

Permit Application Process:

Application for a Permit is available on the City's website: www.dextermi.gov

All Outdoor Service Areas must comply with the regulations set for in Section 3.29.B.2 of the Zoning Ordinance (provided at the end of this application). This application must be accompanied by the following information:

1. **Sketch Plan:** The sketch plan, a scalable top-view drawing of the outdoor service area, must including the following:
 - a. The location of the outdoor service area, in relation to the business it will serve, the entrance to the business, adjacent properties (include addresses) and their building entrances, as well the location of existing landscaping, street trees, catch basins, fire hydrants, and other utilities.
 - b. The dimensions of the outdoor service area footprint, including dimensions and total square footage.
 - c. The location and dimensions of all street furniture and furnishings, including, but not limited to tables, chairs, trash receptacles, benches, and sun shading.
 - d. The location of outdoor lighting fixtures, if proposed, as well as the location of wiring and a description of how the wiring will be secured to prevent trip or electrical hazards.
 - e. Photographs, drawings or manufacturers brochures fully describing the appearance of all proposed tables, chairs, umbrellas, awnings, canopies, or other furnishings/fixtures related to the outdoor service area, including but not limited to portable heaters, and other fixtures used during colder weather, shall be included with the application.
 - f. For use of sidewalk, 5 feet (width) of clear, unobstructed pedestrian access must be provided.
 - g. For temporary shelters, such as tents, igloos, bubbles, garden sheds, or similar type from November 1 through April 30, on sidewalks only, the following must be provided:
 - i. the location and dimensions of all temporary shelters within the permitted outdoor service area.
 - ii. a dimensioned interior seating layout of the proposed temporary shelter.
 - iii. the materials of which the shelters are fabricated
 - iv. The type, size and location of portable heating elements, fuel tanks and decorative lighting. Non-electric heating elements are prohibited inside any temporary shelters.
 - v. Non-electric portable heating elements shall be a minimum of 10 feet from the temporary shelter for which it is used, and 10 feet from all other permanent or temporary structures.
 - vi. The power source for portable heating elements and decorative lighting.
 - h. For use of on-street parking spaces:
 - i. Identify the number of spaces to be combined (a minimum of three are required) and include setback dimensions (3 feet from adjacent parking spaces and 2 feet from adjacent auto traffic lanes).
 - ii. Identify the location of water-well barricades (provided by an applicant).
 - iii. The location of the access ramps, platforms, and internal barriers such as planters, stanchions, or railing, if using parking spaces.
 - iv. Any hardware such as fasteners to be used in the construction of ramps and platforms (see specific requirements below).
2. **Access Ramp or Platforms (as applicable):** Businesses using on-street parking spaces are required to provide an accessible ramp or platform that complies with the Michigan Barrier Free Code. The sketch plan must show how the access ramp or platform will be assembled and constructed, and should include the following:
 - a. The ramp or platform dimensions and slope of all surfaces, design, and the type of materials to be used to construct the ramp or platform.
 - b. Any hardware such as fasteners to be used in the construction process. Bolting of ramps and platforms into the street or penetrating the surface of the road/parking space is prohibited. Ramps and platforms may be bolted to the existing curb. Curbs must be restored to the satisfaction of the Superintendent of Public Services, for the City of Dexter.
 - c. Ramps and platforms must be designed and constructed to maintain unobstructed drainage flow along the gutter. Applicants must describe how the gutter will be accessed, if a blockage occurs.

- 3. Acord Certificate of Insurance (for use of public spaces):** If your proposed outdoor service area will be located on public property, including on-street parking, public parking areas and/or public sidewalks, please provide an Acord Certificate of Insurance that meets the following requirements:
- Workers' Compensation Insurance including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
 - Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and aggregate for Personal Injury, Bodily Injury, and Property Damage.
 - Liquor Liability Insurance (if serving alcohol) on an Occurrence Basis with limits of liability not less than \$1,000,000 per occurrence and aggregate for Personal Injury, Bodily Injury, and Property Damage.
 - Additional Insured: Commercial General Liability and Liquor Liability Insurance, as described above, shall include an endorsement stating that the City of Dexter shall be named as additional insured. An ISO CG 20 10 or CG 20 26 are preferred forms to provide this coverage. It is understood and agreed by naming the City of Dexter as additional insured, coverage afforded is considered to be primary and any other insurance the City of Dexter may have in effect shall be considered secondary and/or excess.
 - Cancellation Notice: Policies described above, shall include an endorsement stating that it is understood and agreed that Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation or Non-Renewal shall be sent to: City Manager or Construction Project Manager, City of Dexter, 8140 Main Street, Dexter, MI, 48130-1092.
 - Automatic Renewal Required: If any of the above coverages expire during the term of this agreement, the applicant/permit holder shall deliver renewal certificates and/or policies to City of Dexter at least ten (10) days prior to the expiration date.

To be completed by staff:

	App Fee:	Date Rec'd:	Amt. Pd.:	Receipt No.:
New Application	\$50			
Annual Permit Renewal	\$50			

Staff Review:

Sketch Plan	Acceptable		
	Yes	No	N/A
Sidewalk plan			
On-street Parking Space Plan			
Temporary Shelter Plan			
Administrative approval			

<p>APPROVAL STAMP:</p> 	<p>CONDITIONS OF APPROVAL</p>
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SECTION 3.29 OUTDOOR SERVICE AREAS

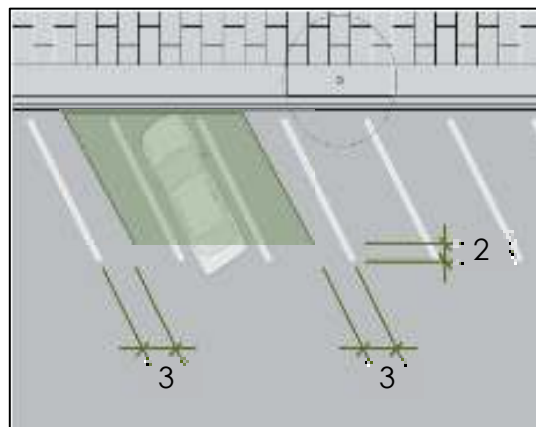
A. Permit Required

1. No person shall operate an outdoor service area without first obtaining a Zoning Compliance Permit.
2. All outdoor service area permits shall expire on December 31st of the current year, unless another time frame is specified in the permit, or by the requirements of this Section, and shall be renewed annually, by administrative review.
3. Permitted outdoor service areas may be operated all year; however, the use of public on-street parking spaces shall be limited to May 1st - November 1st.
4. The application and annual permit fee for operating an outdoor service area shall be established by Resolution of City Council.

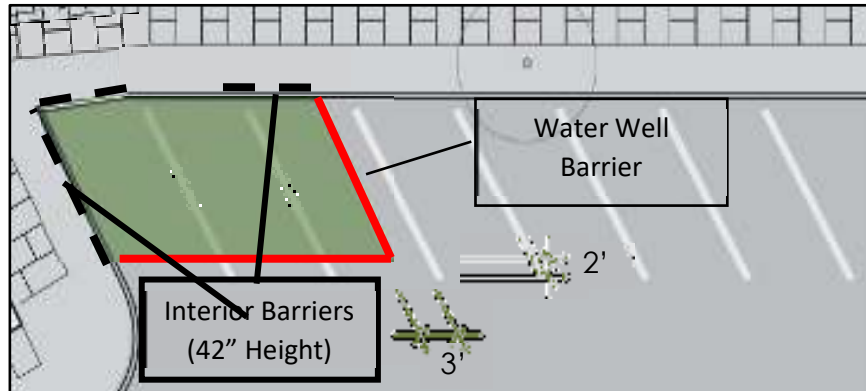
B. Application Requirements

1. All applications for an outdoor service area permit or permit renewal shall be filed with the City of Dexter Zoning Administrator on forms provided by the Zoning Administrator, subject to the requirements of Section 22.04(B).
2. All applications for an outdoor service area permit or permit renewal shall include the following:
 - a. Sketch Plan: A sketch plan (top-view drawing of the outdoor service area) shall include:
 - i. The location of an outdoor service area in relation to the business it will serve, the entrance to the business, adjacent properties (include addresses) and their building entrances, as well the location of existing landscaping, street trees, catch basins, fire hydrants, and other utilities.
 - ii. The dimensions of the outdoor service area footprint, including dimensions and total square footage. Identify the number of parking spaces to be combined, if using parking spaces, and include setback dimensions.
 - iii. The location of the access ramps, platforms, and internal barriers such as planters, stanchions, or railing, if using parking spaces.
 - iv. Any hardware such as fasteners to be used in the construction of ramps and platforms.
 - v. The location and dimensions of all street furniture and furnishings, including, but not limited to tables, chairs, trash receptacles, benches, and sun shading.
 - vi. The location of outdoor lighting fixtures, as applicable, as well as the location of wiring and a description of how the wiring will be secured to prevent trip or electrical hazards.
 - vii. Photographs, drawings or manufacturers brochures fully describing the appearance of all proposed tables, chairs, umbrellas, awnings, canopies, or other furnishings/fixtures related to the outdoor service area, including but not limited to portable heaters, and other fixtures used during colder weather, shall be included with the application.
 - viii. A signed Hold Harmless Agreement as provided by the City.
3. Temporary shelters. Outdoor service area permittees may be allowed to erect temporary shelters, such as tents, igloos, bubbles, garden sheds, or similar type from November 1 through April 30, excepted as cited herein, with the submittal of a separate sketch plan that includes the following:

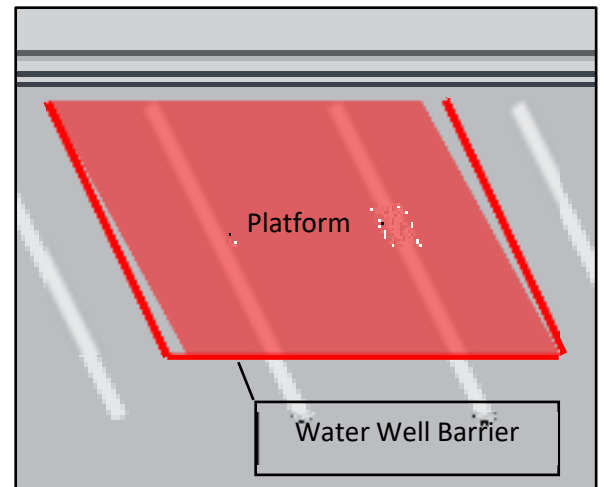
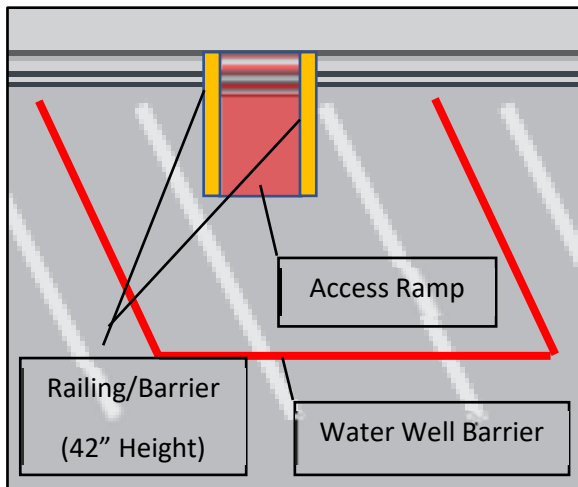
- a. The location and dimensions of all temporary shelters within the permitted outdoor service area, and shall include a dimensioned interior seating layout, and the materials of which the shelters are fabricated.
 - b. The type, size and location of portable heating elements, fuel tanks and decorative lighting. Non-electric heating elements are prohibited inside any temporary shelters.
 - c. Non-electric portable heating elements shall be a minimum of 10 feet from the temporary shelter for which it is used, and 10 feet from all other permanent or temporary structures.
 - d. The type and location of decorative lighting to be used.
 - e. The power source for portable heating elements and decorative lighting.
4. In addition to the documents listed above, permit applications for an outdoor service area proposed in a public right-of-way or on other public property shall be accompanied by a Certificate of Liability Insurance, in an amount acceptable to the City, including workers compensation, and naming the City as an additionally insured. An outdoor service area in which alcohol is served shall also provide a liquor liability policy or certificate of insurance naming the City as an additionally insured.
- C. General Regulations. On-street parking spaces, parking, lots, sidewalks, and similar, may be closed for their current uses and made available for use by a nearby business for outdoor dining and beverage service, subject to the following regulations:
1. Barriers. All permitted outdoor service areas located in public parking spaces shall be required to have water-well barricades, provided by an applicant, subject to the approval and inspected by the City, to protect outdoor service areas from motor vehicles.
 2. Pedestrian Access. Outdoor service areas located on a sidewalk shall have a minimum of ten feet of sidewalk width, of which a minimum of five feet must be maintained free of any encumbrances, to allow for unobstructed pedestrian access along the sidewalk, as well as ingress/egress to the principal use for which the outdoor service area is accessory.
 3. Use of on-street/parking lot spaces.
 - a. A minimum of 3 parking spaces are required for use of public on-street or parking lots spaces.



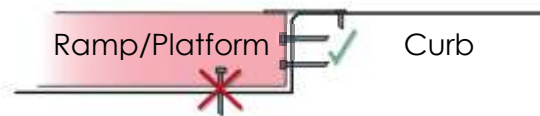
- b. For use of on-street parking or parking lot spaces by an outdoor service area shall be setback at least 2 feet from adjacent auto traffic lanes) and at least 3 feet parking spaces not used as an outdoor service area.



- 4. Accessibility. Ramps and platforms shall be Michigan Barrier Free Code compliant.

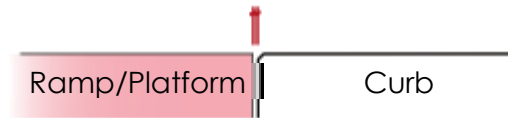


- 5. Bolting.
 - a. Bolting of ramps and platforms into the street or penetrating the surface of the road/parking space is prohibited. Ramps and platforms may be bolted to the existing curb. Curbs must be restored to the satisfaction of the Superintendent of Public Services, for the City of Dexter.



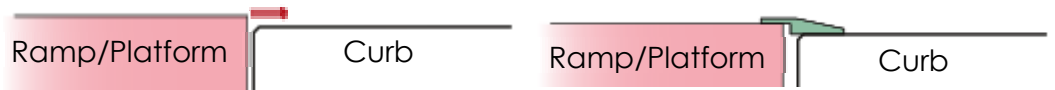
- b. Ramps and platforms shall have a maximum vertical gap of one quarter inch.

Vertical gap

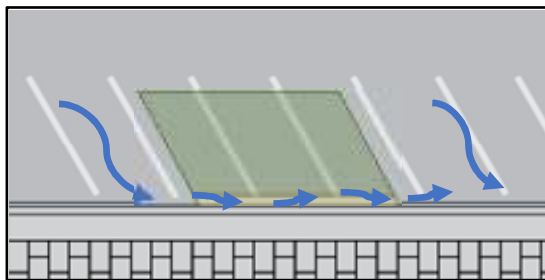


- c. Ramps and platforms shall have a maximum horizontal gap of one-half inch; however, a connector shall be provided for ramps and platforms having $> \frac{1}{2}$ " horizontal gap.

Horizontal gap



6. Ramps and platforms shall be designed and constructed to maintain unobstructed drainage flow along the gutter.
7. Cleanliness. Outdoor service areas and the areas immediately adjacent to shall be kept clean and free of litter at all times.



8. Alcohol Service.
- Alcoholic beverages may be served in an outdoor service area, as licensed by the State, for consumption by customers of the licensee.
 - The City may restrict the hours of operation for an immediately adjacent to residential uses.
 - The outdoor service area shall be no more than 25 feet from the licensed premises.
 - The maximum size of an outdoor seating area shall not exceed 20,000 sq. ft.
 - The outdoor service area shall not be separated from the license premises by a public street, road or alley.
 - The outdoor service area shall not be located on a balcony or rooftop.
 - The outdoor service area shall include a removable enclosure, such as, but not limited to planters, posts with ropes, or other decorative equipment to define and secure the outdoor service area for consumption.

9. Street furniture and furnishings.
 - a. Extended awnings or canopies attached to the building within which the outdoor service area permittees principal use is located may be allowed and shall be complementary with the architecture and color of said building.
 - b. Sun shading in public spaces shall be limited to umbrellas; sun shading in private spaces may include umbrellas, shelters, and tents. All sun shading shall be constructed of fire-retardant materials.
 - c. Tables, chairs, umbrellas, planters, trash receptacles, and other elements of street furniture/fixtures shall be of high-quality materials that are consistent with the character of the district in which the outdoor service area is located.
 - d. Decorative outdoor lighting may be permitted, provided such lighting shall be limited to the hours of operation of the outdoor seating area and shall not create glare that negatively impacts public safety or adjacent properties and shall be secured in a manner to prevent trip or electrical hazards.
 - e. All outdoor service area street furniture/fixtures shall be of substantial weight so that at no time shall the outdoor service area furniture present an obstruction or risk to public safety, especially during inclement weather. All umbrellas shall be closed or removed each evening.
 - f. All outdoor service area furniture/fixtures shall be maintained in a state of good repair. Any outdoor service area furniture/fixtures having broken, peeling, or rusting features or are showing other signs of disrepair shall be promptly removed and replaced.
 - g. Violations. The City of Dexter reserves the right to deny, revoke or suspend an outdoor service area permit, if the permittee has failed to correct violations of the permit, within the time specified on the violation notice. If the City denies, revokes, or suspends the permit the City will notify the permittee in writing. The decision to deny, revoke, or suspend a permit may be appealed to the City Council. Variances from the outdoor service area standards must be appealed before the Zoning Board of Appeals.