



CITY OF CORNER BROOK

POLICY STATEMENT

Index: Development and Planning	Section: Licenses and permits	
Title: Sidewalk Cafe	Policy No. 02-07-13	Authority: Council
Approval Date: March 10, 2025	Effective Date: March 10, 2025	Revision Date:

Purpose:

The purpose of this Sidewalk Café policy is to provide a framework which allows for the City of Corner Brook to evaluate applications for development of Sidewalk Cafés (outdoor eating area) on City owned land in the Downtown.

Policy Statement:

Any person(s) requesting to establish a Sidewalk Cafe on a City of Corner Brook sidewalk or parking space will be required to obtain a permit and must adhere to the detailed action outlined in this policy.

Reference:

Café Season Timeline: May 15 to September 30

Hours of operation:

The hours of operation of the sidewalk café shall be limited to that of the adjacent use to which the café is accessory.

Permit Application Fee: \$100.00 Permit Application Fee

Parking Space Lease Fee: \$500.00 per parking space per season

Detailed Action Required:

1. The applicant must submit a sidewalk cafe application each season including a detailed site plan and café plan with application. Proposed location of the café in relation to the business/store frontage, along with a total area (measurements) of the space.

2. The sidewalk café shall not extend beyond the frontage of the adjacent buildings, without the written consent of the affected property owner.
3. Approval for a sidewalk café is contingent upon the approval of the City of Corner Brook, Service NL, Accessibility, Newfoundland and Labrador Liquor Corporation, the Corner Brook Fire Department, and any other regulatory bodies governing the sale of food and/or beverages or the public health.
4. Sidewalk Cafes on leased City land shall in all respects abide by and comply with all conditions set out in the Lease Agreement with the City of Corner Brooks Land Management Department.
5. Applicant shall not occupy sidewalk café until an occupancy permit is granted from the City of Corner Brook. Upon completion of sidewalk café and/or sidewalk extension decking (if required), Applicants must contact the Development and Planning Department at 709 637-1550 to arrange for an inspection. Upon inspection approval the City may issue an occupancy permit.

Reference Minute 25-039

IN WITNESS WHEREOF this policy is sealed with the Common Seal of the City of Corner Brook.

[Redacted Signature]

Mayor /

[Redacted Signature]

City Clerk

[Redacted Signature]





SIDEWALK CAFÉ PERMIT APPLICATION

Permit No. _____

General Information

<i>Business Name:</i>	<i>Contact:</i>
<i>Address:</i>	
<i>Telephone Number: ()</i>	<i>Email:</i>

Submission Requirements (Choose one of the following options)

Are you renewing an existing permit?

Certificate of Insurance (must include the following)

- List the City of Corner Brook as an additional insured
- List the outdoor patio area
- Minimum \$2 million public liability and property damage policy

Parking space rental fees (if applicable)

- 1 parking space: \$500
- 2 parking spaces: \$1000
- Number of spaces required _____

Application Fee \$100

TOTAL= Application Fee + Rental Fee
TOTAL = \$ _____
Full amount payable at Service Counter

Are you applying for a new sidewalk café?

Scaled site plan

Corner Brook Fire Dept. Approval (if applicable)

City of Corner Brook Lease Agreement

Accessibility/Service NL (if applicable)

Liquor License (if applicable)

Food Establishment License (if applicable)

Certificate of Insurance (must include the following)

- List the City of Corner Brook as an additional insured
- List the outdoor patio area
- Minimum \$2 million public liability and property damage policy

Parking space rental fees (if applicable)

- 1 parking space: \$500
- 2 parking spaces: \$1000
Number of spaces required _____

Application Fee \$100

TOTAL= Application Fee + Rental Fee
TOTAL = \$ _____
Full amount payable at Service Counter

I agree to comply with all the terms and conditions set forth in the Sidewalk Café - Conditions of Approval and Construction and Installation Procedures, and any other terms and conditions assigned by City Council. Failure to comply with any or all of these terms and conditions may result in the revoking of permission to operate said sidewalk café.

Further, I realize that the payment of monies for this application does not constitute approval to utilize the public right-of-way for a sidewalk café nor approval to commence any part of the work applied for.

Applicant's Signature

Date: _____

(Planning Division)

Date Approved: _____

(Engineering Division)

Date Approved: _____

Conditions of Approval

1. Terms: The operator must agree to abide by all terms and conditions set forth in this Procedure, and any other terms and conditions assigned by City Council. Failure to comply with any or all of these terms and conditions may result in the revoking of permission to operate the said sidewalk café. The Authority reserves the right to require that the sidewalk café be removed at any time.
2. Other Approvals: Approval for a sidewalk café is contingent upon the approval of Service NL, Accessibility, Newfoundland and Labrador Liquor Corporation, the Corner Brook Fire Department, and any other regulatory bodies governing the sale of food and/or beverages or the public health. Sidewalk Cafes on leased City land shall in all respects abide by and comply with all conditions set out in the Rental Agreement with the City of Corner Brooks Land Management Department. Where applicable, copies of licenses reflecting licensing for the sidewalk café area must accompany sidewalk café applications.
3. Access: The sidewalk café shall be wheelchair accessible. A 1100mm walkway shall be maintained, free from all obstructions, directly to the main door of the associated business.
4. Accessory Use: The sidewalk café will be considered an accessory use to the adjacent restaurant, eating and/or drinking establishment or beverage room.
5. Alcoholic Beverages: Alcoholic beverages may be served in accordance with any liquor license obtained by the said establishment. A physical barrier around the serving area must be present.
7. Entrance/Exit: Access to the sidewalk cafe must be from the sidewalk and provide a 1100mm (minimum). Where a gate is used it must swing into the sidewalk cafe. A sidewalk cafe greater than 2 parking stalls in length and is enclosed by a wall/fence must provide an emergency access point (gate) from the street. The access should be located near the middle of the sidewalk cafe and in line with the front door of the business.
8. Awnings: The installation of an awning is subject to the issuance of a Building Permit. No part of the awning shall encroach beyond the boundaries of the sidewalk café.
9. Design: The design, materials and colors of all accessories/improvements for the sidewalk café should compliment the architectural style and colors of the building façade and existing street furniture, to the satisfaction of the Development Officer.
10. Hours of Operation: The hours of operation of the sidewalk café shall be limited to that of the adjacent use to which the café is accessory.
11. Insurance: The operator of the sidewalk café must provide a Certificate of Insurance showing proof of a Comprehensive Policy of Public Liability and Property Damage insurance of no less than two million dollars (\$2,000,000). The Certificate of Insurance must name the City of Corner Brook as an additional insured and clearly indicate that the Certificate covers the sidewalk café operating on the exterior of the building. The City of Corner Brook will not be liable for any harm or damages suffered as a result of an accident/incident of any kind within the boundaries of, or caused by, the sidewalk café.
12. Fencing: A fence of not less than 1000mm in height and not more than 1200mm in height shall be required around the perimeter of the sidewalk café. Fencing shall not obstruct traffic sight lines and be to the satisfaction of the Authority. The use of non-transparent fencing material is discouraged. Any additional screening may be permitted provided it does not interfere with traffic sight lines and is to the satisfaction of the Authority. Fencing may not be affixed to the concrete sidewalk within the City's right-of-way.
13. Lighting: Lighting of the sidewalk café shall not project onto adjacent property or the adjacent street(s) and be of a temporary nature. No flashing or strobe lights permitted.
14. Location: The sidewalk café shall not extend beyond the frontage of adjacent buildings, without the written consent of the affected property owner.

15. Noise/Nuisance: The operator of the sidewalk café will ensure that patrons do not disturb persons on the adjacent right-of-way with loud, boisterous, or unreasonable noise, offensive language or other disruptive behavior, and must comply with the City of Corner Brook Noise By-Law.
16. Music: Music may be played at a volume that does not disturb adjacent property owners or persons utilizing the adjacent right-of-way. The Authority reserves the right to require that the use of music cease at any time.
17. Removal: All sidewalk café fencing, furnishings, landscaping, lighting and other accessories/improvements must be of a temporary nature and be removed during the off-season to the satisfaction of the Authority.
18. Repairs: If as the result of the inspection of a sidewalk café Staff determine that repairs are required, the Applicant will be notified immediately and required to remedy the matter within 24 hours of notification. When required, repairs must be completed to the satisfaction of the Authority. Failure to comply with repair requirements may result in removal of the café.
19. Setback from Street Corners and Alleys: Where a sidewalk café is located at a street intersection, the café shall be set back a minimum of 3000mm from the corner of the building located at the intersection. Where a sidewalk café is located adjacent to a driveway or alley, the café shall be set back a minimum of 1500mm from the corner of the building adjacent to the driveway or alley. These setback requirements may be modified at the discretion of the Authority.
20. Sidewalk Clearance: Where possible, a minimum passage way of 2000mm shall be provided between the sidewalk café and the curb of the street, or between the sidewalk café and any physical obstructions such as utility poles, fire hydrants, park benches or garbage cans. If it is not possible to provide for a 2000mm passage way, and the sidewalk café extends the width of the sidewalk, the operator shall provide a temporary sidewalk adjacent to the sidewalk café. A temporary sidewalk may only be used where it replaces existing on-street parking spaces. The construction and use of a temporary sidewalk shall be to the satisfaction of the Authority.
21. Storm Water: The use of the public right-of-way shall not interfere with storm water run-off as determined by the Authority.
22. Surface: The sidewalk may be surfaced with the approval of the Authority.
23. Umbrellas: Umbrellas shall not extend beyond the boundaries of the sidewalk café.
24. Utility/Infrastructure Access: The Authority and public utility agencies reserve the right of access to the sidewalk café area for the installation, maintenance or repair of all utility infrastructure. In the event of an emergency, notice of access may not be given. For all scheduled work, every effort will be made to provide the operator with a one (1) week notice. Should access be required, all sidewalk café accessories/improvements will be removed and re-installed at the operator's expense.
25. Waste Storage: All waste receptacles shall be located along the building wall to which the café is accessory and be to the satisfaction of the Authority. Further, the operator of the sidewalk café is responsible for the removal of all waste/litter within a 3000mm radius of the delineated café area.

Construction and Installation Requirements

1. Sidewalk Café Construction Application approval DOES NOT allow occupancy of the café. Upon completion of sidewalk café and sidewalk extension decking (if required), Applicants must contact the Development and Planning Department at 709 637-1550 to arrange for an inspection. Upon inspection approval the City may issue an occupancy permit.
2. Engineering and Public Works Department must be notified 24 hours prior to commencement of café construction at 709 637-1550.

3. If a parking space has been rented as part of the café application Municipal Enforcement must be notified a minimum of 48 hours prior to commencement of café construction at (709) 637-1500 if the applicant anticipates needing a meter removed or adjusted.
 - a) The applicant shall not remove or alter any parking meters. Only authorized City staff are permitted to remove parking meters. If an applicant removes or damages any part of the parking meter they will be responsible for any loss/damage/replacement.
 - b) Removal of meter(s) is not guaranteed. Utility or infrastructure issues may prevent a meter sleeve from being removed. Best effort will be applied to accommodate applications.
 - c) Sidewalk café installation shall not overflow into a special purpose parking zone or an unrented parking space.
4. The sidewalk and road surface shall be kept clear of obstructions and debris to avoid hazard or inconvenience to the public during all phases of construction and operation of the cafe.
5. Positive drainage shall be maintained at all times.
6. The applicant shall not cut, trim or interfere with any trees located within the right-of-way.
7. All changes and/or deviations from the approved plans and/or location shall be subject to re-approval by the City of Corner Brook.
8. The applicant accepts the City's right to perform any necessary remedial work caused by the applicant's operation, subject to the following conditions:
 - a) The Director will give the applicant not less than twenty-four (24) hours notice of any remedial work required, except for emergency work.
 - b) If, at the expiration of the time allowed, the applicant or his/her contractor has not completed remedial work to the Director's satisfaction, the City of Corner Brook may undertake to have this work done by whatever means it deems necessary.
 - c) The applicant agrees to reimburse the City of Corner Brook for all costs incurred under (7a) and (7b) and/or supply the City of Corner Brook with a Security Deposit, for a specified amount, where applicable.
9. Construction of sidewalk extension decking shall not proceed until required parking stalls have been purchased from the City's Municipal Enforcement Department.
10. Construction of Sidewalk Café shall not commence until sidewalk extension decking within the parking stalls is complete.
11. A minimum clear width of 2000mm must be maintained at all times through the sidewalk extension decking.
12. A **CONTINUOUS** 150mm x 150mm curb is to be installed around the perimeter of the sidewalk decking extension. Curbing should be designed such that it is securely braced to the satisfaction of the Authority. A design drawing showing how the curbing will be braced must be included with the Sidewalk Café Construction Application when sidewalk extension decking is proposed.
13. Drainage holes are to be cut in the perimeter curbing to facilitate drainage along the curb.
14. Railings are to be firmly attached to the decking and be constructed so as to provide protection from someone falling under normal use. The railing system should be constructed so as to withstand loads, forces and, effects from pedestrians.
15. Conspicuity tape is to be placed on corner posts and center posts to delineate railings at night.
16. Decking surface is to be flush with curbing and sidewalk.