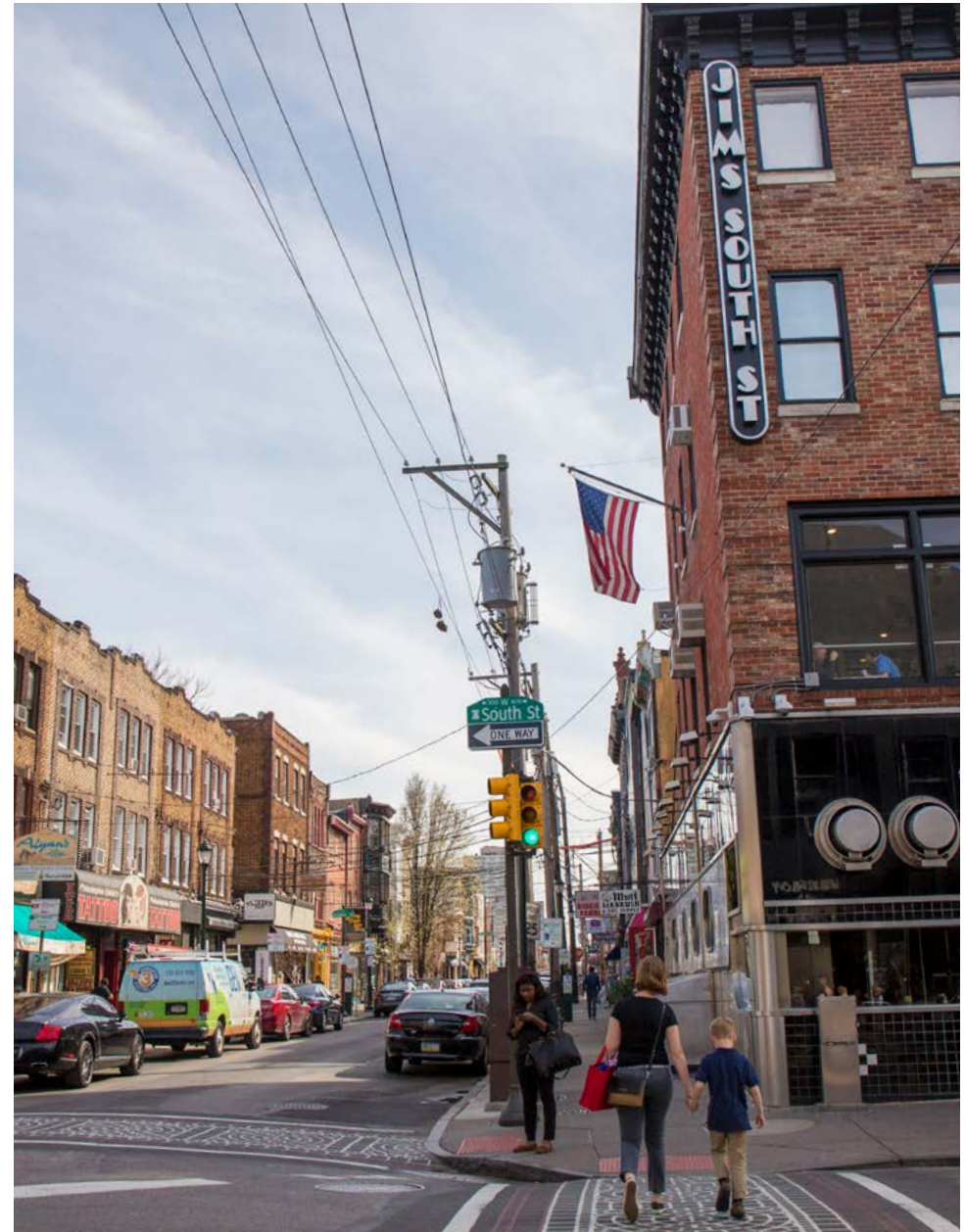
✓ Clear of an Emergency Response Facility

Streeteries can only be located in spaces that don't compromise the deployment of emergency vehicles from fire stations, police stations, and emergency medical facilities.

✗ Across or Next to an Emergency Response Facility

Streeteries are not permitted across the street or directly next to fire stations, police stations or emergency medical facilities.

⚠ Any businesses operating a streeteries in an ineligible site should immediately cease streeteries operations and remove their streeteries.

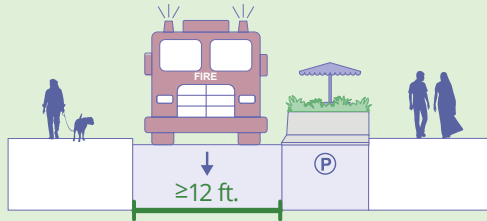


Find Section 9-215 of the Philadelphia Code [here](#). Find streeteries regulations [here](#).

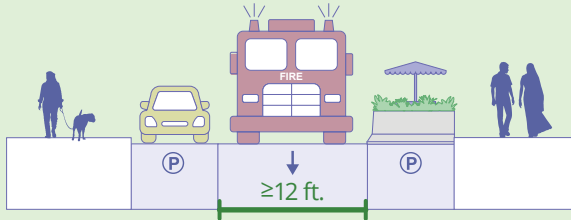
✓ With a 12-Foot Wide Travel Lane

Streeteries can only be setup in parking spaces adjacent to travel lanes that are 12 feet or wider so that emergency vehicles travel unobstructed. Bike lanes are considered travel lanes. Below are some common street configurations that would allow a streeteries.

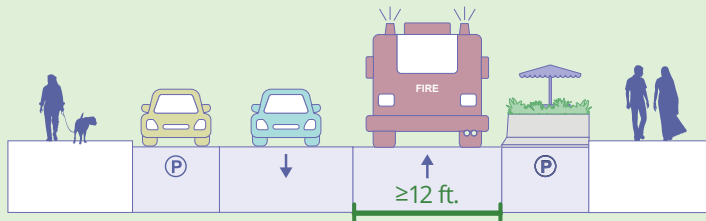
Travel lane adjacent to streeteries is 12 feet or greater.



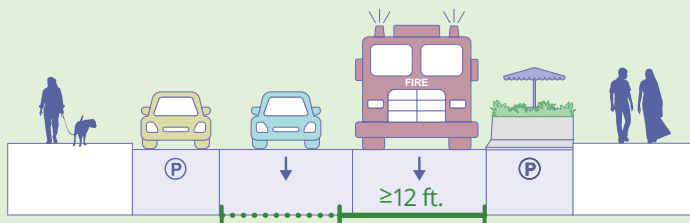
Travel lane adjacent to streeteries is 12 feet or greater.



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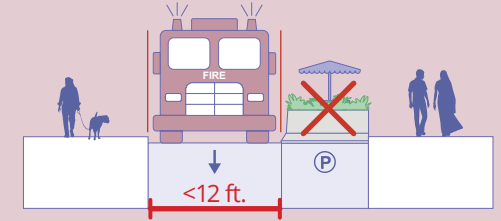
Travel lanes adjacent to streeteries traveling in the same direction (which may include bike lanes) total 12 feet or greater.



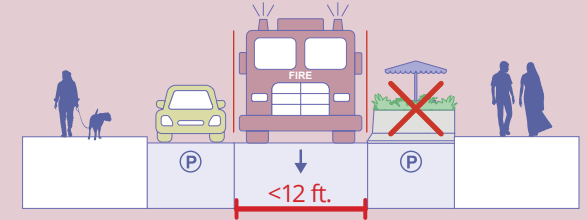
✗ Without a 12-Foot Wide Travel Lane

Streeteries are not permitted in parking spaces adjacent to travel lanes that are less than 12 feet wide because they can obstruct emergency vehicles. Below are some common street configurations that would not allow a streeteries.

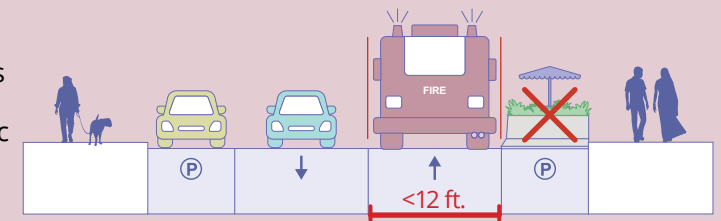
Travel lane adjacent to streeteries is less than 12 feet.



Travel lane adjacent to streeteries is less than 12 feet. Opposing parking lane does not count toward width.



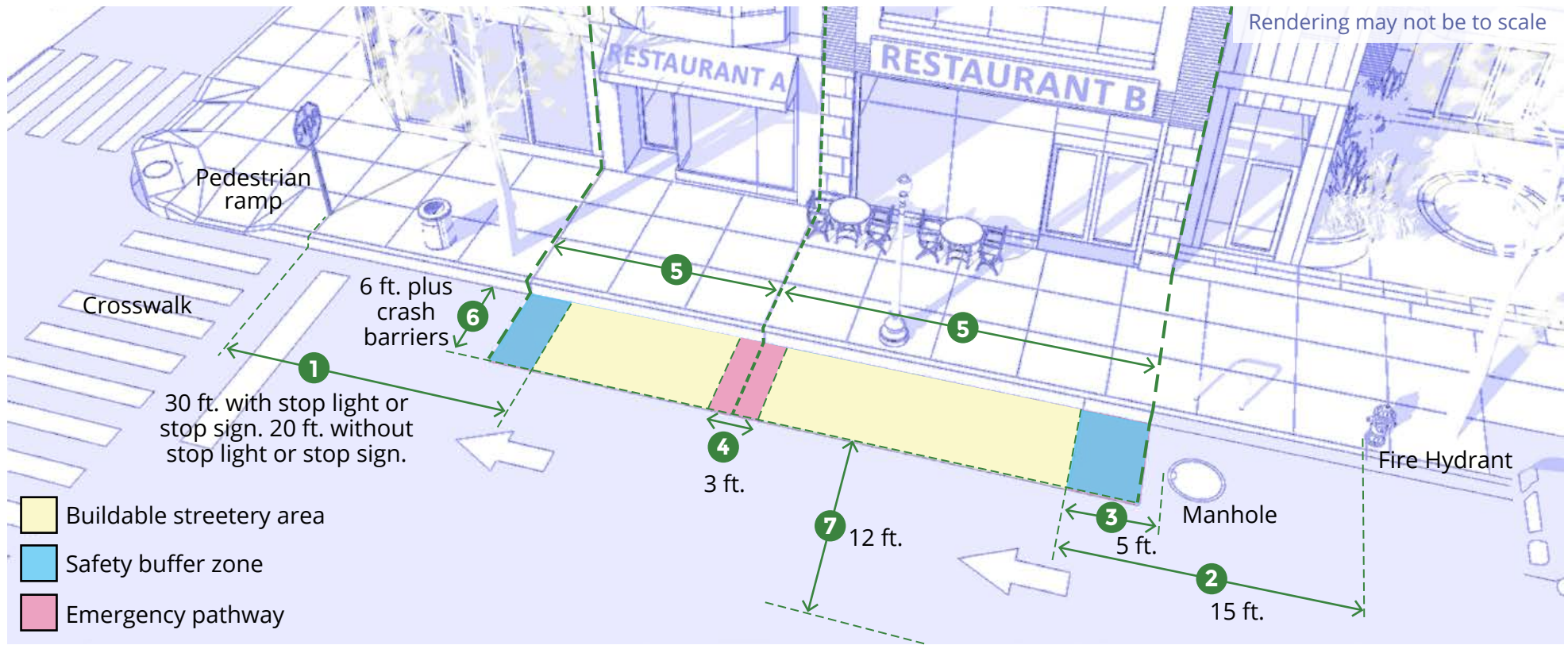
Travel lane adjacent to streeteries is less than 12 feet. Opposing traffic lane does not count toward width.



Streeteries cannot extend beyond the parking lane or otherwise encroach upon the travel lane in any way. This includes bike lanes. Travel lane clearance must remain 12 feet or wider at all times from streeteries.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeteries regulations [here](#).

Placement Requirements



- At intersections *with* stoplights or stop signs, streeteries must have a safety buffer zone of at least 30 feet from the crosswalk, pedestrian ramp, bus stop, stop sign or traffic signal, whichever is closer. At intersections *without* stoplights or stop signs, streeteries must have a safety buffer zone of at least 20 feet.
- Streeteries must have a safety buffer zone of at least 15 feet from fire hydrants.
- Streeteries must have a safety buffer zone of at least 5 feet from any manholes, water inlets, or other utility and ventilation access points.
- There must be a 3 feet or wider emergency pathway open to the sky between every restaurant streetery, or every 20 feet of streetery length, whichever is smaller.
- Streeteries cannot be wider than the width of the storefront, minus any safety buffer zones and emergency pathways.
- Streeteries cannot extend more than 6 feet from the curb, plus the width of the protective barriers. No part of the streetery or crash barriers can extend into the travel lane.
- Travel lane must remain at least twelve 12 feet wide (See page 9).

Find Section 9-215 of the Philadelphia Code [here](#). Find streetery regulations [here](#).

Types of Streeteries



Pavement Streeteries

A pavement streeteries is seating surrounded by crash barriers placed directly on the street pavement. Pavement streeteries allow restaurant guests to enjoy the open air and clear views of their city surroundings with a “less is more” approach to outdoor dining.

Pavement streeteries are cheaper to install, easier to maintain, and can be removed quickly if the need should arise. Even the simplest streeteries need to welcome guests of all mobilities so a wheelchair ramp from the sidewalk to the street surface will be required in most instances. Pavement streeteries *do not* require a Building Permit or Art Commission review for a faster and easier licensing process.



Platform Streeteries

A platform streeteries has a platform flush with the curb that is surrounded by barriers placed directly on the street pavement. Platforms make it easier for streeteries to meet ADA requirements and reduces tripping hazards for patrons and staff. Most streeteries platforms are made out of wood and still offer their guests an open and airy feel without any tall enclosed sides.

It is very important that platforms don’t block stormwater from flowing freely to sewer inlets and that they don’t become homes for rats and other vermin. It is highly recommended that removable floor access panels be a part of the platform design to allow for routine cleaning between the pavement and the platform. Platform streeteries *do not* require a Building Permit or Art Commission review for a faster and easier licensing process.



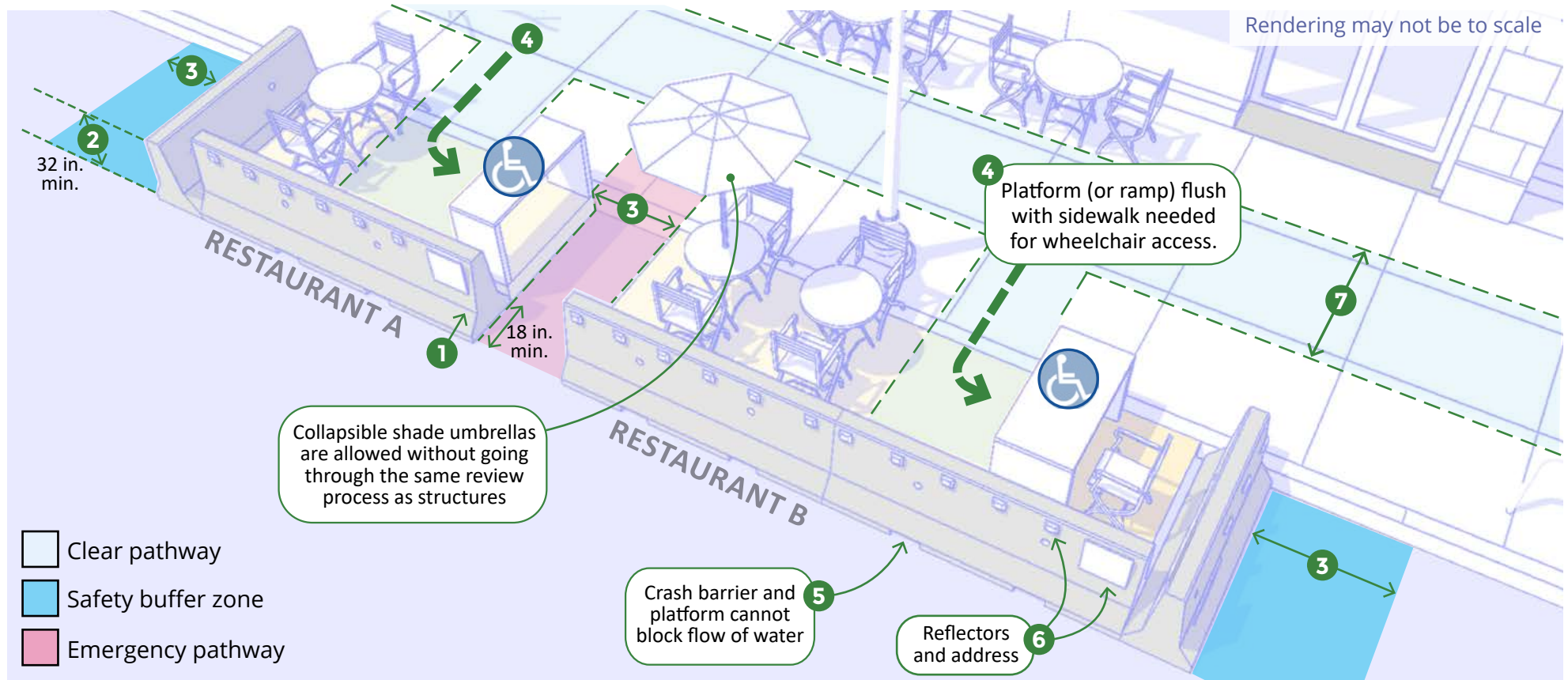
Structure Streeteries

A structure streeteries is a streeteries with a built enclosure that has an overhead covering or at least one side 48 inches or higher from the pavement. This type can include a platform or sit directly on the street pavement. Crash barriers must surround the structure or be integrated into the structure design.

Structure streeteries are a larger investment and ongoing responsibility. Their bulkiness gives off a restaurant’s first impression so quality materials, cleanliness, and security from trespass during non-business hours are essential. Large openings and windows allow potential customers to see through the structure to the restaurant’s signage and entrance. Structure streeteries *require* a Building Permit and Art Commission review for a longer and more involved licensing process.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeteries regulations [here](#).

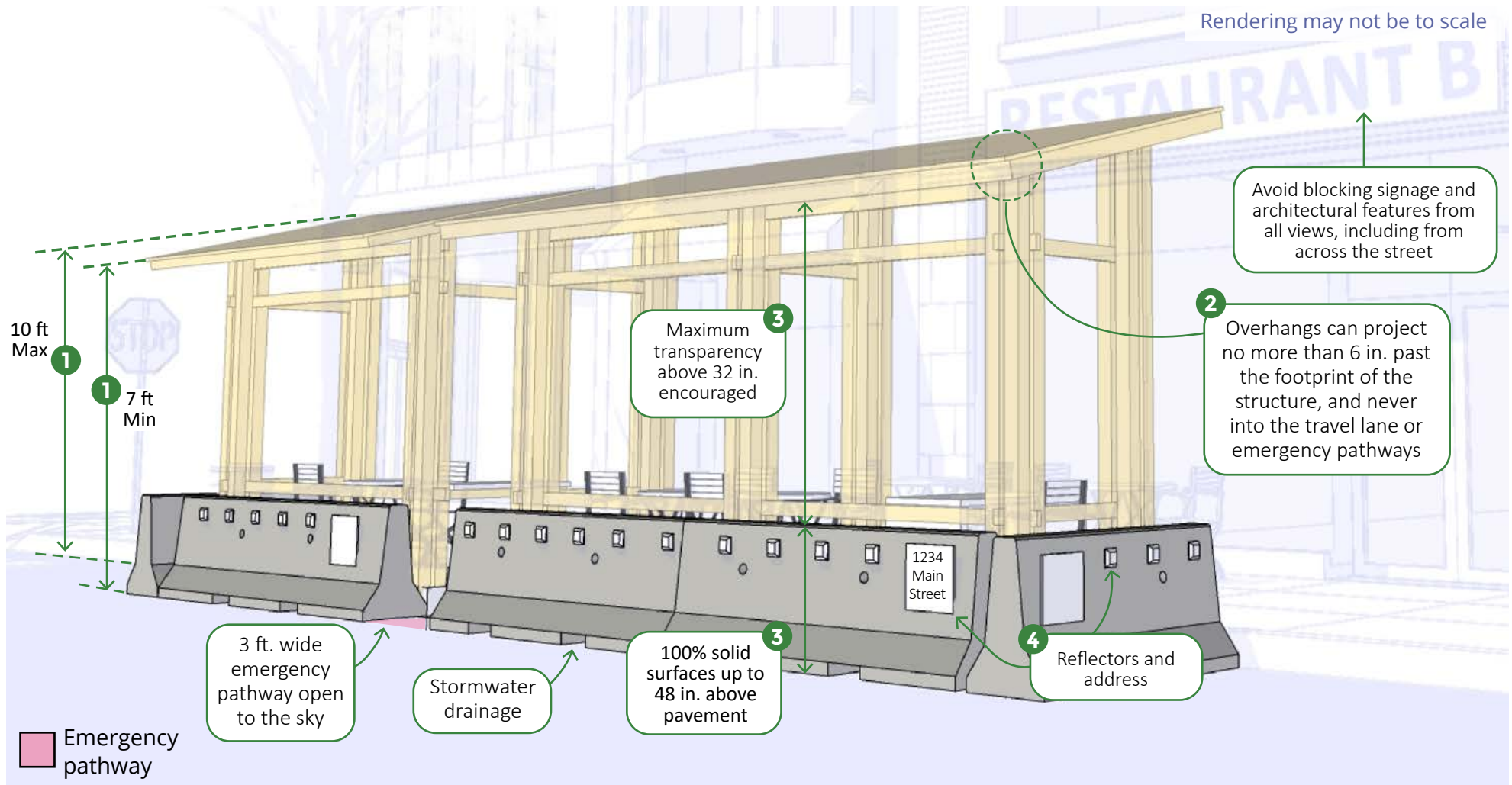
Platform Streeter Requirements



- 1** Crash barriers placed along all 3 street-facing sides must be concrete or water-filled Jersey barriers 18 inches or deeper. Equally strong barriers certified by a licensed engineer may be approved for use.
- 2** Crash barriers need to stand at least 32 inches above the pavement.
- 3** Emergency pathways and safety buffer zones, if required, must remain clear and open to the sky.
- 4** Each restaurant streetery must offer ADA compliant seating and accessible routes.
See page 15 for full requirements.
- 5** Stormwater must flow freely through barriers, under platforms, and along the curb toward inlets.
- 6** Crash barriers must have safety reflectors and a street address.
- 7** Cafe seating, service carts, planters and other objects cannot block the sidewalk's 6 foot clear pathway without a separate permit.

Find Section 9-215 of the Philadelphia Code [here](#). Find streetery regulations [here](#).

Structure Streeter Requirements



1 Overhead covering must be 7 feet minimum height from the street pavement but no more than 10 feet.

2 No overhangs allowed over the travel lane

3 100% solid surfaces may be used up to 48 inches from the street pavement. Maximum transparency is encouraged above 32 inches to increase visibility.

4 Structure must have safety reflectors and a street address.

Find Section 9-215 of the Philadelphia Code [here](#). Find streeter regulations [here](#).

Streeteries Don'ts



Propane & Open Flames

Propane tanks, other combustibles, and open flames just are not safe in a streeteries setting, where people are clustered together and vehicles pass by so close. This means that duct heating from gas furnaces, fire pits, and overhead dome heaters are strictly prohibited.



Pavement Anchors

No part of the streeteries or furnishings can be permanently mounted or secured to the street or sidewalk. Bolts and other anchors damage the pavement and make streeteries removal very difficult. Obey the rules of the road and don't drill into it.



Enclosed Areas

No enclosed areas for equipment, storage or utilities are allowed. This includes storage rooms as well as storage boxes below benches or other seating. This reduces the number enclosed spaces that vermin and other unwelcome guests can call home.



Outside Electrical

Electrical service coming from outside of the streeteries, like an extension cord running from the building, are not allowed. Conduit run under the sidewalk is also not allowed. All electrical devices should be powered by batteries or another portable energy source.



Shipping Containers

The dimensions of shipping and cargo containers are too large to comply with the streeteries regulations. Their solid metal frame and sidewalls are not removable within 48 hours without the help of substantial equipment.



Tents & Canopies

Tents, canopies, plastic dome shelters and other light-weight structures just aren't sturdy enough to withstand extreme weather and can create fire hazard. Shade umbrellas are allowed because they are smaller and easily removed in the event of high winds.



Building Attachments

Shelters running from the building into the parking space, such as an extended awning cover or side walls, are not allowed. All Structure streeteries must be free-standing, with no attachments to buildings. This includes string lights running between a streeteries and its storefront.

Americans with Disabilities Act Requirements

✓ ADA Seating Area

Federal law requires that all streeteries must provide at least 1 ADA accessible table or 5% of the available streetery seating space, whichever is greater. ADA interior seating or sidewalk cafe seating does not count toward the ADA streetery seating requirement.

- A clear floor area of 30" by 48" must be provided at the accessible seating area, which may include the knee clearance area. The slope of a clearance area shall not exceed 1:48 (2%).
- Unobstructed knee clearance between the ground or deck and table must be a minimum of 27" in height, 30" in width, and extend a minimum of 19" under the table.
- Table height must be between 28" and 34".
- If a counter is provided, the accessible portion must be a minimum of 60" in length.

✓ Consult a Professional

Spacial factors like footprint size, curb heights, sidewalk widths, and slopes can all impact the ease or difficulty of achieving ADA compliance. In most instances, streeteries will need to include a platform base to be ADA compliant. Before you begin the application process, the City recommends that you consult with a licensed architect experienced in designing for ADA compliance to understand if ADA compliance is possible and at what impact on total seating capacity.

✓ ADA Accessible Route

Federal law requires that an ADA accessible route from the sidewalk to the ADA accessible seating area must be provided.

- The platform deck or the ramp access to the ADA compliant seating area must be flush with the sidewalk with no height differences greater than ½".
- Height differences between ¼" and ½" shall be beveled with a slope no steeper than 1:2 (50%).
- The platform deck or the ramp access to the seating area must be flush with the curb with no gaps greater than ½".
- Height differences exceeding ½" must be serviced by an ADA compliant ramp, including clear landing areas of at least 5' at the top and bottom of the ramp.
- The running ground slope (parallel to the curb) shall not exceed 1:20 (5%) and the cross slope (perpendicular to the curb) shall not exceed 1:48 (2%).
- The accessible route shall maintain a minimum width of 36" and be free of obstacles.



Any business operating a streetery that is not ADA compliant should immediately cease streetery operations and remove their streetery.

Find Section 9-215 of the Philadelphia Code [here](#). Find streetery regulations [here](#).

Operational Requirements

Streeteries need to be as friendly and inviting to their neighbors as they are to their paying customers. These operational requirements ensure that streeteries remain well-loved amenities.

Morning, Afternoon & Evening Hours of Operation

Streeteries can only operate from 7am to 10pm Sundays through Thursdays and 7am to 11pm on Fridays and Saturdays.

Late Night Hours of Operation

To keep noise down for neighbors, all customers must be clear of streeteries from 10pm to 7am Sundays through Thursdays and 11pm to 7am Fridays and Saturdays. Any loud breakdown duties, like stacking tables and chairs, must also be completed by these times.

Service Only

Streeteries are only for serving customers food and beverages coming from the business' licensed preparation area.

Food or Beverage Storage or Preparation

Food preparation of any kind, including outdoor grills, or stand alone bars where drinks are prepared are prohibited in streeteries. Refrigeration units, food display cases, or other types of food storage are also prohibited.

Clean & Sanitary

Streeteries must remain free of food scraps, spill stains, litter, and odors at all times. Daily cleaning and routine pressure washing in, under, and around streetry structures, and routine pest control ensures that streeteries remain pleasant places to enjoy.

Unclean & Unsanitary

Food crumbs, litter, and dirty surfaces attract unwelcome diners like rats and insects. The Health Department can make food businesses cease total operations if their streetry is found unsanitary just like any other part of their establishment.



A copy of the Streetry License must be publicly displayed within the restaurant.



All streeteries must be covered by a \$1,000,000 comprehensive general liability insurance policy.

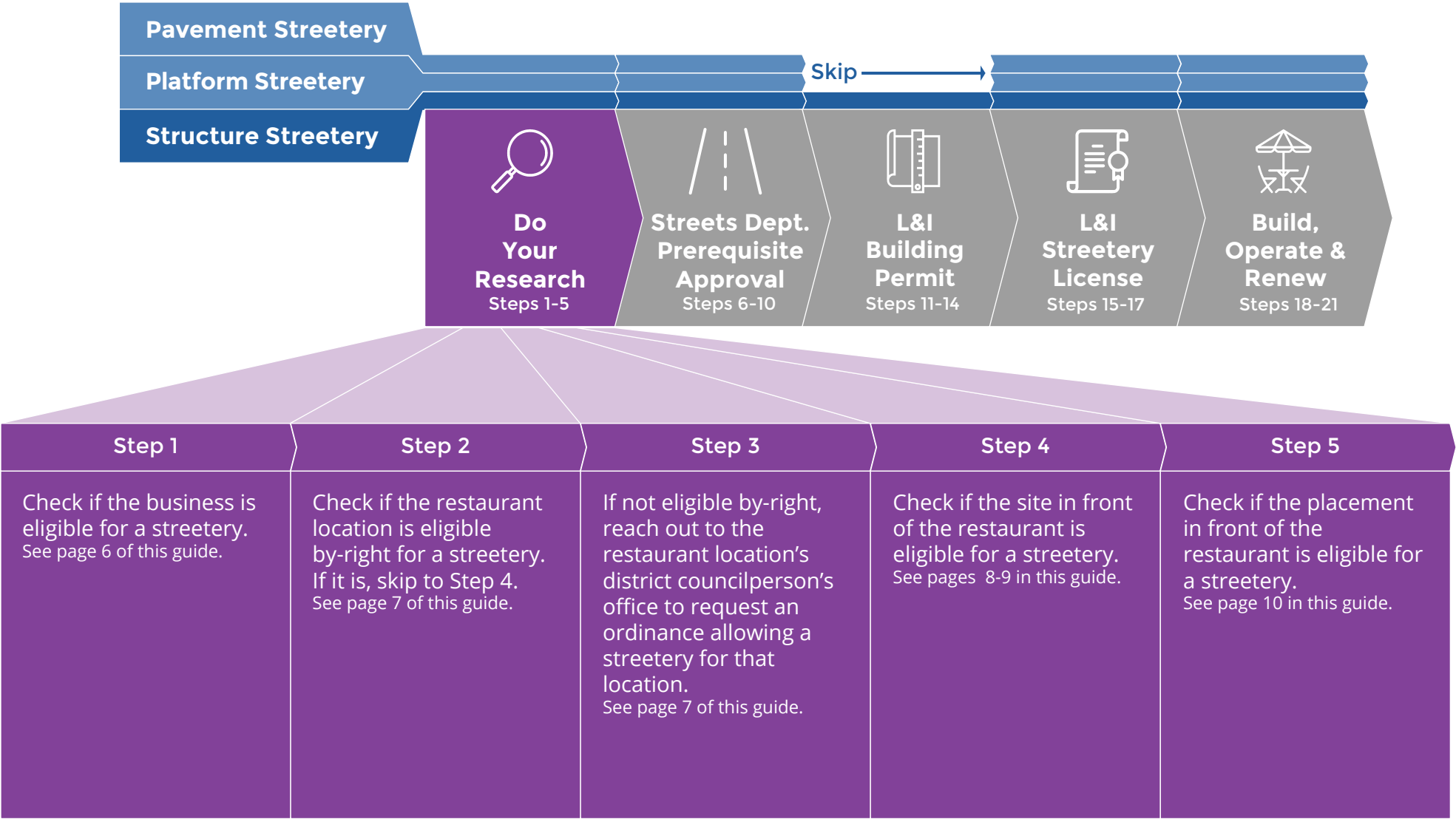


Any businesses currently operating a streetry in violation of any of these requirements should take corrective action immediately. Businesses found in violation may be subject to violations, fines, and ceased operations.

Find Section 9-215 of the Philadelphia Code [here](#). Find streetry regulations [here](#).

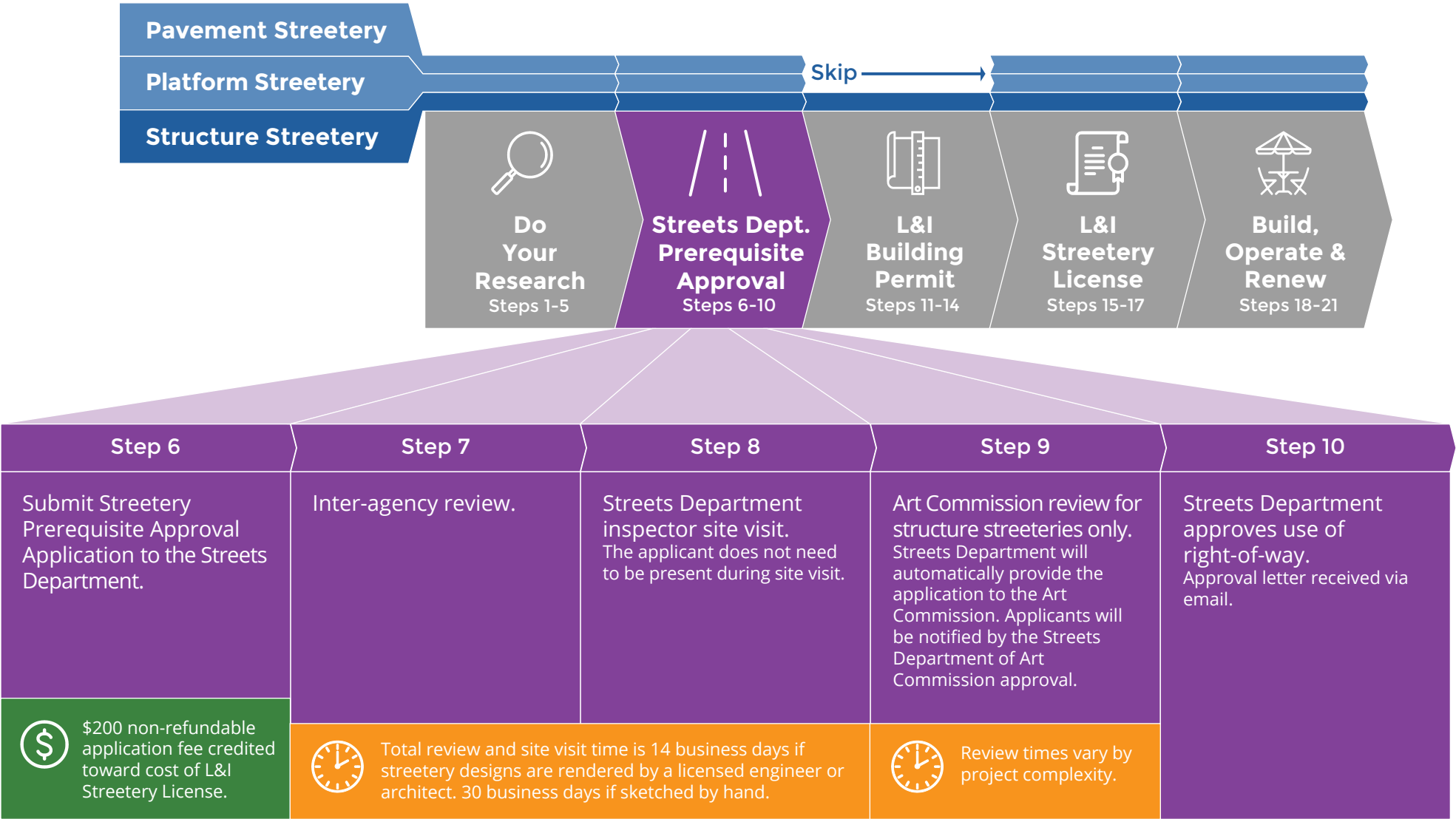
Licensing Process Do Your Research

This section provides a step-by-step overview of how to obtain a Streetery License. Please review these steps thoroughly to ensure a complete understanding of the sequence, time frames, fees, and overall work entailed. Steps 1-5 are to make certain that a streetery is feasible for the business and location before pursuing formal steps.



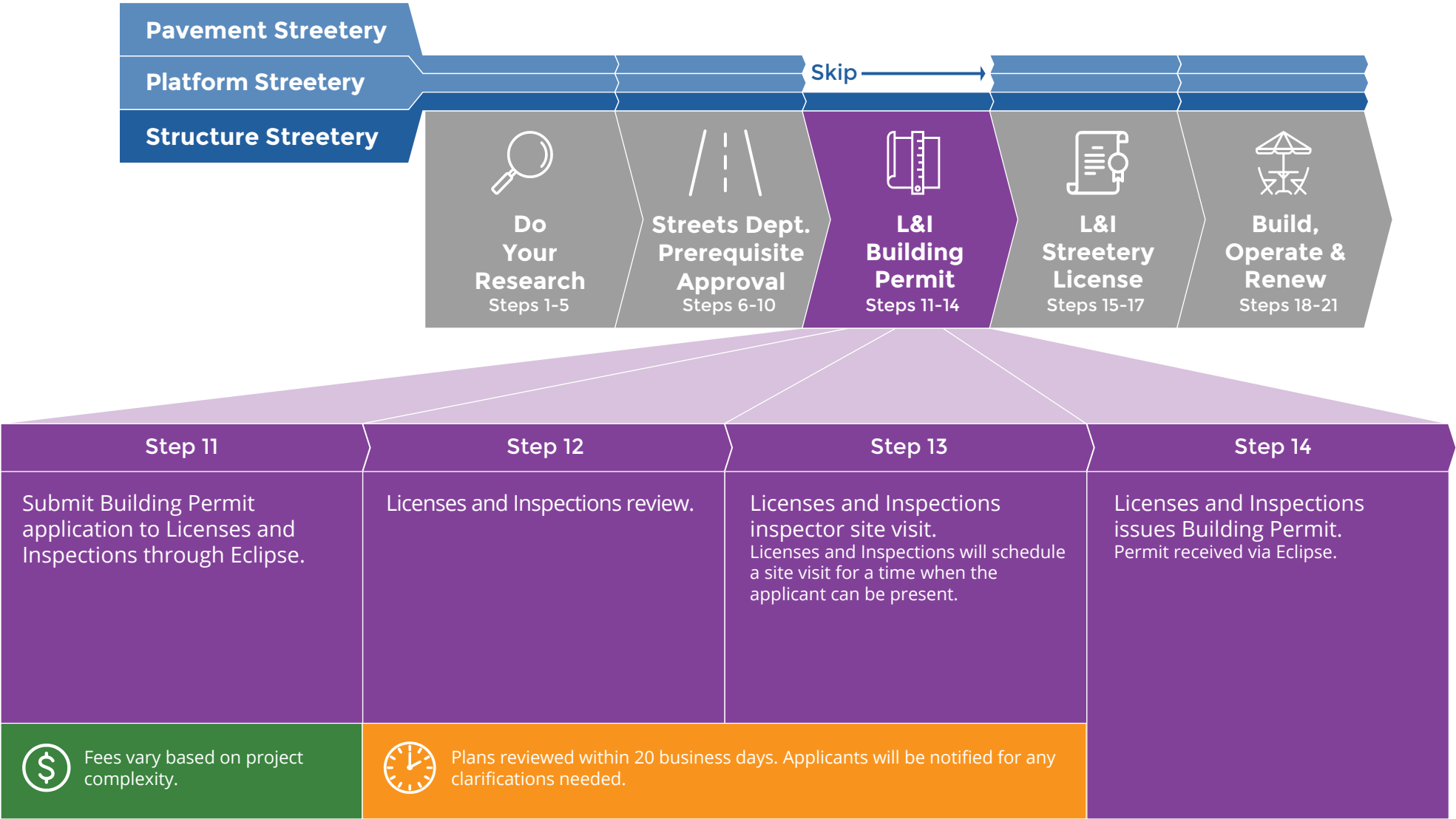
Licensing Process Streets Dept. Prerequisite Approval

The Streets Department needs to approve the location, site, placement and design of the proposed streeteries to make sure that it will meet the safety and spacial requirements of the streeteries regulations. For structure streeteries, the added step of Art Commission approval makes sure that structures contribute to the aesthetics of their surroundings.



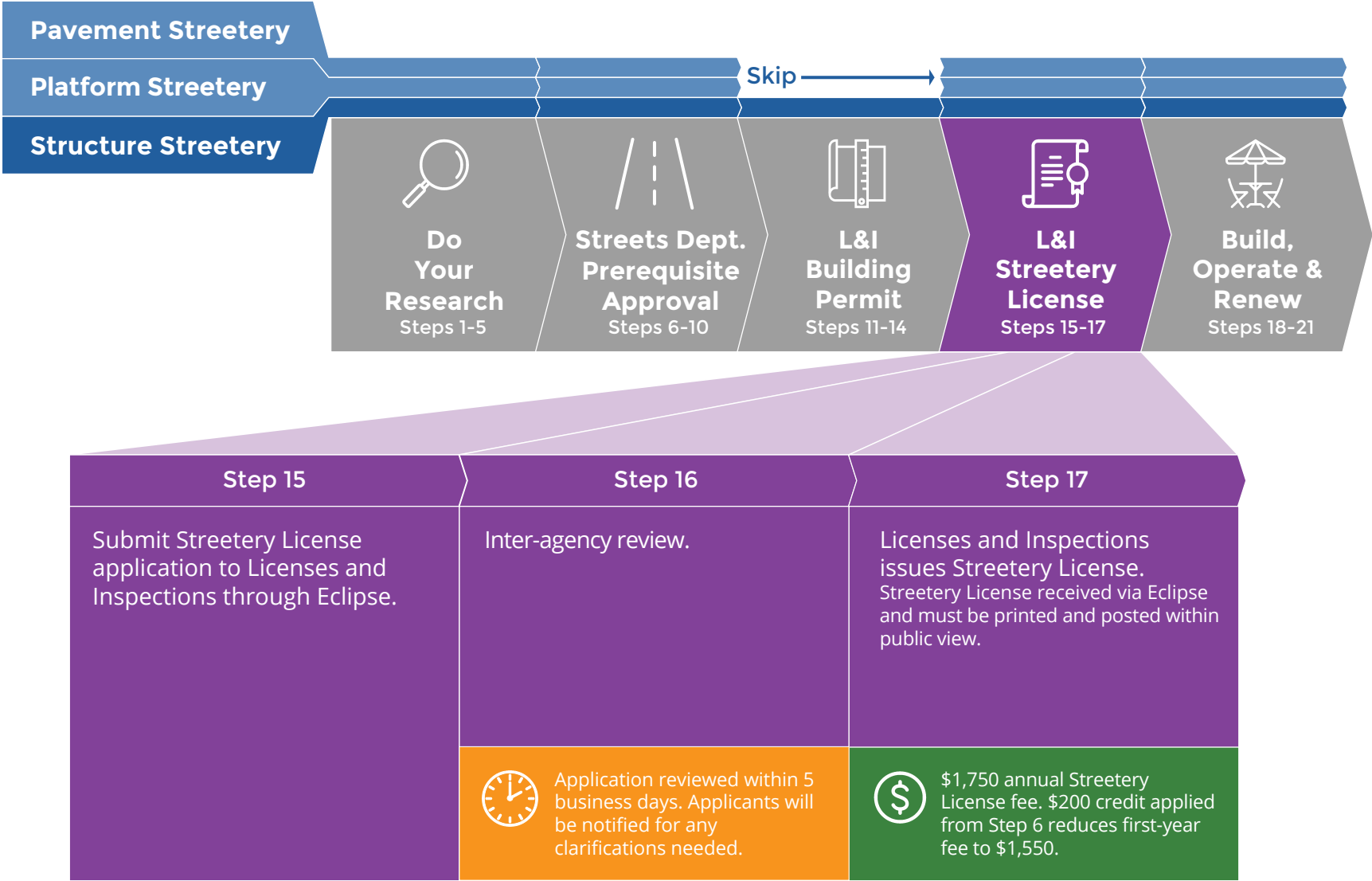
Licensing Process L&I Building Permit

Proposed structure streeteries must obtain a Licenses and Inspections Building Permit to ensure that they will meet the Philadelphia Building Code for the safety of occupants and the surrounding public. ***For pavement streetry and platform streetry applicants, skip to step 15 on the following page.***



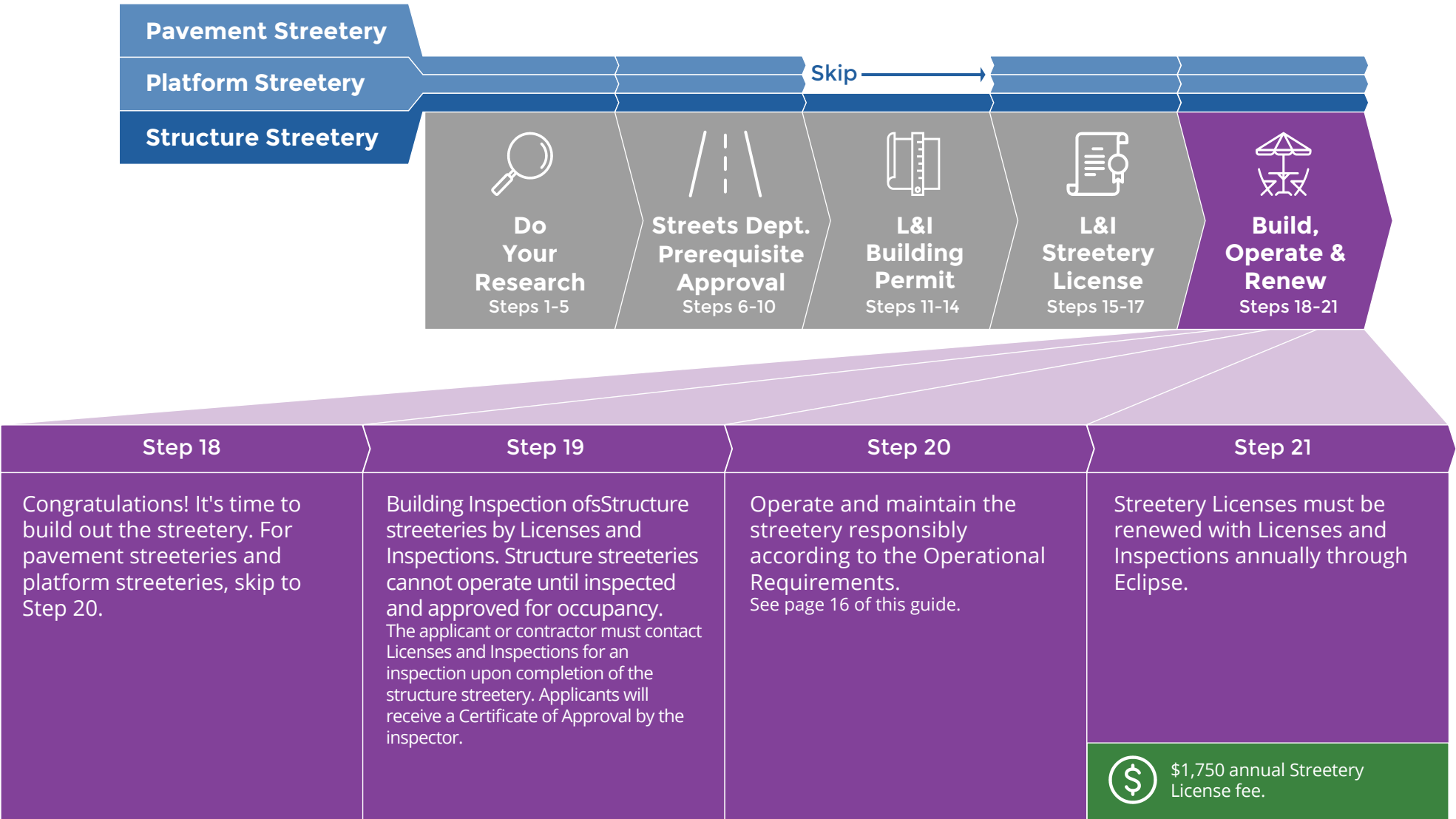
Licensing Process L&I Streeterly License

The final steps before building and operating is to obtain the Streeterly License through Licenses and Inspections. Licenses and Inspections will make sure that all prerequisite approvals have been met before issuing a Streeterly License.



Licensing Process Build, Operate & Renew

Steps 18 and 19 are building out the streetery. For structure streeteries requiring a Building Permit, a final inspection and Certificate of Approval is required. Steps 20 and 21 are the ongoing tasks of operating and maintaining the streetery, and renewing the streetery License annually.



Assistance

For questions and assistance regarding the Streeter License process, please contact:

**City of Philadelphia
Department of Commerce**

Office of Business Services

(215) 683-2100

Monday – Friday, 9:00am – 5:00pm

Business@Phila.gov

Business.Phila.gov



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City of
Philadelphia