



Text File

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Bill No: 2020-0531, **Version:** 2

Committee: Committee on Public Works

Status: Passed Finally

Ordinance amending the City of Pittsburgh Code of Ordinances at Title IV: Public Places and Property; Article I: Public Right of Way; Chapter 416: Obstructions: Sections 416.20 Approval Process for Sidewalk Café, Including Permits and Fees; to provide for certain temporary expedited measures for the City of Pittsburgh sidewalk café permit application process.

WHEREAS, as part of Governor Tom Wolf's "Process to Reopen Pennsylvania" following the onset of the COVID-19 pandemic, Allegheny County has been moved as of June 5th, to the "Green Phase" that provides for certain "Work and Congregate Setting Restrictions"; and

WHEREAS, the "Green Phase" of reopening provides that restaurants and bars may open at 50% occupancy; and

WHEREAS, many members of the small business community have informed the City of Pittsburgh that their food service business cannot be sustained if operating at only 50% occupancy; and

WHEREAS, availability and promotion of outdoor dining provides a viable means to increase service while remaining in compliance with the executive orders of the Commonwealth of Pennsylvania; and

WHEREAS, the City of Pittsburgh currently provides application processes for outdoor dining, including but not limited to extension of premises and sidewalk cafes; and

WHEREAS, due to the likelihood of increased demand for outdoor dining permits, the City of Pittsburgh wishes to provide for certain temporary expedited applications processes for said permits.

THEREFORE, be it resolved by the Council of the City of Pittsburgh as follows:

Section 1: The City of Pittsburgh Code of Ordinances at Title IV: Public Places and Property; Article I: Public Right of Way; Chapter 416: Obstructions; Section 416.20 Approval Process for Sidewalk Café, Including Permits and Fees; shall be amended as follows:

1. A proprietor wishing to establish a sidewalk café with more than four (4) seats must follow the process described below. Responsibilities of the departments include, but are not limited to, those described. For expediency and to benefit the applicant, each department shall complete its responsibilities within [ten (10)] two (2) days.

d. Department of Permits, Licensing, and Inspection (PLI). PLI checks the applicant's record for violations.

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Any violations must be rectified before a sidewalk café permit can be issued. No permit can be issued unless the proprietor has a valid occupancy permit for the establishment that the sidewalk café will abut. Upon being cleared of violations and consistent with the requirement for commercial venues, the applicant must submit a site plan, prepared and sealed by a licensed architect or engineer if required by PLI, to PLI's Plan Examiner. This plan must contain the sidewalk café seating layout, aisles, enclosure, ADA requirements, and means of egress, including egress from the main restaurant to the curb. The Plan Examiner will review the site plan for compliance with City Code and for compliance with the Americans with Disabilities Act (ADA). The applicant then pays a one-time fee for the certificate of occupancy for a sidewalk café. PLI will inspect and issue the certificate of occupancy for a sidewalk café, if approved. A copy of the site plan will be given to the applicant to be maintained at the establishment. The applicant will receive a copy of the certificate of occupancy by mail. Upon completion of PLI's process, PLI will forward the sidewalk café application packet, including DOMI's notice of acceptance, the certified site plan, and a copy of the certificate of occupancy for a sidewalk café, to DOMI.

f. City Council. When it is deemed that the application is completed fully and correctly, the Director of Mobility and Infrastructure submits the application to the District Council Person. The completed checklist of sidewalk café requirements is included in the packet provided to the District Council Person. [The City Council Member representing the district where the café is proposed shall acknowledge, in writing, having reviewed the application, prior to issuance of the permit.]

2. "A proprietor wishing to establish a sidewalk café with four (4) seats or fewer (must be no more than two (2) seats per table) must follow the process described below. Responsibilities of the departments include, but are not limited to, those described. For expediency and to benefit the applicant, each department shall complete its responsibilities within [ten (10)] two (2) days.

f. City Council. When it is deemed that the application is completed fully and correctly, the Director of Mobility and Infrastructure submits the application to the District Council Person. The completed checklist of sidewalk café requirements is included in the packet provided to the District Council Person. [The City Council Member representing the district where the café is proposed shall acknowledge, in writing, having reviewed the application, prior to issuance of the permit.]

Section 2: These Ordinance amendments shall be construed as temporary and will expire ~~(30) thirty~~ **(60) sixty** days from the effective date of this Ordinance unless further renewed by the Council of the City of Pittsburgh.