



TOWN OF SEDGEWICK

SEASONAL OUTDOOR PATIO POLICY POLICY # 21-15

APPROVAL DATE: APRIL 22ND, 2021
RESOLUTION NUMBER: SM 2021-3

1. Policy Statement

The Town of Sedgewick supports the vitality and potential economic activity provided by Seasonal Outdoor Patio space.

2. Policy Purpose

The purpose of this policy is to establish guidelines to regulate Seasonal Outdoor Patios and their use.

3. Definitions

- 3.1. "Applicant" means the owner of the business formally requesting permission to host an Outdoor Seasonal Patio.
- 3.2. "CAO" means the Chief Administrative Officer for the Town of Sedgewick.
- 3.3. "Seasonal Outdoor Patio" or "Patio" means an outdoor seating area adjacent to a commercial property that makes use of a public sidewalk and/or parking areas to provide food, beverage or other service related to that respective business to its patrons.

4. Application

- 4.1. For a business to be eligible to host a Seasonal Outdoor Patio, an application must be submitted to and approved by the CAO.
- 4.2. Information collected in the application shall include:
 - a) Hours of Operation and/or Hours of Patio Operation
 - b) Signed liability release
 - c) Sketch of layout/concept including required setbacks
 - d) List of furniture
 - e) Expected Occupant Load
 - f) Copy of certificate of liability insurance; and
 - g) Any other information required as determined by the CAO.
- 4.3. Upon being reviewed and determined to meet the requirements of this policy, the application shall be approved and the business notified within 24 hours.

- 4.4. An approved application shall only be valid until December 31st of the current year.

5. Guidelines

- 5.1. Seasonal Outdoor Patios shall be permitted between April 1st and October 31st, weather permitting.
- 5.2. Seasonal Outdoor Patios shall only operate during normal business hours and must cease in operation no later than 11pm.
- 5.3. It is the responsibility of the business to meet all licensing requirements to operate the patio (e.g. Alberta Health Services, Alberta Gaming, Liquor and Cannabis, Alberta Building Code, etc.) and provide confirmation upon request.
- 5.4. Garbage/refuse shall not be placed in town-owned garbage receptacles.
- 5.5. The cooking of food shall not be part of any approval under this policy.

6. Location

- 6.1. Seasonal Outdoor Patios shall only be permitted adjacent to C1 "Commercial Central" properties as identified in the Land Use Bylaw #461 and its amending bylaws.
- 6.2. Seasonal Outdoor Patios shall be located adjacent to the business frontage and not extend onto the frontage of abutting property owners without the owner's explicit written permission.
- 6.3. At no time shall patio furniture cover more than 75% of the width of the sidewalk and/or a minimum of 2.0 meters of clearance shall always be maintained for pedestrian traffic nearest to the curb or street.

7. Construction and Maintenance

- 7.1. Permanent construction, tents, or any structure with walls and a roof shall not be allowed as part of an approved application.
- 7.2. All furniture shall be removed at the end of each business day and the sidewalk left clean with all garbage removed. Furniture shall not be stored overnight on the sidewalk or road.

- 7.3. The Applicant is solely responsible for the care and maintenance of the Seasonal Outdoor Patio space, including any furniture or equipment associated with the business.
- 7.4. Installations, furniture, staff and patrons shall not obstruct sightlines at an intersection or cause any operational or safety problem on a public road right of way.
- 7.5. Patios located inside a parking area shall use properly secured planters, fencing or barricades with total height to be under four feet to buffer the Patio from the road as per the satisfaction of the CAO. At and after dusk, all planters, fencing and barricades shall also be marked with reflective tape or paint.
- 7.6. Planters, fencing or barricades shall not remain inside parking spaces after hours but may be stored on the sidewalk if at least 2.0 meters of pedestrian access is maintained on the portion of the sidewalk closest to the street.
- 7.7. Patios associated with direct food and beverage service must provide public washrooms.
- 7.8. Any costs or damage to municipal infrastructure resulting from the Outdoor Seasonal Patio shall be the responsibility of the business.
- 7.9. Proposals shall not obstruct other municipal infrastructure such as fire hydrants, benches, utility boxes and transformers.
- 7.10. The Town reserves the right to cancel an approved application and remove any furniture, etc. at any time.
- 7.11. The Town maintains the right to maintain the municipal property as necessary which may affect the ability of the Patio to operate. The Town will aim to provide at least 5 days notice for such work.

8. Insurance

Applicants shall provide proof of the following upon making an application:

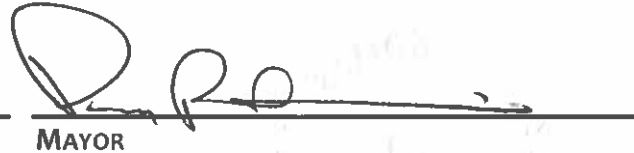
- 8.1. Commercial General Liability coverage for bodily injury and property damage on an occurrence basis with a limit of not less than two million dollars (\$2,000,000) and

providing coverage, including but not limited to , bodily injury including death, property damage, contractual liability, tenants' legal liability and liquor liability. Such policy shall name the Town of Sedgewick as an additional insured, contain cross liability and severability of interest clauses and provide for 30 days' notice of cancellation.

TOWN OF SEDGEWICK

APRIL 22ND, 2021

DATE


MAYOR

APRIL 22ND, 2021

DATE


CHIEF ADMINISTRATIVE OFFICER