

11. Permit duration, transferability and annual renewal.

A sidewalk café permit is valid from April 1-March 31 of the following calendar year. It is not transferable to another operator. A sidewalk café permit is renewable on an annual basis subject to the operator and the property owner completing and signing the [Sidewalk Café Renewal Form](#) and remitting payment of the annual renewal fee of \$100.00 by March 15. Refer to [Section 90-274 of the Sidewalk Café Ordinance](#) for complete provisions for the annual renewal.

12. Revocation or suspension of permit.

It is important to note that an approved sidewalk café permit may be revoked or suspended by the Director of Public Works under certain circumstances. Refer to [Section 90-275 of the Sidewalk Café Ordinance](#) for complete provisions regarding suspension or revocation of a sidewalk café permit.

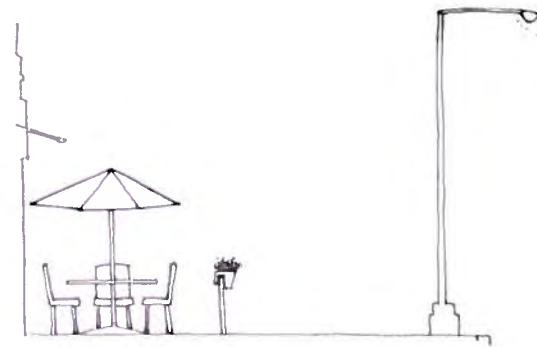
13. Marking of sidewalk café boundaries.

After approval of a sidewalk café permit and at least one week prior to intended occupancy of a sidewalk café area, the operator of the sidewalk café must notify the Department of Public Works Superintendent of Surveys at (804) 646-5404 or (804) 646-0436 so that Department Staff can delineate the boundaries of the approved sidewalk café area on the sidewalk surface.

14. Compliance with Virginia Uniform Statewide Building Code (VUSBC): Toilet facilities.

In order to verify compliance with the building code, the application for a sidewalk café permit must include the number of water closets and lavatories for each sex provided in the existing food or beverage service establishment and the seating capacity of the proposed sidewalk café. *If the total of the occupant count of the existing food or beverage service establishment and the seating capacity of the sidewalk café requires installation of additional facilities, it will be necessary to obtain any necessary permits from the Bureau of Permits & Inspections. The necessary permits must be issued and the additional facilities installed and inspected before the sidewalk café permit can be approved. The Bureau may be contacted by telephone at (804) 646-4169.*

City of Richmond [Sidewalk Café Ordinance](#):



15. Inspection for egress and compliance with approved plan.

In order to verify that egress from the adjacent building is in compliance with the building code and is not obstructed by the sidewalk café, and to verify that the seating capacity, layout and arrangement of the sidewalk café are in compliance with the approved plan, the operator of the sidewalk café must contact the Bureau of Permits and Inspections to arrange for exterior inspection prior to use of the sidewalk café by patrons. Inspections are conducted on Tuesdays and Thursdays, and must be requested at least 24 hours in advance. After inspection and verification of compliance, a certificate of final inspection will be issued. The Bureau may be contacted by telephone at (804) 646-4169.

16. Operation of sidewalk café.

The sidewalk café must be operated in accordance with certain standards, including hours of operation that are limited to 7:00 a.m. to 11:00 p.m. daily, and shall include the daily removal of all fixtures within an hour of closing to patrons. Refer to [Section 90-281 of the Sidewalk Café Ordinance](#) for additional operational standards.



Version: 8.31.15



SIDEWALK CAFÉ

PERMIT APPLICATION

Instruction Guide & General Information

This brochure provides an overview of the Sidewalk Café application process and regulations.

A *Sidewalk Café* is any group of tables, chairs or other seating fixtures (and all related elements) maintained within the public sidewalk and intended for the purpose of consumption of food or beverage by patrons. Sidewalk cafés must be located adjacent to a food or beverage service establishment having the same operator.

Sidewalk cafés are not an "encroachment" as defined in the City Code, because all of the outdoor facilities are temporary, are not permanently attached to the sidewalk or a building, are readily removable without damage to the sidewalk, and are removed from the sidewalk on a daily basis.



Department of Planning & Development Review

Bureau of Permits & Inspections

900 East Broad Street, City Hall - Room 110

Richmond, VA 23219

(804) 646-4169 (804) 646-6948: FAX

E-mail: SidewalkCafe@Richmondgov.com

1. When a sidewalk café permit is required.

A sidewalk café permit is required for a café to be operated within any portion of the public sidewalk. A sidewalk café permit may be approved only for an outdoor dining area located adjacent to a food or beverage service establishment having the same operator. A sidewalk café permit may be approved only in a case where the sidewalk café involves no permanent improvements installed onto the public sidewalk and where all fixtures are removed from the sidewalk on a daily basis; otherwise approval of an encroachment permit is required, as provided for in Chapter 90, Division 4 of the Richmond City Code.

2. Compliance with zoning regulations.

A sidewalk café is only permitted when it is located adjacent to a food or beverage service establishment that lies within a zoning district in which the district regulations permit outdoor dining. Such districts are: R-63 (on corner lots only), UB, UB-2, B-2 through B-7, RF-1, RF-2, CM, DCC, RP, M-1 and M-2. Also, the sidewalk café may not be located within 100 feet of, and fronting along, the same street, as property in a residential zoning district, other than an R-63 District. ***For further zoning information and to verify the property zoning, please refer to the [Zoning Parcel Mapper](#) or contact Zoning Administration at (804) 646-6340 or (804) 646-6701.***

3. Standards and design guidelines.

The layout, arrangement, features, fixtures and operation of the sidewalk café must comply with the standards set forth in Chapter 90, Division 10 of the City Code (the "sidewalk café ordinance") and the [Sidewalk Café Design Guidelines](#), which are available in City Hall, Room 110. ***Familiarize yourself with these standards and guidelines and the other provisions of the [Sidewalk Café Ordinance](#) before submittal of your application.***

4. Virginia ABC requirements.

In every case where alcoholic beverages are to be served, the sidewalk café must be designed and operated in accordance with [Virginia Department of Alcoholic Beverage Control](#) (ABC) requirements. ***Please determine the applicable requirements before preparing or submitting your [Sidewalk Café Application Form](#) by contacting the ABC office. They may be reached by telephone at (804) 231-4400.***

5. Who may apply and where to apply.

Application for a sidewalk café permit may be made by the operator of a properly licensed and lawfully operated food or beverage service establishment that is located at street level adjacent to the proposed sidewalk café. Submit the [Sidewalk Café Application Form](#), including the materials specified in item #6, # 7 & #8, in person, electronically, by mail or by FAX to:

City of Richmond
Planning & Development Review
900 East Broad Street
City Hall - Room 110
Richmond, Virginia 23219
Phone: (804) 646-4169
Fax: (804) 646-6948

Email: SidewalkCafe@richmondgov.com

6. Plans and other materials and fee to accompany the application.

A scaled and dimensioned plan, photographs, graphic representations and other materials as set forth in Sec. 90-272(c), items (1) through (5) of the sidewalk café ordinance must be submitted in triplicate with the application. Plan sheets must be no larger than 11' x 17" with a scale of not less than 1/8 inch = one foot. It is important that the plan is accurate and clearly drawn; it may be necessary for the applicant to seek professional assistance in its preparation. A permit application and processing fee of \$150 must be submitted in order for the application to be considered complete.

The City accepts cash, check or credit card (MasterCard, VISA, and Discover). Payment may be made in person, by mail, electronically or by fax.

When payment is made electronically or by fax, use the [Credit Card Payment Form](#). When sending the application electronically, please E-mail to: SidewalkCafe@richmondgov.com. When sending by fax, use the number provided on the form. ***(NOTE: Use this form to provide the credit card information only; ignore the "faxed information checklist").*** When submitting electronically, by fax or by mail, please specify "Sidewalk Café" and include the address on the application and include the payment.

You may also pay by check, made payable to the City of Richmond, but processing of the application will not commence until the payment is received.

7. Application signatures.

Both the operator of the sidewalk café and the owner of the property on which the food or beverage service establishment is located must sign the application, since fees and taxes are individually the responsibility of the operator and the owner. If the operator is also the owner, they need not fill in the owner contact information on the application. However they must sign as both operator and owner in order for the application to be considered complete.

8. Indemnification and insurance required.

Proof of compliance with the indemnification and insurance requirements set forth in Sec. 90-69 (a) (4) and (5) of the City Code must be submitted to and approved by the Director of Public Works before the sidewalk café permit may be approved. ***Please review the [Insurance Requirements](#) carefully before submitting. For further information, please contact the Department of Public Works at (804) 646-5404 or (804) 646-0436.***

9. Fees and taxes to be paid.

All City fees and taxes relative to the food or beverage service establishment and the property on which it is located must be paid in full. All required City licenses must also be current before a sidewalk café permit may be approved. It is the responsibility of the operator of the establishment and the owner of the property to verify such with the City Department of Finance (Phone: (804) 646-5700) and to certify such on the application. ***(Note: If any City fee or tax becomes delinquent, or if required City licenses are not maintained, the sidewalk café permit will be subject to revocation.)***

10. Approved permit.

A sidewalk café permit is approved jointly by the Director of Planning & Development Review and the Director of Public Works. The approved permit and related plan for layout and arrangement of the sidewalk café must be available on the premises of the food or beverage service establishment with which it is associated. Changes to any sidewalk café permit may only be made in accordance with Section 90-273 of the [Sidewalk Café Ordinance](#). ***The Director of Public Works is responsible for the administration and enforcement of any permit. If you have any questions, please contact the Department of Public Works at (804) 646-5404 or (804) 646-0436.***