

Temporary Expanded Outdoor Dining Regulations for Restaurants

ALL RESTAURANTS

General Requirements:

- All restaurants must adhere to the recommendations and requirements of the Illinois Governor's Office, Illinois Department of Public Health, and the CDC.
- The City of O'Fallon reserves the right to amend the policy as needed. Any violations of the policy could result in revocation of the establishment's authority to expand the outdoor dining area and/or liquor license.
- Social distancing must be adhered to wherever possible and large gathers of people waiting for tables is prohibited. All restaurants are encouraged to use a reservation process to prevent capacity issues to prevent patrons from congregating while waiting for service. To limit the potential gathering of people waiting for a table, the City recommends patrons wait in their vehicles until their table is ready.
- The expanded outdoor dining areas approved via the City's Special Event Permit must be closed no later than 10:00PM. Any existing outdoor patio areas approved previously may stay open in accordance with the establishments existing liquor license.
- All installations including electric, means of egress, occupancy, lighting, and tents must meet City of O'Fallon adopted building and accessibility codes.
- All outdoor seating and pathways must be spaced at least six feet apart.
- All debris and outdoor dining areas must be cleaned up so as not to become a nuisance.
- Patrons may use the restaurant's existing restroom facilities, unless otherwise prohibited by IDPH.
- Appropriate lighting of the space is required if operating outside of daytime hours.
- No handicapped accessible parking spaces may be utilized for expanded outdoor seating.
- All access to the site and building must be maintained to ensure compliance with the International Building and Fire Code.
- Designated pick-up locations need to be separated from the temporary outdoor seating area by an approved barrier.
- Access to fire hydrants, fire hose connections for sprinkler systems, and entrances and exits of all buildings shall not be obstructed at any time by barriers or seating.
- Temporary barrier materials, such as those depicted below, can be utilized to better define boundaries of extended business operations. Any equipment or furniture placed in the parking space cannot be placed closer than 2 feet from the edge of the adjacent travel lane.



General Recommendations:

- Disposable paper menus, plates, glasses and utensils are recommended.
- Temporary placement of equipment such as wash stations and hand sanitizing stations or stations for staff set up and service do not need to meet required yard setbacks.

RESTAURANTS UTILIZING PARKING AREAS ON PRIVATE PROPERTY:

General Requirements:

- The required landscape and buffer areas for the off-site private parking spaces, shall not be used as an expanded converted use for restaurants or retail operations.
- Authorization from the property owner is required if the restaurant is a tenant of the building.

Use of Private Parking:

- All restaurants with private parking may utilize up to 50% of the required parking for the restaurant space. If the restaurant is located within a retail center, the space available to expand the use will be 50% of the required parking for the restaurant space (not the total retail center square footage).
- An approved temporary barrier must be in place to define the outdoor seating area.

Use of tents or other shade structures:

- All tents must be tied down properly.
- All tents must be installed per manufacture's requirements and inspected the City of O'Fallon. To schedule an inspection, call 618-624-4500 x 4.
- Smoking is prohibited under tents and shade structures.
- Tents must not have closed walls in place while open to the public, and all sides should be open for air flow.

Alcoholic Beverages:

- Restaurants possessing a valid liquor license for on-site consumption shall be allowed to serve alcoholic beverages in the expanded outdoor seating areas.
- Removal of alcoholic beverages from the designated outdoor seating areas (except back into the applicant's facility) is prohibited.
- All alcohol must be sold from inside the establishment (or existing patio). No outdoor coolers or bars are permitted to serve patrons in the expanded outdoor dining areas.

RESTAURANTS UTILIZING PARKING AREAS ON PUBLIC PROPERTY (SIDEWALK OR STREET):

General Requirements:

- The City will be providing additional outdoor dining areas in the Downtown District, including barricades.
- The expanded outdoor dining areas are to be closed by 10:00 PM.
- No amplified music is allowed.
- All restaurants utilizing the public right-of-way will need to provide the City with a liability insurance policy in the amount of \$1,000,000, with the City of O'Fallon listed as an additional insured.

Use of Public Right-of-Way (Parking & Sidewalk):

- The width of the use of the sidewalk and/or parking area is limited as follows:
 - o The width shall not exceed the width of the sidewalk/parking area frontage of the subject property.
 - o Adjacent businesses are strongly encouraged to coordinate.
- No additional signage shall be permitted except one menu board up to six square feet may be placed on an easel or other easily removable fixture, except that the establishment identified on the permit and/or its logo shall be permitted on umbrellas.
- No cooking, food preparation or open flames are permitted in the outdoor dining area.
- Space heaters are permitted provided that they are an outdoor approved type, are located in accordance with the manufacturer's recommendations, and are located at least two (2) feet from the edge of any umbrella canvas, tents, or any other flammable object or material.

Use of tents or other shade structures:

The following requirements shall apply to use of tents or shade structures within public spaces:

- No staking of tents is permitted in public rights-of-way. Tents will be limited in size based on the ability to properly tie down the tent without staking the tent into the street/sidewalk/alley.
- All tents must be installed per manufacture's requirements and inspected the City of O'Fallon. To schedule an inspection, call 618-624-4500 x 4.
- A fire extinguisher must be in a conspicuous location outside within 75 feet of the tent location.
- Smoking is prohibited under tents and shade structures.
- Tents must not have closed walls in place while open to the public, and all sides should be open for air flow.

Alcoholic Beverages:

- Restaurants possessing a valid liquor license for on-site consumption shall be allowed to serve alcoholic beverages in the designated outdoor seating areas. The designated outdoor seating area utilizing public right-of-way, the restaurant must apply and receive approval for a Class L liquor license through the City of O'Fallon (fee to be waived). Please contact Misty McDonald in the City Clerk's Office at 618-624-4500 x 2.
- Removal of alcoholic beverages from the designated outdoor seating areas (except back into the applicant's facility) is prohibited.
- All alcohol must be sold from inside the establishment (or existing patio). No outdoor coolers or bars are permitted to serve patrons in the expanded outdoor dining areas.