

**TOWN OF BARRHEAD**

**POLICY NUMBER: 61-07**

**RESOLUTION NO.: 220-21**

**POLICY TITLE:** Temporary Outdoor Dining Patios

**AUTHORITY:** Town Council

**APPROVAL DATE:** June 8, 2021

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**POLICY STATEMENT:**

To establish a term of reference for the establishing of Temporary Outdoor Dining Patios on Town owned sidewalks

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1. A development application must be submitted to utilize sidewalk's located on Town property.
2. The development application will be at no cost to the Applicant.
3. The development authority will be the Town's Development Officer.
4. The Town's Subdivision and Development Appeal Board will serve as the development appeal Authority.
5. As a condition of approval, the Applicant must enter into a license agreement with the Town of Barrhead.
6. Temporary Patios may be as small as one table that only accommodates two chairs.
7. Temporary patios shall only be permitted for Bars and Neighborhood Pubs; Breweries, Wineries and Distilleries; Restaurants; and Specialty Food Services Uses operating under an existing valid Development Permit.
8. Temporary patios permitted under this policy shall extend no later than November 1, however the Town may terminate these permissions upon Twenty-four hours notice. Further, the Town may terminate the permissions without notice in the event of an emergency and /or operational safety concern.

9. The business owner is responsible for obtaining all relevant permissions, including but not limited to AGLC, AHS, and their landlord. The business owner must comply with all regulations and requirements from AGLC, AHS, and other relevant regulatory bodies.
10. No outdoor audio-visual equipment (for example speakers, sound systems, television, Visual displays, projectors, etc.) may be used on a temporary patio.
11. The use of a temporary patio shall comply with the Community Standards Bylaw 10-2020 at all times.
12. Barrier free access must be provided to, and throughout, the temporary patio and any temporary pedestrian walkways, at the sole expense of the Applicant.
13. Umbrellas must stand at least 2.1m (7ft) above the walking surface.
14. Cooking of food and drink preparation is not permitted on temporary patios.
15. A minimum 1.5m (5ft) clearance from fire department hydrants must be maintained on a temporary patio.
16. A temporary outdoor patio shall not contain any structures, permanent or temporary, except for tables, chairs, umbrellas, heaters, temporary movable patio perimeter fencing/barriers and temporary movable patio perimeter planters. Any temporary movable patio perimeter fencing/barriers and temporary movable patio perimeter planters must not exceed a height of 1.2m (4ft) above grade.
17. A clear path of pedestrian travel must be maintained on the public Sidewalk, to the satisfaction of the Development Officer.
18. The Business owner is responsible for maintaining any structures and equipment in a safe and clean condition and in good repair. This maintenance must include keeping the area free of any potential dangers; including power cords, debris, and pooling water.
19. The Development Officer may impose other conditions, as deemed necessary.

20. Any required temporary pedestrian walkway will be constructed to the satisfaction of the Development Officer and at the sole cost of the Applicant.
21. Should the development application consist of the utilization of the complete width of the sidewalk, the Applicant must obtain a letter of consent from adjacent landowners, as determine by the Development Officer.