# WINTER EDITION

### **NOVEMBER 2021**

THE CITY OF DETROIT

A guide to operating businesses in a safe manner that protects the patrons and employees.











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# INTRODUCTION

In June of 2020, the City of Detroit, announced an expanded and expedited outdoor dining program called Open Detroit to help support the reopening of sit-down dining in the city following the stay at home order. The program, expiring in November of 2020, was well received and many businesses have asked for a program extension through the winter months (December 1st - April 1st) to serve as extended dining space during the ongoing unprecedented times of COVID-19. In partnership with City Council, the administration is issuing an addendum to the program, Open Detroit- The Winter Edition. In this document you will find the specific on how to apply to the program, how to set-up your space for the safety of your staff and customers and also how to ensure a seamless transition into the colder months of the year.





### INTRODUCTION

#### Sidewalks

Private use of sidewalk space has typically required Sidewalk Café permit per City Ordinance. The City of Detroit is temporarily suspending the requirement to apply for a permit and now allowing businesses to temporarily use sidewalks for additional restaurant seating where appropriate. Adequate width (Minimum of 6 feet) of ADA compliant sidewalk shall be available for pedestrians at all times. Adequate pedestrian pathway must be provided for.

#### Parklets

Parklets are on-street parking spaces that have been temporarily converted for other uses, such as expanded outdoor dining areas.

#### **Restaurant Recovery Zones**

The City has designated a number of Café & Retail Zones where the City will close selected portions of an entire street and require detours for vehicles. These zones will provide the maximum additional space, serve many businesses in a concentrated area, and will be installed 24 hours per day/7 days per week, for the duration of this pilot program In the interest of public safety, full street closure locations and hours of operation are approved and deployed by the City of Detroit in advance. The City will provide the maintenance of traffic plan to close the roadway for vehicles and deploy necessary detours and signs to direct traffic away from the closure. It is the responsibility of the business



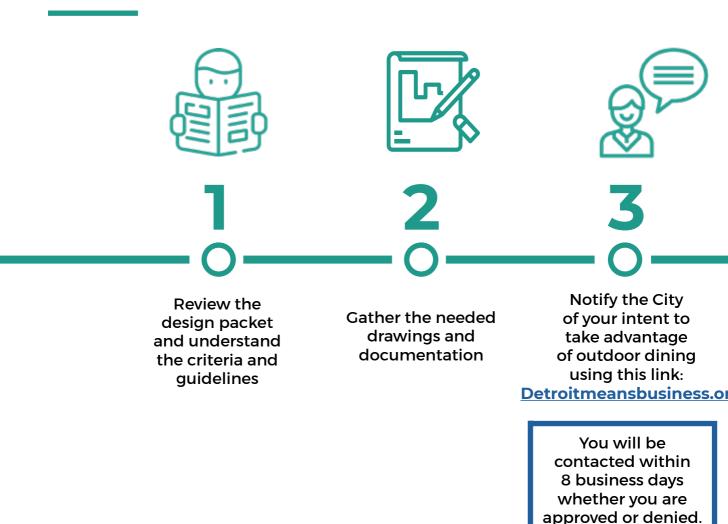
to activate these spaces with temporary materials such as tables and chairs, umbrellas, and visual/ physical barrier materials.

#### **Private Parking Lots**

Up to 50% of off-site private parking spaces counted for required parking may be converted to outdoor dining or retail space, when the lot is immediately adjacent to the parent property. The converted use must be in conformance with all Detroit requirements for building accessibility, and social distancing requirements that provide at least 6 feet spacing between backs of chairs. Additionally, no parking for disabled persons may be repurposed for restaurant or retail use. The required landscape and buffer areas for the off-site private parking spaces (Vehicular Use Areas), shall not be used as an expanded converted use for restaurants or retail operations. There shall not be parking, outside seating, or retail activities in these areas.

- Businesses must have a temporary barrier of 36" or higher delineating the dining area.
- The dining area must not impede the flow of traffic in the parking lot.

# OUTDOOR DINING APPROVAL PROCESS

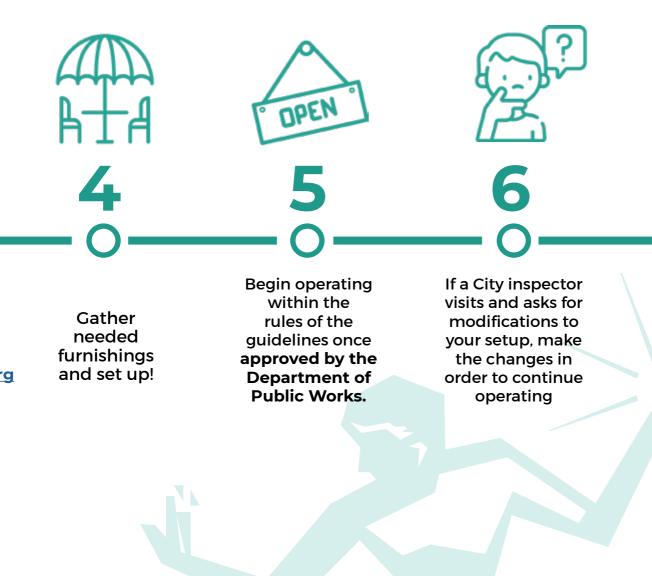


8 OUTDOOR SEATING GUIDELINES | CITY OF DETROIT



# Are you interested in operating an outdoor dining area this winter?

Follow these steps below



# HOW TO APPLY

#### **OVERVIEW**

- All restaurants must apply for winter operations. Current Open Detroit permit holders STILL MUST APPLY for winter operations. Due to the unique circumstances winter weather brings with it, there are additional precautions and planning that must occur before operating. Applications will need to require additional documentation and a review period will need to occur. You must apply at: <u>Detroitmeansbusiness.org</u>. Below is a listing of the additional documents you will need to have ready:
- If a heating apparatus is going to be used, the specifications of that apparatus must be submitted at time of application. This submittal shall also include the number of units and location of units.
- If a tent is proposed to be used, the manufacturer specifications, sizing and weighting must be supplied at time of applications.
- Any tent proposed with more than one wall will be considered an internal space and shall comply with <u>MDHHS</u>'s state orders.
- A floor plan for seating must be provided at time of application for any partially or fully enclosed seating areas outside of the building
- The review period for winter applications is up to 8 days for approvals
- Once you have received official approval in the form of an Open Detroit- the Winter Edition permit, you can now assemble your space.
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### LOCATIONS

- The City will maintain the 4 outdoor seating options used in the Summer program:
- Sidewalk cafes that allow for appropriate ADA clearances of a 6' pedestrian path
- Parklets, the use of the parking spaces in the street in front of the adjacent restaurant
- Street closure, where deemed appropriate by the City Traffic Engineer a full street closure for use of outdoor dining may be requested
- In 50% of private customer parking lot adjacent to the operating restaurant

### Please refer to the Open Detroit Guide for operating best practices, required table spacing and diagrams at: <u>Detroitmeansbusiness.org</u>



# APPLICANT CHECK LIST

**YOU WILL NEED ALL THE FOLLOWING TO SUBMIT YOUR APPLICATION.** See the **RESOURCES** section on page 28 for additional guidance.

Three copies of a floor plan / site plan (drawn to scale) showing the following: Lot dimensions, existing
structures (incl. fences & driveways), proposed structures,
and parking for temporary uses.
NFPA 701 Flame Resistance Certification for tents or
inflatables (if applicable)
Seperate applications are required for each location if
multiple locations/parcels will be used
FOR TEMPORARY USES WITHIN A STRUCTURE:
Temporary Certificate of Occupany. Allow 3-5 days for
processing.
FOR TEMPORARY EXTERIOR USES:
Certificate of Acceptance. Allow 24 hours for processing
Special Event Business License and Liquor Control License
(if selling alcohol)
Inspections and approval for life safety standards
An electrical, plumbing, or mechancial permit. A permit for
all tempoary structures, tents, etc.
Final inspection after the event/clean-up is completed

# RESTAURANT OPERATION GUIDELINES

- All staff shall wear a face covering over nose and mouth.
- It is encouraged that all staff be tested for COVID 19 before returning to work.
- Only sit-down dining will be permitted, no standing or bar seating.
- Only sitting customers and staff are allowed in outdoor café area, no gathering or socializing in standing groups.
- Patrons shall wear a face covering until seated at their tables.
- There must be at least 8 feet between tables, with the people at different tables at least 6 feet from each other.
- If carry-out service is conducted in addition to patio or dine in service, ensure that there is adequate space to allow all types of customers to remain spaced out at least 6'
- Reservations and call ahead seating are encouraged to avoid excessive numbers.
- If walk up seating is allowed by the restaurant, they should have a plan on how to prevent excessive crowds
- When customers make their reservation, ensure that the customer understands that if anyone in their party is exhibiting any symptoms such as cough, fever, chills, muscle pain, headache, sore throat, or



new loss of taste or smell that they are prohibited from dining in and if someone appears to exhibit any symptoms then they will be asked to leave.

- A sign posted at the entrance informing patrons that if they are exhibiting any symptoms such as cough, fever, chills, muscle pain, headache, sore throat or new loss of taste or smell, we are requesting that you do not enter the establishment or area.
- An employee must clean and sanitize tables and chairs between each party.
- Patrons must remain in their cars or outside the facility until their reservation time. Set up a system that will make it easy to let people know when a table is ready (cell phone call or text message for example)
- Use verbal or disposable menus and single service condiments
- Single-service items are encouraged.
- Overhead protection is required over outdoor service areas.

# BUSINESS RESPONSIBILITIES FOR STREET ACTIVATIONS

It shall be the responsibility of the business to activate the spaces described in this section with temporary materials such as tables and chairs, umbrellas, and visual/physical barrier materials as needed per site specific conditions. Maintenance (daily up-keep, litter cleanup, etc.) associated with business operations shall also be the responsibility of the business.

OUTDOOR SEATING GUIDELINES | CITY OF DETROIT

# GENERAL REQUIREMENTS

#### **Outdoor Dining:**

- Facility must have a valid State of Michigan food service License
- No heating, cooking or open flames permitted in the outdoor dining area
- Serving only is allowed in the outdoor dining area
- No pets will be allowed in the outdoor dining areas, unless the pet is a Service Animal

# Outdoor café seating and retail operations within sidewalks and public rights of way shall maintain:

- An unobstructed pedestrian path of at least 6 feet; A graphic depicting outdoor seating parameters is attached to this guidebook on page 22.
- Access to public utilities, building entrances, crosswalks, bus stops and transient entrances;
- Pedestrian and traffic safety; and aesthetic compatibility with the surrounding area.

#### Sidewalk café Requirements

The width of the sidewalk café or retail space is restricted as follows:

 The width shall not exceed the width of the sidewalk frontage of the subject property. However, the area of the permit may be extended up to a maximum of fifty (50) feet on one (1) side of the subject location, subject to the provisions of subsection b. of this section. The sidewalk café may extend by a maximum of fifty (50) contiguous feet in the public right-of-way on one (1) side and/or the other side of the private property so long as the property directly abuts the public right-ofway, with the permission of the adjacent business.

2. A clearly marked, unobstructed, and durable pedestrian right-ofway, also known as the "pedestrian path", that meets required accessibility standards, of no less than six (6) feet shall be maintained for each sidewalk café area and shall adhere to the following standards:

a.The minimum distance of said path shall be measured from the portion of the sidewalk café/retail space boundary which is nearest either the curb line or the nearest obstruction.

b. In no event may recesses in the sidewalk café/retail space boundary be used to satisfy this unobstructed width requirement

- **3. Delineation** or dining space is required with use of fencing, planters, barriers of temporary surface materials below.
- 4. Dining tables must be set back 2 feet from edge of outdoor dining limit (See diagram on page 22)
- 5. Chairs against the edge should have their backs to the rest of the sidewalk
- 6. Transparent sneeze guards could be installed as barrier between dining area and pedestrian path to allow for additional seating against barrier
- Signs should be installed reminding the general public not to socialize along the dining area







# HEATING

#### **GENERAL NOTES**

- The City recognizes heating is a key element to expanding the season of outdoor seating. All heating apparatuses must be reviewed and approved of on a case by case basis by the Detroit Fire Department. Below is a listing of possible heating solutions, but guarantee of approval is not to be assumed until a permit has been issued.
- Wood burning fire pits and gas fire pits are permitted only in outdoor open-air environments and are prohibited from being used in enclosed or partially enclosed areas.
- Propane heaters are solely to be used in outdoor open-air environments and are prohibited from being used in enclosed or partially enclosed areas.
- Electric heaters may be permitted if they meet criteria and location standards approved by Detroit Fire Department.



#### **Outdoor heating**

- Outdoors is simply that, outdoors, meaning outside of a structure, be it permanent or temporary.
- Grills, and pits are allowed to be used as long as they're attended by either security, or someone trained to use a fire extinguisher.
- The extinguishers must be within 5' of the grills and/or pits.
- The storage of the combustibles (wood) must be away from flammables and within a metal bin or shelving.

### **Indoor heating**

- All heaters (electric and fuel powered) must be UL listed and rated for indoor use
- No open flames or patio heaters
- Propane tanks used for heating must be a minimum of 5' away from the tent
- No heaters within 5' of the entrances/exits
- No cooking allowed in tents (warming boxes are permitted).
- No smoking signs must be posted
- Electrical wiring shall be covered and not obstruct movement and egress
- Exit signs shall be clearly visible and/or illuminated
- All tents shall be permitted and inspected by the Fire Marshall Division
- No grills, pits, etc. underneath or in any temporary membrane structures (tents, canopies, etc.)
- No active cooking allowed in tents. Only warming of food.



#### **GENERAL NOTES:**

- Tents are another great way to increase the comfort of guests during the cold months.
- Use of tents is permissible in locations that still maintain adequate
  (6') ADA access and do not impede on vehicular site clearances.
- Tents larger in size than 10x10 will require submittal of manufacturer specifications and internal floor plans
- Any tent proposed with more than one wall will be considered an internal space and shall comply with <u>MDHHS</u>'s state orders.
- All tables must be spaced 6' apart, and require the approval of BSEED for structural integrity and the Health Department to ensure proper spacing between the tables.
- A Building Permit will be issued and inspections performed by the BSEED
- Covid-19 rules from the MDHHS for indoor restaurants and bars continue to apply, including requiring patrons to wear masks upon entering, until they reach their table.
- Tent and igloo set ups will need security to keep homeless out of them.
- Do not leave unsecured tents at any time.
- Smoking is prohibited under tents.

#### **Securing Tents**

- All tents shall be weighted down per the manufacturers recommendations, or with a minimum of 40lbs and weighting plans shall be submitted with application
- No tent should be bolted or fastened to the public street, alley or sidewalk.
- Weights must be securely attached to canopy roof and canopy leg seperately
- Ropes and straps should be high quality
- Bungee or rubber straps are prohibited
- Weights must be on the ground and not dangling
- Weights and lines must not pose a hazard and be clearly visible
- For maximum safety, tents should be secured as soon as they are put up, and brought down as soon as weight is removed.

#### Items that make acceptable weights:

- 5 gallon bucket full of water, sand, or concrete
- 4" PVC pipe at least 36" long filled with concrete
- Large commercially available tent weights
- Sandbags or salt bags 40lbs or heavier
- Tents larger than 10'x10' shall only be placed in private parking lots, parks, or street closures (not to be used on sidewalks)

## NOTE: A Temporary Use Permit application will be required for any tents over 120 sq. ft.

You will need to include these documents with your application:

- Measured and scaled site plan of staging area showing all: buildings, tents, generators, portable toilets, and ingress and egress of a parking lot.
- Type of electrical equipment and how the power will be supplied.
- Amplification equipment you'll be using and the start/end time of its use.
- If tents, fencing or other items require stakes or poles to be pounded into the ground, a utility locate request must be made to MISS DIG at Least 48 hours prior to any pounding or digging.
- Inspection will be performed in accordance with approved plans.
- A Certificate of Compliance in place for the businesses that are having outdoor patios.
- Tent restraint form
- Tent framing diagram
- Flame spread certificate
- Interior layout of tent
- Maintain required handicap spaces within parking lots.





#### **DINING HUTS/IGLOOS**

- May be used in locations that maintain adequate (6') ADA access and do not impede on vehicular site clearances.
- Shall only seat one socialized party at a time
- Shall be sanitized and aired-out between seatings and at the start of all operating hours
- May only be heated based on Detroit Fire Department approvals

# SNOW

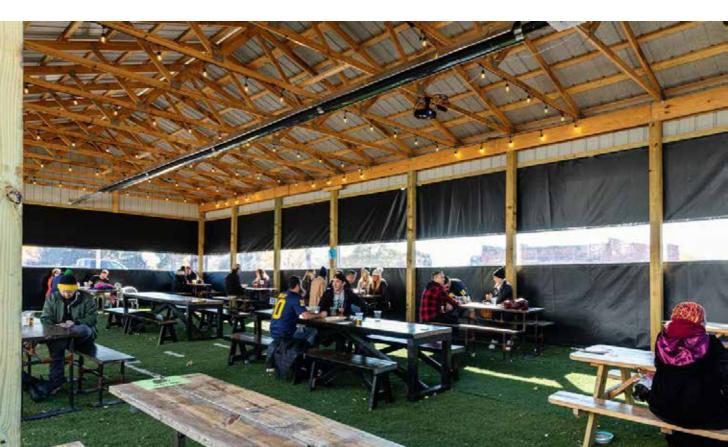
#### **GENERAL NOTES**

- As a friendly reminder, it is the business owner's responsibility for clearing snow from the sidewalk in front of ones' business.
- All outdoor materials, chairs, tables, heaters, etc. must be covered or stored during periods of incliment weather.
- Keep tent roofs clear from snow or puddling water to prevent from caving in or collapsing

# RESOURCES

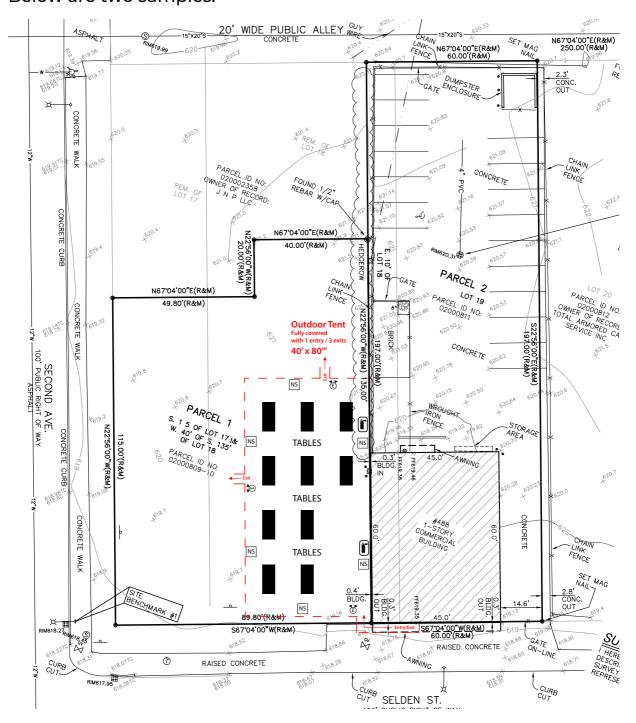
#### WHAT'S INCLUDED:

- Sample Site Plans
- Temporary Use Permit Application Checklist
- Temporary Use Permit Site Plan Sample
- Temporary Tent Restraint Requirements Form
- Tent Framing Diagram Sample
- Temporary Use Permit Application

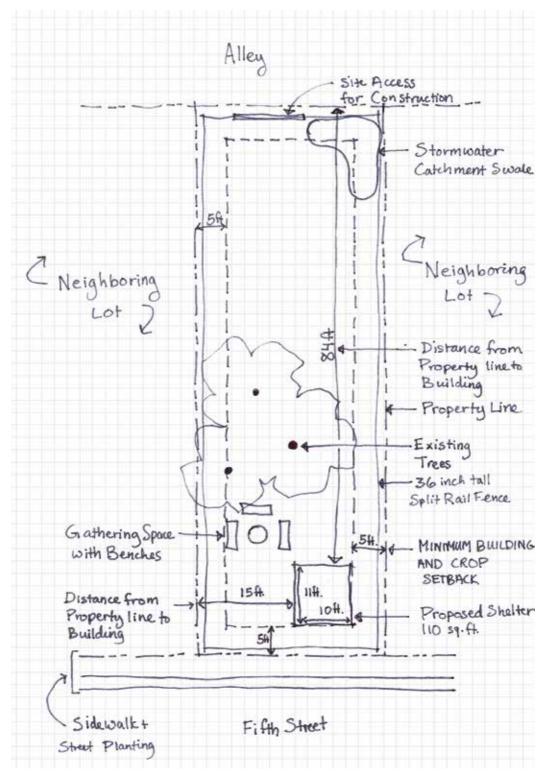


### SAMPLE FLOOR PLAN / SITE PLAN

Floor / site plans may be digitally created or hand-drawn. Below are two samples.



SAMPLE FLOOR PLAN / SITE PLAN



**30** OUTDOOR SEATING GUIDELINES | CITY OF DETROIT



## TEMPORARY USE PERMIT APPLICATION CHECKLIST

The Building, Safety Engineering & Environmental Department may impose requirements other than those contained in this checklist if determined that use applied for would jeopardize the health, safety or general welfare, or be injurious or detrimental to properties adjacent to, or in the vicinity of, the proposed location of the activity.



### All Temporary Use Permit Applications Must Include The Following Items Be Accepted For Processing:

- 1. Signed & Notarized Temporary Use Permit Application
- 2. 3 Copies Of Floor Plan/Site Plan (Drawn To Scale See Opposite Side Of Page For Sample)
- Property Owner Affidavit Signed On Application Or Provided As Separate Cover Note: Deed, Lease Agreement, Or Other Proof Of Ownership May Be Required

### Temporary Use Permit Items Required If Tent(s):

- 4. NFPA 701 Flame Resistance Certification For Tent(s)
- 5. Tent Specifications Required (See Below For Requirements), Tent Layout Diagram If Needed

#### Temporary Use Permit Items Required If Stage(s):

6. - Stage Specifications Required (See Below For Requirements)

### Temporary Use Permit Items Required If Selling Alcohol:

7. - Special Event Business License And Liquor Control License

### Temporary Use Permit Items Required To Be Shown On Site Plan If Applicable:

 Lot Dimensions, Existing Structures, Fences, Driveways, Proposed Structures (Tents, Stages), Setbacks, Curb Cuts, Signage, Parking, Generators, Portable Toilets, Portable Lighting Units, Screening Walls, Street Address & Name, Cross Streets

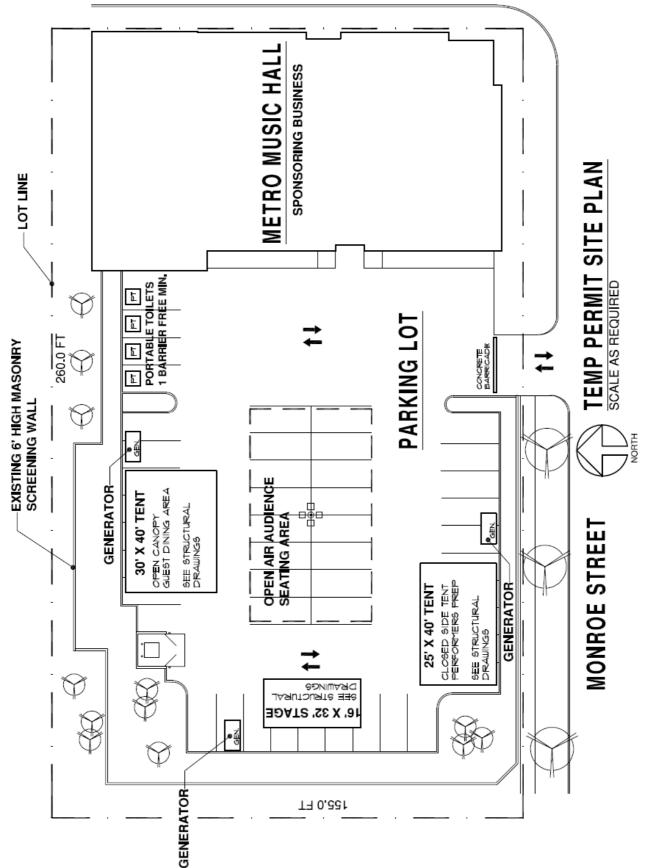
#### After Issuance Of Temporary Use Permit , The Following May Be Required If Applicable:

9. - Special Event Permit For Electrical and/or Plumbing and/or Mechanical Temporary Use Within A Structure: Temporary Certificate Of Occupancy (Allow 3-5 Days Processing)

### Tent & Stage Specification Requirements

- A. Stage Platforms Less Than 12" High Must Have Structural Drawings (e.g. Framing Plan, Connections, How Anchored, Calculations, Typical Section) No Architect/Engineer Seal Required
- B. Stage Platforms Greater Than 12" High Or Any Stage With A Canopy, Must Have Structural Drawings (e.g. Guard Rail, Framing Plan, Connections, How Anchored, Calculations, Typical Section) <u>Architect/Engineer Seal Required</u>
- C. Tents Less Than 3600 SF (60' x 60') Must Have Structural Drawings (e.g. Framing Plan, Connections, How Anchored, Calculations) No Architect/Engineer Seal Required
- D. Tents Greater Than 3600 SF (60' x 60') Must Have Structural Drawings (e.g. Framing Plan, Connections, How Anchored, Calculations) Architect/Engineer Seal Required

## WISCONSIN STREET





### TEMPORARY TENTS RESTRAINT REQUIREMENTS

BUILDINGS, SAFETY ENGINEERING & ENVIRONMENTAL DEPARTMENT



Tent Size (Up to 60 Ft. X 60 Ft.)	Weight In Pounds (#) (Uniformly Distributed On All Col
20 Ft. X 20 Ft.	8,000# (Uniformly Distributed On All Columns)
20 Ft. X 30 Ft.	12,000# (Uniformly Distributed On All Columns)
30 Ft. X 30 Ft.	18,000# (Uniformly Distributed On All Columns)
30 Ft. X 40 Ft.	24,000# (Uniformly Distributed On All Columns)
40 Ft. X 40 Ft.	32,000# (Uniformly Distributed On All Columns)
40 Ft. X 50 Ft.	40,000# (Uniformly Distributed On All Columns)
50 Ft. X 50 Ft.	50,000# (Uniformly Distributed On All Columns)
50 Ft. X 60 Ft.	60,000# (Uniformly Distributed On All Columns)
60 Ft. X 60 Ft.	72,000# (Uniformly Distributed On All Columns)

#### Additionally:

I as the customer/contractor (Permit Applicant) understand that it is my responsibility to comply with all tent restraint requirements as listed above.

I as the customer/contractor (Permit Applicant) understand that it is my responsibility to see that a plan is in place for the evacuation of all tent structures if wind speeds reach or exceed 30 mph.

Date: \_\_\_\_\_

Permit Applicant (Print):

Permit Applicant (Signature): \_\_\_\_\_

FOR BUILDING DEPARTMENT USE ONLY BELOW THIS LINE

PART #								
QUANTITY		1						
COLOR	BROWN	WHITE	WHITE	RED	RED			
	A 6'8" - 2" ALUMINUM DOUBLE TUBE POLE	- - -	C 10'6" - 2" ALUMINUM SINGLE TUBE POLE	D 14'4" - 2" ALUMINUM DOUBLE TUBE POLE	E 21'10.5" - 2" ALUMINUM DOUBLE TUBE POLE			VENIF MOT SHOWN IN DIAGRAM
PART #								
QUANTITY								
DESCRIPTION	ADJUSTABLE DOUBLE TUBE BRACE	4 POINT CABLE ASSEMBLY FOR 40° WIDE HYRBID FRAME	2.50" PIN & BAIL	1) 4.50" BOLT AND WINGNUT ASSEMBLY	RATCHET BUCKLES	STAKES/ANCHORS		
PART #	0	0	9	3	8	0		
	TRADITIONAL CORNER FITTING	SIDE TEE FITTING WITH WELDED	3 STANDARD BASE PLATE	TRADITIONAL 6 WAY CROWN FITTING	TRADITIONAL RIDGE CROWN	TRADITIONAL 6 WAY HIP JOINT FITTING	T RING FOR CABLE ATTACHMENT WELDED	NOTE: ALL TEMS LIST

#### **P3 - TEMPORARY USE PERMIT APPLICATION**

Permits will NOT be issued if there are outstanding fines, fees, or violations on the parcel(s). Date:

City:		State: Zij	o:					
	Suite #:							
	Total Acres:							
	erty:							
Are there existing b	uildings or structures on this parcel?	Yes No						
Will the use or event take place on public property or park, or encroach on public right-of-way?								
If yes, has the eve	ent been approved by City Council?	res 🗌 No Petition I	Number					
Will the event require any temporary street closures? Yes No								
	If yes, please describe:							
PROJECT INFO								
	setup and tear down dates)							
Start Date:	End Date: Hours of Operation:	Days of	Week:					
	s (Rally, Parade, Demonstration)							
Parking Lot	utdoor Entertainment/Sporting Event	Outdoor Storage	_ ]Seasonal Outdoor Sa					
	Existing Structure Temporary Retail/		—					
· ·	use of structure:							
List all concession/v	ending items (offered for sale or free distri	bution):						
will alcoholic bever	ages be sold or served?	No MCL#:						
	ages be sold or served? I Yes I nplified sound used during the event?							
Will there be any an								
Will there be any an If yes, describ	nplified sound used during the event?	Yes No						
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DETROIT

#### **PROPERTY OWNER** Property owner is Permit Applicant

	erty owner is remnit.	Аррпсан		
Name:	Company	/ Name:		
Address:				
City:		_ State:	Zip:	
Phone:	Email:			
Mobile:		:		
TEMPORARY OCCUPANT				
Name:	Company	/ Name:		
Address:				
City:		State:	Zip:	
Phone:				
Mobile:				
Signature	Property Owner			
Print Name:	Property Owner		Date	e:
Signature:				
NOTE: Deed. Lease Agreement, or other	proof of ownership may	y be required p	rior to issuance of a	temporary permit.
PERMIT APPLICANT SIGNAT I hereby certify that the information on this by the owner of record and I have been aut authorized agent. Further I agree to conforn PERMIT WILL EXPIRE ON THE STATED EN	application is true and horized to make this ap m to all applicable laws	plication as the and ordinances	organization/busin of jurisdiction. I Al	ess owner(s) M AWARE THAT A
Print Name: Permit Applicant	Signature:		Date	9:
Subscribed and sworn before me this				
Signature:Notary	Public	My c	commission expire	s:
APPLICATION CHECKLIST IN ADDITION to	year application, t	he following	are required:	
Three copies of a floor plan/site		~	•	

Lot Dimensions, Existing Structures (including fences & driveways), Proposed Structures, Setbacks, Curb Cuts, Signage, and Parking for Temporary Use

NFPA 701 Flame Resistance Certification for tents or inflatable (if applicable)

If multiple locations/parcels will be used, separate applications are required for each location

☐ FOR TEMPORARY USES WITHIN A STRUCT	URE: Temporary Certificate of Occupancy,
Allow 3-5 days for processing	

FOR TEMPORARY EXTERIOR USES: Certificate of Acceptance. Allow 24 hours for processing.

#### AFTER APPLICATION FOR TEMPORARY USE PERMIT, the following may be required:

Special Event Business License and Lique	or Control License (if selling alcohol)
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Inspections and approvals for life safety standards (e.g. adequate egress, interior lighting and exit lighting,
 fire suppression) prior to the event - electrical, fire, plumbing, building, mechanical. Call 313-224-3202
to schedule.

An electrical, plumbing or mechanical permit. A permit for all temporary structures, tents, etc.

]	Final	inspection	after the	event/clean-up	o is	completed
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Temporary Use Permits are restricted to activities on private property that do not impede public right-of-way. This application can also be completed online. Visit detroitmi.gov/bseed/elaps for more information.

