



Sidewalk Café and Tables & Chairs Permit Programs

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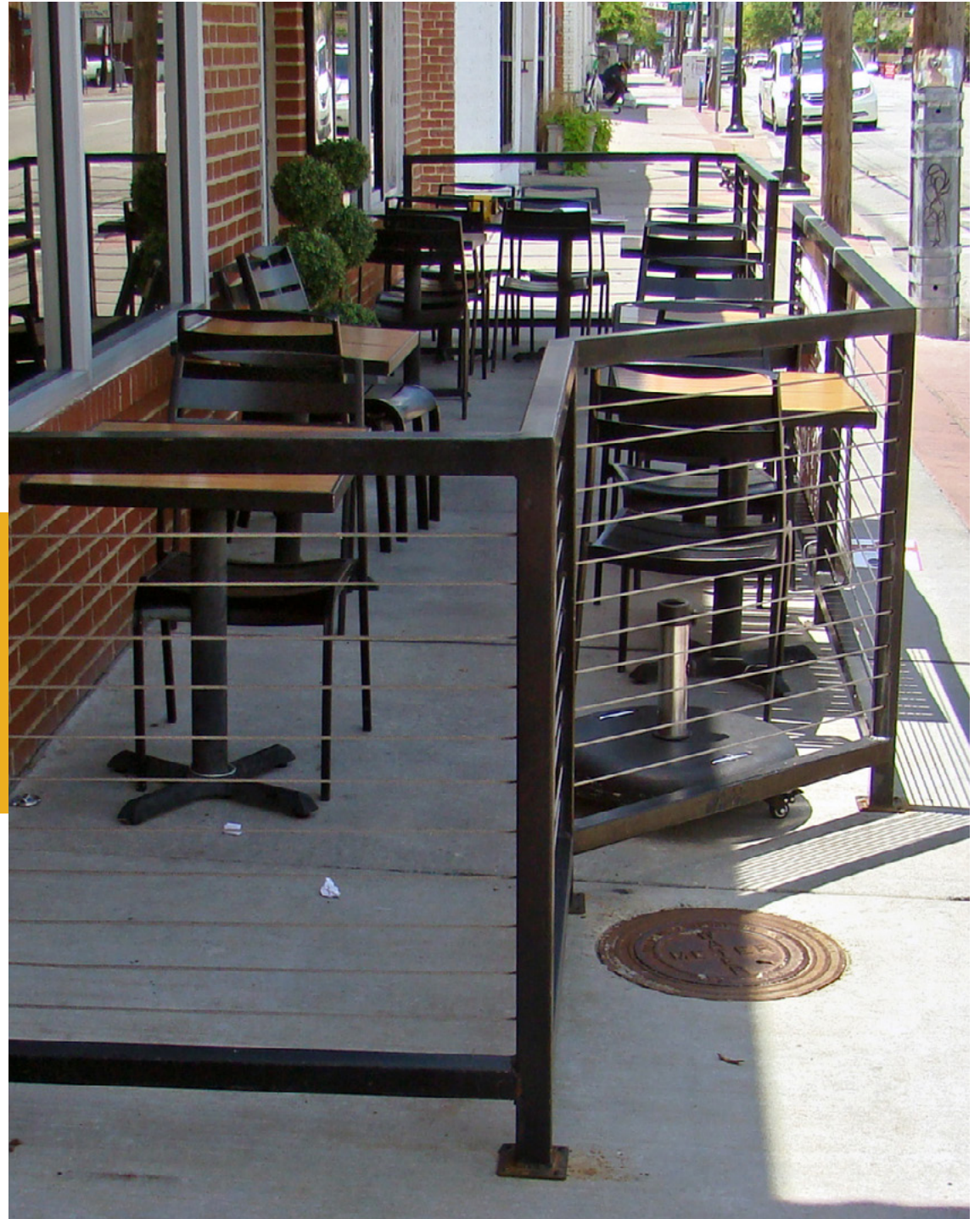




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SECTION A | Sidewalk Café Overview



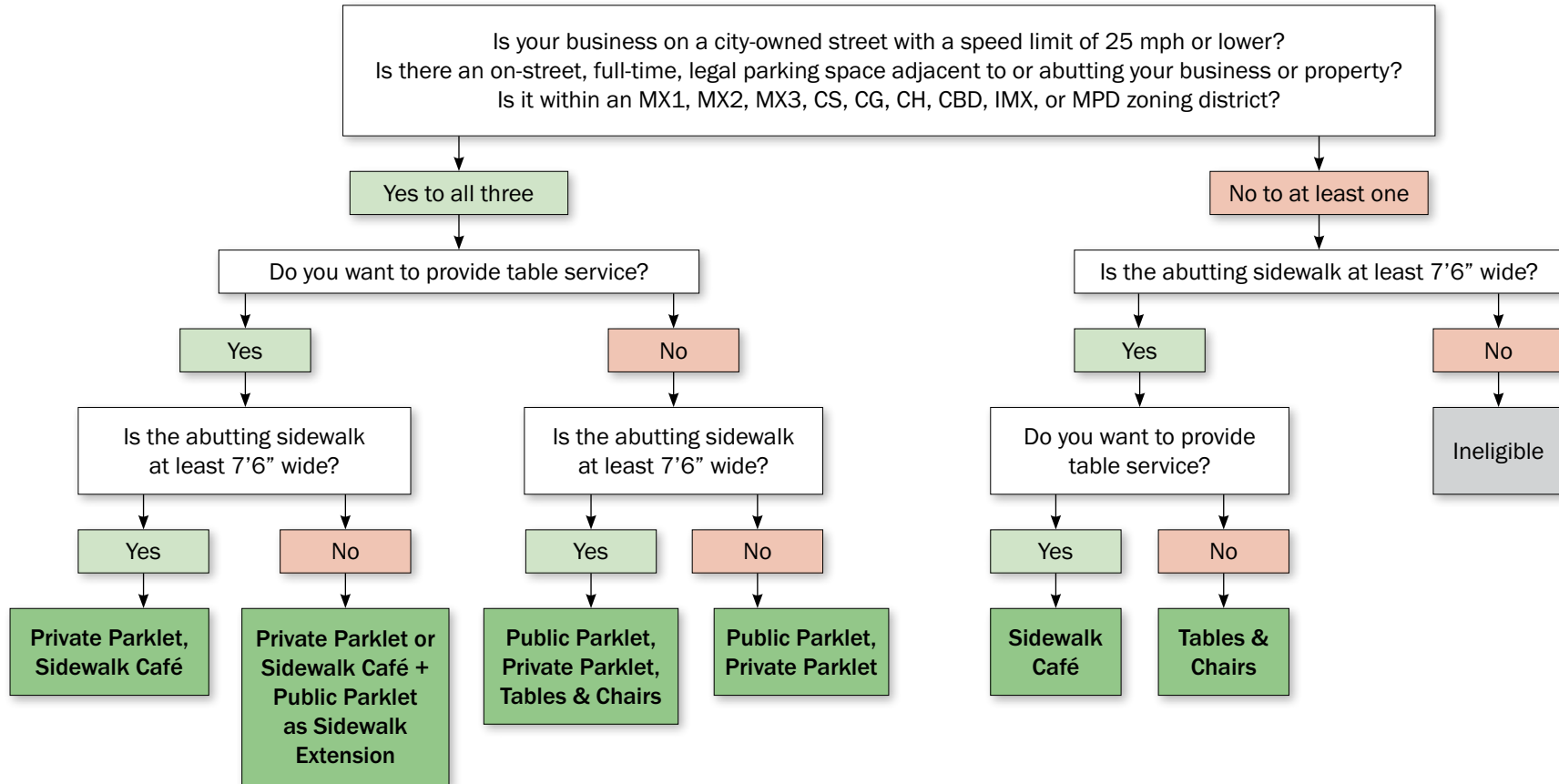
What is a Sidewalk Café?

A Sidewalk Café is open-air seating located on a sidewalk directly adjacent to a business. The Sidewalk Café is operated and maintained by the adjacent business and allows for food and beverages to be served outside of the establishment through seating (and other furniture) that is for the exclusive use of the business's patrons. Furniture may remain outside after normal business hours and should be secured.

A Sidewalk Café can be surrounded by a fence or other perimeter to define and separate it from the Pedestrian Zone as permitted or required by ordinance, state law and the regulations of the ABLE Commission.

If a Sidewalk Café does not fit your needs, consider the Tables and Chairs Permit option (See Section B).

Which Right-of-Way Program is Right for You?



SIDEWALK CAFÉ | Permit Process



Permit Process Overview

- **Develop a site plan according to the Sidewalk Café Design Standards**
- **Collect the following required documents:**
 - Application Form
 - Certification and Hold Harmless Agreement
 - Site Plan
 - Responsible Party Agreement
 - Property Owner Consent Form
 - Insurance Use Permit Endorsement
 - Current Certificate of Insurance
 - Photographs of the Site (3 *minimum*)
 - Copies of State, City Food & Liquor Licenses (*only those applicable*)
 - Manufacturer cut sheets, brochures, or pictures of proposed furniture and fencing
 - Application Fees (*see page 30*)
 - ABLE Alteration Request Form (*if serving alcohol*)
- **Submit Complete Application to:**
 - Tulsa Planning Office at INCOG
2 W. 2nd St., Suite 800
Tulsa, OK 74103
 - urbandesign@incog.org
- **Application Review and Site Visit**
- **Permit Decision**
Within 30 days after a complete application submission.

Note: Applications for a Sidewalk Café Permit may be submitted either by the property owner or the operator of the food service establishment.



Permit Process Details

Step 1: Site Plan & Design Standards

Develop a site plan for your proposed Sidewalk Café. The purpose of the site plan is to demonstrate compliance with all design standards. All standards must be met for an application to be approved. The site plan must show:

- **North Arrow and Scale** (*example on Site Plan sheet*)
- **Location of existing street fixtures/utilities/other infrastructure in the right-of-way and their distance from the nearest edge of the Area of Operation**
This includes, but is not limited to: utility poles and vaults/manholes, parking pay stations, bus shelters, sign posts, tree pits
- **Width of the adjacent sidewalk**
From face of building to back of curb
- **Distance from the proposed Area of Operation to the nearest intersection corner curb radius.**
- **Name and location of adjoining streets or alleys**
- **Sidewalk Café Area of Operation Dimensions**
Show a dashed line around Sidewalk Café area
- **Adjacent building facade and door swing**
Include labels and dimensions for both
- **Location of fencing/physical barrier.**
- **Visit okie811.org or call 811** to locate underground utilities, if you propose to secure your fencing with bolts.
- **ABLE requirements, if applicable; contact your local ABLE representative for requirements**
- **Location of sound equipment, if applicable**

Step 2: Collect the required documentation

See the full list on the previous page.

Photographs of the site are required to show the proposed Sidewalk Café Area of Operation and the existing features stated in Step 1. A minimum of three photographs shall be submitted: one from across the street with no vehicle obstructing the view of the area, and from both ends of the proposed Sidewalk Café area (including building facade and street curb).

Step 3: Submit complete application and fees

Step 4: Application review and site visit

The City of Tulsa will review the application and may contact you to request or correct information (Resubmission fees may apply — see page 30). Staff will visit the site to ensure the layout meets standards. Note: The applicant may be required to repair portions of any damaged sidewalk or bring the sidewalk adjacent to the building into ADA compliance before being granted a permit.

Step 5: Permit Decision

After the staff review is complete, the Tulsa Planning Office will either:

- Approve the application
- Approve the application with modifications
- Deny the application

The Sidewalk Café cannot be installed until all applicable fees have been collected and an approved Sidewalk Café permit has been issued. The permit must be posted on site and available to be viewed upon request. A decision will be made within 30 days after a complete application submission. An inspection will be made within 60 days of approval.

Request for Review or Reconsideration

An applicant can request a review or reconsideration of a permit decision. If denied, an appeal of a permit decision may be made to City Council by resubmitting the decision letter with the appeal portion filled out. This request should be submitted, in writing, within 10 calendar days of the original permit decision. The request must identify:

- The permit application that is up for review or reconsideration. You can identify the permit by the permit ID number and the permit application address.
- Specific objections to the original decision
- Specific actions being proposed by the business that could change the permit decision.

Proof of Insurance

The applicant shall provide proof of at least one million dollars (\$1,000,000.00) of commercial general liability insurance coverage, per occurrence, while the permit is in effect, including potential claims for bodily injury, death, or disability and property damage which could occur at or be related to the sidewalk café or table and chair area. The insurance policy shall be issued by an insurance company licensed to do business in the State of Oklahoma. Each policy shall provide by endorsement that thirty (30) days' prior written notice of cancellation shall be delivered by the insurer to the City of Tulsa, except that ten (10) days' prior written notice of cancellation shall be provided by the insurer to the City of Tulsa for nonpayment of premium.

The applicant shall agree to indemnify and hold the City of Tulsa, its officials, officers, employees, and agents harmless against any liability, claims, causes of action, judgments, or expenses, including reasonable attorney fees, resulting directly or indirectly from any act or omission of the permittee, its subcontractors, anyone directly or indirectly employed by them, and anyone for whose acts or omissions they may be liable, arising out of the applicant's use or occupancy of the public place. (See the Insurance Information sheet.)

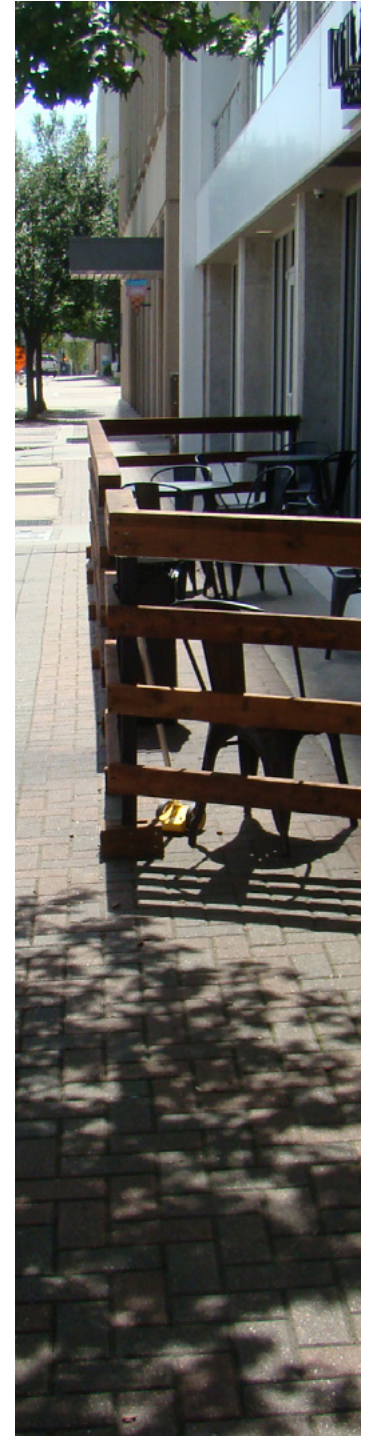
Fees

All application fees are due with the application submission. Please contact urbandesign@incog.org or see page 30 for more information. An approved permit will be in effect from the date of approval through June 30th of the same year or the next year, whichever comes first.

Permit Expiration/Renewal

A Sidewalk Café Permit Renewal Form must be submitted annually to reinstate an existing Sidewalk Café Permit. Each permit expires after June 30th. You may submit your Permit Renewal Form for the next July 1st - June 30th permit year prior to the expiration of your current permit. The Sidewalk Café Permit is specific to the applicant and is non-transferable. Changes in ownership require that the new owner reapply for a permit.

An Amendment Form must be filled out if any changes need to be made to the original permit application during the approved permit year. The form must be filled out, submitted, including resubmission fees, and approved prior to changes being made.





Permit Conditions/Revocation

While the City recognizes the potential for Sidewalk Cafés to enhance the public realm, the grant of a permit is a privilege and not a right. All Sidewalk Café permits are wholly of a temporary nature and can be revoked by the City of Tulsa at any time. Further, the City will, and by law must, retain the right to deny, restrict, or revoke this privilege in any instance where the public benefit of said permit is in doubt. Sidewalk Café Permit holders must comply with the terms and conditions of the permit, and must keep the sidewalk clean, safe for pedestrians, and clear of obstructions. In the event that a Sidewalk Café does not meet the terms and conditions of the permit, the City of Tulsa may issue a Notice of Violation or may revoke the permit.

An encroachment (e.g., moving furniture into the Pedestrian Zone) placed upon or maintained within the public right-of-way or a public easement contrary to the terms of the Sidewalk Café permit program shall constitute a public nuisance. Businesses that have encroached upon a public right-of-way or public easement shall remove the violation or incur a fine. The encroachment shall not return to the public right-of-way or public easement until the issue has been completely resolved either by appeal, amendment, or re-permitting.

The City of Tulsa will strive to give adequate notice when possible to permit holders (typically 30 days) in the event that the Sidewalk Café area must be removed from the right-of-way for an event, construction, or for any other reason. In an emergency, or any other instance, the City of Tulsa may immediately clear the Sidewalk Café to preserve public health and safety. If this should occur, the City of Tulsa will not be responsible for damages, including revenue losses.

A new permit is required if a business is sold. A permit amendment is needed if site conditions will change. If an Amendment Form was not submitted prior to making modifications, and/or the modifications are not in compliance with Sidewalk Café regulations or the original approved permit application, the permit may be revoked.

Temporary Sidewalk Cafés

What constitutes a Temporary Sidewalk Café?

A Temporary Sidewalk Café differs from the Sidewalk Café in the process required to approve an application as well as the length of time in which the Temporary Sidewalk Café Permit is effective. One hundred twenty (120) days is the standard active time for a Temporary Sidewalk Café Permit; however, this time limit can be extended or waived by City Council if the Mayor declares a civil emergency.

A Temporary Sidewalk Café Permit can be granted provisionally once the following items are submitted to the Tulsa Planning Office for review:

- **Self-certification form**
Download at tulsaplanning.org/row
- **Photographs of the Temporary Sidewalk Café location**
1 photo that faces the location from the opposite side of the street, and 1 photo from each end of the proposed area
- **Certificate of Insurance and Endorsement**
See "Proof of Insurance" section
- **Property Owner Consent Form**
See Sidewalk Café Application at tulsaplanning.org/row
- **Applicable Food and Beverage Licenses**
- **Applicable Fees**
- **Alteration Request to ABLE**, if serving alcohol

The applicant shall also submit photographs of the Temporary Sidewalk Café location from each side of the Sidewalk Café to the Tulsa Planning Office within five (5) calendar days after installation of the same. If such compliance is not achieved within twenty-four (24) hours after notice of such deficiency is delivered by the Tulsa Planning Office to the operator of the Temporary Sidewalk Café, the Permit may be suspended or revoked.

SIDEWALK CAFÉ | Design Standards & Fees



I. Compliance with ADA

Sidewalk Cafés are places that offer accommodations to the public and are required to comply with the Federal Americans with Disabilities Act (ADA); therefore, these accommodations must provide an equal opportunity for individuals with disabilities to enjoy the goods and services offered as well as the use of the public right-of-way.

All seating and tables must be movable to accommodate wheelchair access.

II. Pedestrian Zone

At least 5' of horizontal and 7' vertical clearance in the Pedestrian Zone is required on all sidewalks where a building owner wishes to place a Sidewalk Café. The Pedestrian Zone width is allowed to meander from side to side to avoid obstructions but is encouraged to be as straight as possible.

The Pedestrian Zone is measured horizontally from the outside edge of the Sidewalk Café fencing or fence post base, whichever is closest to the Pedestrian Zone, to the nearest obstruction (e.g. tree pit, parking meter, bike rack, planting strip, etc.).

If no obstruction exists, the Pedestrian Zone is measured to the back of the curb. At no time shall the pedestrian zone be less than 5' wide.

Sidewalk Cafés may not encroach into tree pits. Portable signage, such as A-frames, or any other objects are not allowed to encroach upon the Pedestrian Zone.

Minimum Width Requirements:

Minimum Sidewalk Width Face of building to back of curb	Pedestrian Zone Minimum Width
If less than 7 feet 6 inches	No permit is allowed, unless used in conjunction with a Public Parklet Permit used as a Sidewalk Extension. 5 feet of Pedestrian Zone required.
If greater than or equal to 7 feet 6 inches	5 feet of Pedestrian Zone is required.

See Figure 1 for more Sidewalk Café spacing requirements.

III. Setbacks

Setbacks are required from elements within the public right-of-way. Fire Department connections shall have 3 feet of clearance around the connection.

All setbacks should comply with applicable Tulsa Revised Ordinances. Requirements can be found in Title 11.

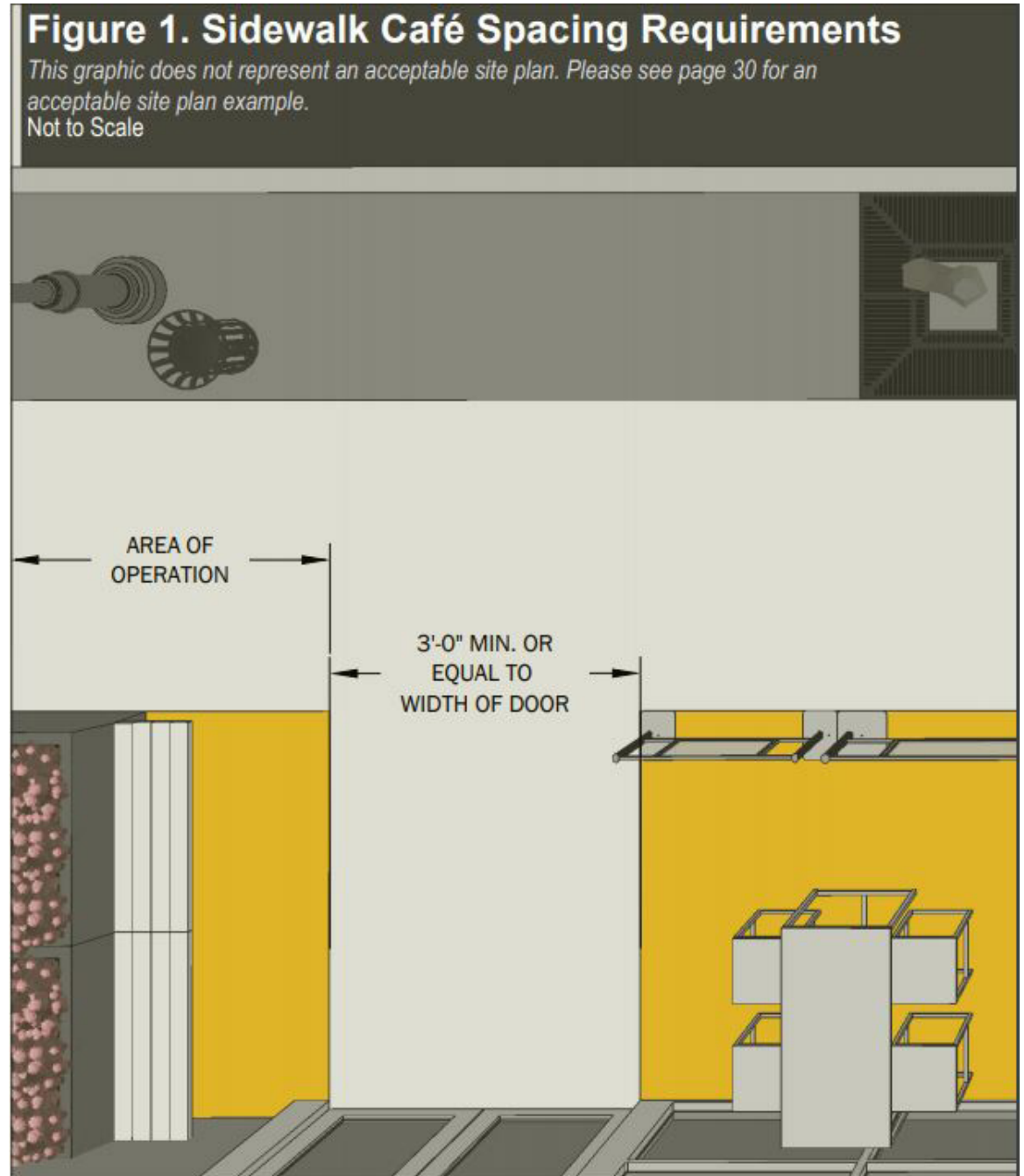
Refer to the Design Standards Chart on page 31. Please note the fire hydrant setback.

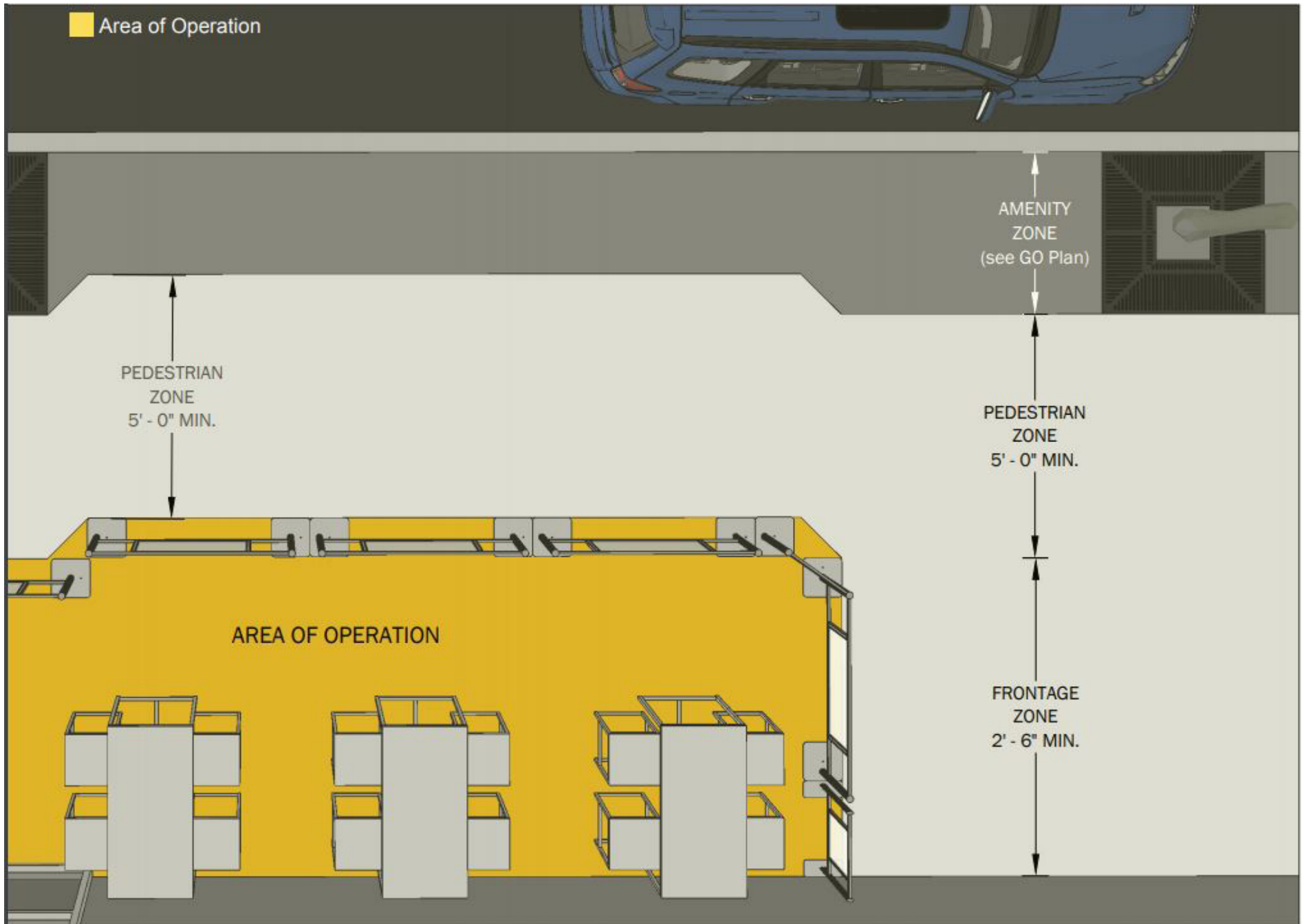
IV. Building Exits

A clear path of travel must be maintained for any building exit, and must be at least 3 feet wide or of equal width to the exit door, whichever is wider. This path of travel must be free of obstructions, including gates of any type, and connect the building exit to the sidewalk.

Any fire escape above the area must have adequate clearance at the termination of the steps or ladder for evacuation purposes.

Adequate clearance will be determined by the Fire Marshal.







V. Exiting and Occupancy Requirements

Sidewalk Cafés will not require a change to occupancy permit for the food service establishment, provided the Sidewalk Café has a direct exit path to the public sidewalk, which is at least 3 feet wide; however, depending on size and occupant load, a second exit from the café area may be required. Please refer to Chapter 10 of the International Building Code.

VI. Fencing

The following standards apply to fencing:

- Fencing must be between 36" and 42" in height.
- A toe rail with its bottom edge no higher than 4" above the adjacent surface.
- Fence posts may either be attached to the sidewalk with bolts or utilize free-standing bases. When bolted fencing is removed from the sidewalk, the sidewalk must be restored to original or better condition. The permit holder or property owner is responsible for sidewalk repairs.
- Fencing should be constructed with a railing or other horizontal element. Ropes, chains, and the like are not permitted to meet fencing requirements.
- Posts with pointed tops are not permitted.
- Fencing must be constructed of high-quality finished materials, such as steel or finished woods. Glass, plastic and/or raw lumber are not allowed. Avoid solid panels; fencing must have some level of transparency or permeability.
- Fencing shall not contain electrical or other utility elements.
- Elevated flower pots/planters may be used in lieu of fencing. Alternative fencing must meet all applicable listed standards.

VII. Seating Platforms

Seating platforms are discouraged. Proposed sidewalk café sites that require leveling due to site topography will be considered on a case-by-case basis. Additional application materials may be required. Platforms must comply with ADA Design Standards and Chapter 16 of the International Building Code.

VIII. Heating Elements and Overhead Weather Protection (Umbrellas)

Heating elements and free-standing umbrellas are allowed within the footprint of the Area of Operation, but may not encroach on the Pedestrian Zone. Heating elements must be of a type permitted by the City of Tulsa Fire Marshal and must be temporary in nature and easy to remove.

An umbrella is not considered to encroach on the Pedestrian Zone if:

- The opened portion is located at least 7' above the sidewalk grade
- The umbrella does not block the visibility of traffic control devices
- The use of the umbrella is within the Sidewalk Café Area of Operation
- The umbrella installation meets requirements for the city ordinance regarding sight triangles at intersections. See Title 24 of the Tulsa Revised Ordinances.

IX. Sidewalk Café Adjacent to a Curb

It may be possible, in certain situations, to have a Pedestrian Zone between the face of a building and the Area of Operation, with the Sidewalk Café adjacent to the curb. This may present issues with serving alcohol or other complications, and therefore, this scenario will be reviewed on a case-by-case basis.

X. Amplified Sound

Use of speakers and other amplified sound equipment is allowed, but the maximum volume may not exceed 65 decibels within the Area of Operation. Download a decibel measuring app on a smartphone device to check your decibel level. Despite permitting the use of amplified sound equipment, any Sidewalk Café is subject to Title 27, Chapter 14, Section 1400 noise ordinance for the City of Tulsa.

Permanent installation of sound equipment is not allowed to occur in the public right-of-way. Sound equipment locations must be shown on the site plan.

XI. Liquor Control

Sidewalk Cafés that wish to serve alcohol must be in compliance with all ABLE requirements and approved by the Oklahoma ABLE Commission. An Alteration Request must be submitted by the applicant to ABLE, and must show fencing around the Area of Operation. Visit ok.gov/able for more information.

XII. Hours of Operation

Sidewalk Cafés may operate during the food service establishment's business hours. Furniture can remain in the Sidewalk Café approved Area of Operation outside of business hours, but must be secured. Furniture must be movable and cannot be attached to the sidewalk. All furniture and equipment shall be removed from the right-of-way when not used by patrons for a period of 10 or more days (*Ex: seasonal removal*).

XIII. Prohibited Uses

The Sidewalk Café may not be used for any purpose other than food and beverage service associated with the adjacent business. Outdoor storage or other uses are strictly prohibited.

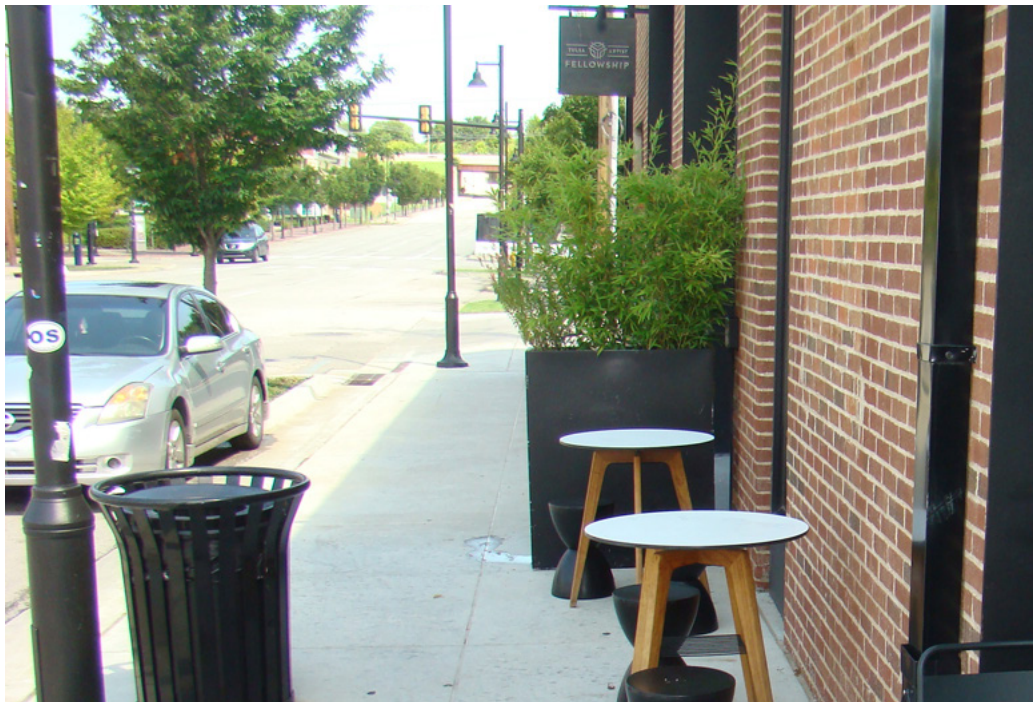
XIV. Additional Resources

See the Design Standards Chart on page 31 for more information on site plan layout requirements.

See the FAQs section at the end of this document for answers to common questions.



SECTION B | **Tables & Chairs Overview**



What Elements Comprise a Tables & Chairs Setup?

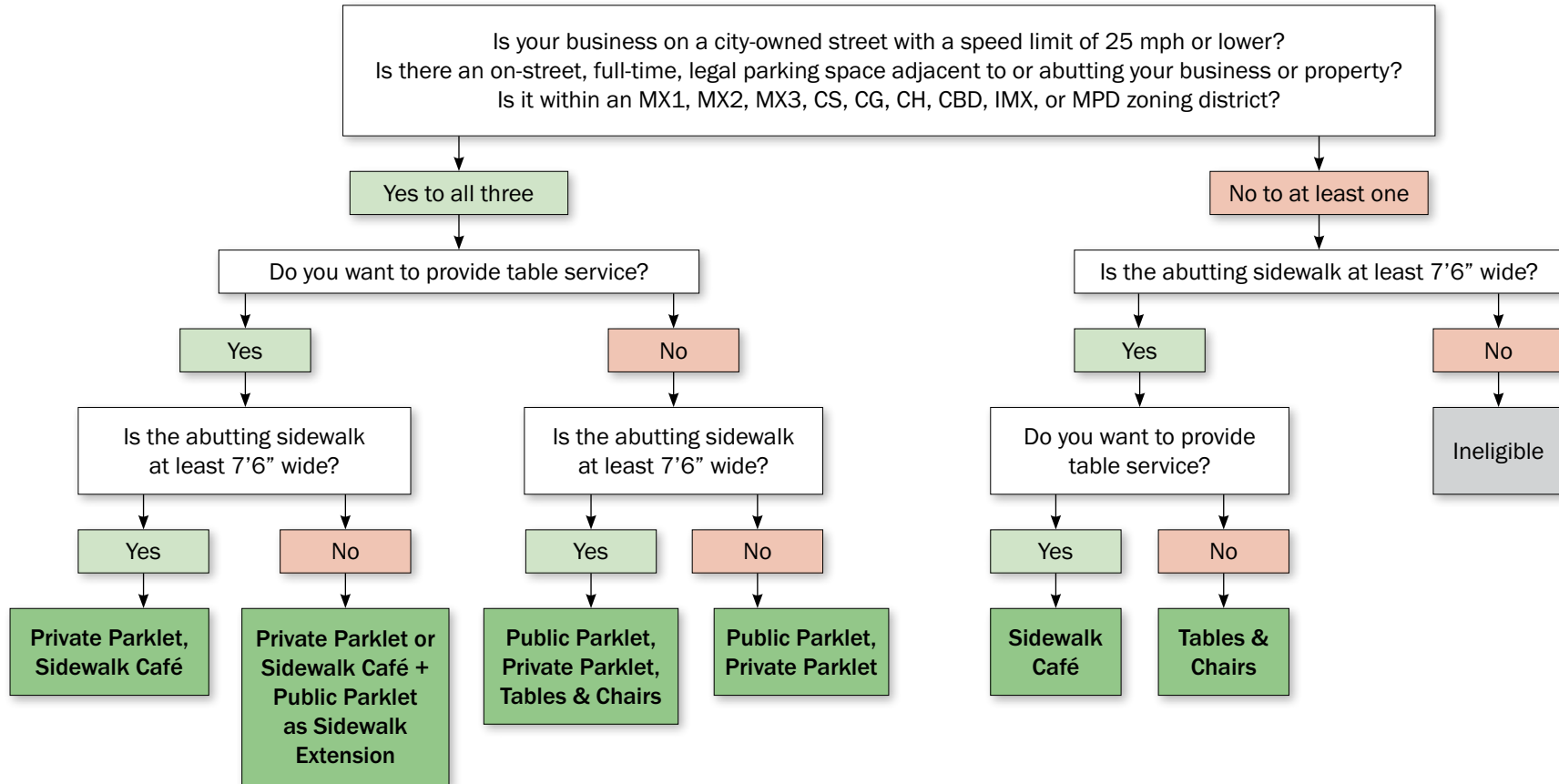
"Tables & Chairs" is the name of a type of outdoor eatery permit. This particular type of outdoor eatery can be created by setting tables and chairs outside and adjacent to a place of business.

Unlike a Sidewalk Café, a Tables & Chairs area does not offer table service to visitors and the furniture is available for use to the public.

Typically, furniture remains outside a place of business both during and after hours. The Tables & Chairs Area of Operation and its furnishings are maintained by the adjacent business.

The Tables & Chairs Area of Operation is not separated by fencing from the Pedestrian Zone, but is separated by end barriers.

Which Right-of-Way Program is Right for You?



TABLES & CHAIRS | Permit Process



Permit Process Overview

- **Develop a site plan according to the Tables & Chairs Design Standards.**
- **Collect the following required documents:**
 - Application Form
 - Certification and Hold Harmless Agreement
 - Site Plan
 - Responsible Party Agreement
 - Property Owner Consent Form
 - Insurance Use Permit Endorsement
 - Current Certificate of Insurance
 - Photographs of the Site (3 minimum)
 - Manufacturer cut sheets, brochures, or pictures of proposed furniture
 - Application Fees (see page 30)
- **Submit Complete Application to:**
 - Tulsa Planning Office at INCOG
2 W. 2nd St., Suite 800
Tulsa, OK 74103
 - urbandesign@incog.org
- **Application Review and Site Visit.**
- **Permit Decision**
Within 30 days after a complete application submission.

Note: Applications for a Tables & Chairs Permit may be submitted either by the property owner or the operator of the food service establishment.



Permit Process Details

Step 1: Site Plan & Design Standards

Develop a site plan for your proposed Tables & Chairs area. The purpose of the site plan is to demonstrate compliance with all layout requirements. All standards must be met for an application to be approved. The site plan must show:

- **North Arrow and Scale** (*example on Site Plan sheet*)
- **Location of existing street fixtures/utilities/ other infrastructure in the right-of-way and their distance from the nearest edge of the Area of Operation**, including, but not limited to: utility poles and vaults/manholes, parking pay stations, bus shelters, sign posts, tree pits.
- **Tables & Chairs Area of Operation Dimensions**
Show a dashed line around Tables & Chairs area
- **Width of the adjacent sidewalk**
From face of building to back of curb
- **Distance from the proposed Tables & Chairs area to the nearest intersection**
- **Name and location of adjoining streets or alleys**
- **Adjacent building facade and door swing**
Include labels and dimensions for both
- **Location of end barriers**
- **Location of sound equipment** (*if any*)

Step 2: Collect the Required Documentation

See the full list on the previous page

Photographs of the site are required to show the proposed Tables & Chairs Area of Operation and the existing features stated in Step 1. A minimum of three photographs shall be submitted: one from across the street with no vehicle obstructing the view of the area, and from both ends of the proposed Tables & Chairs area (*including building facade and street curb*).

Step 3: Submit Complete Application

Step 4: Application Review & Site Visit

The Tulsa Planning Office will review the application and may contact you to request or correct information (*Resubmission fees may apply - see Fee Chart on page 30*). Staff will visit the site to ensure the layout meets standards. (*Note: The applicant may be required to repair portions of any damaged sidewalk or bring the sidewalk adjacent to the building into ADA compliance before being granted a permit.*)

Step 5: Permit Decision

After the staff review is complete, the Tulsa Planning Office will either:

- Approve the application
- Approve the application with modifications
- Deny the application

The Table & Chairs cannot be installed until all applicable fees have been collected and an approved permit has been issued. The permit must be posted on site and available to be viewed upon request. A decision will be made within 30 days after a complete application submission. An inspection will be made by planning staff within 60 days after approval.

Request for Review or Reconsideration

An applicant can request a review or reconsideration of a permit decision. If denied, an appeal of a Tables & Chairs permit decision may be made to City Council by resubmitting the decision letter with the appeal portion filled out. This request should be submitted, in writing, within 10 calendar days of the original permit decision. The request must identify:

- The permit application that is up for review or reconsideration. You can identify the permit by the permit ID number and the permit application address.
- The specific objections to the original decision.
- The specific actions being proposed by the business that could change the permit decision.

Proof of Insurance

The applicant shall provide proof of at least one million dollars (\$1,000,000.00) of commercial general liability insurance coverage, per occurrence, while the permit is in effect, including potential claims for bodily injury, death, or disability and property damage which could occur at or be related to the sidewalk café or table and chair area.

The insurance policy shall be issued by an insurance company licensed to do business in the State of Oklahoma. Each policy shall provide by endorsement that thirty (30) days' prior written notice of cancellation shall be delivered by the insurer to the City of Tulsa, except that ten (10) days' prior written notice of cancellation shall be provided by the insurer to the City of Tulsa for nonpayment of premium.

The applicant shall agree to indemnify and hold the City of Tulsa, its officials, officers, employees, and agents harmless against any liability, claims, causes of action, judgments, or expenses, including reasonable attorney fees, resulting directly or indirectly from any act or omission of the permittee, its subcontractors, anyone directly or indirectly employed by them, and anyone for whose acts or omissions they may be liable, arising out of the applicant's use or occupancy of the public place. *(See the Insurance Information sheet.)*

Fees

All application fees are due with the application submission. Contact urbandesign@incog.org or see page 30 for more information.

An approved permit will be in effect from the date of approval through June 30th of the same year or the next year, whichever comes first.

Permit Expiration/Renewal

A Tables & Chairs Permit Renewal Form must be submitted annually to reinstate an existing Tables & Chairs Permit. Each permit expires after June 30th. You may submit your Permit Renewal Form for the next July 1st - June 30th permit year prior to the expiration of your current permit. The Tables & Chairs Permit is specific to the applicant and cannot be transferred to others.

An Amendment Form must be filled out if any changes need to be made to the original permit application during the approved permit year. The form must be filled out, submitted, including resubmission fees, and approved prior to changes being made.





Permit Conditions/Revocation

While the City recognizes the potential for Tables & Chairs to enhance the public realm, the grant of a permit is a privilege and not a right. All Tables & Chairs permits are wholly of a temporary nature and can be revoked by the City of Tulsa at any time. Further, the City will, and by law must, retain the right to deny, restrict, or revoke this privilege in any instance where the public benefit of said permit is in doubt. Tables & Chairs Permit holders must comply with the terms and conditions of the permit, and must keep the sidewalk clean, safe for pedestrians, and clear of obstructions. In the event that a Tables & Chairs Area of Operation does not meet the terms and conditions of the Permit, the City of Tulsa may issue a Notice of Violation or may revoke the permit.

An encroachment (*e.g., moving furniture into the Pedestrian Zone*) placed upon or maintained within the public right-of-way or a public easement contrary to the terms of the Tables & Chairs Permit Program shall constitute a public nuisance. Businesses that have encroached upon a public right-of-way or public easement shall remove the violation or incur a fine. The encroachment shall not return to the public right-of-way or public easement until the issue has been completely resolved either by appeal, amendment, or re-permitting.

The City of Tulsa will strive to give adequate notice when possible to permit holders (typically 30 days) in the event that the Tables & Chairs Area of Operation must be removed from the right-of-way for an event, construction, or for any other reason. In an emergency or any other instance, the City of Tulsa may immediately clear the Tables & Chairs area to preserve public health and safety. If this should occur, the City of Tulsa will not be responsible for damages, including revenue losses.

A new permit is required if a business is sold. A permit amendment is needed if site conditions will change. If an Amendment Form was not submitted prior to making modifications, and/or the modifications are not in compliance with Tables & Chairs regulations or the original approved permit application, the permit may be revoked.

TABLES & CHAIRS | Design Standards & Fee Chart



I. Compliance with ADA

Tables & Chairs areas are places that offer accommodations to the public and are required to comply with the Federal Americans with Disabilities Act (ADA). These accommodations must provide an equal opportunity for individuals with disabilities to enjoy the goods and services offered.

All seating and tables must be movable to accommodate wheelchair access.

II. Pedestrian Zone

At least 5' of horizontal and 7' vertical clearance in the Pedestrian Zone is required on all sidewalks where business owners wish to create a Tables & Chairs area. The Pedestrian Zone is allowed to meander from side to side to avoid obstructions, but is encouraged to be as straight as possible.

The Pedestrian Zone is measured horizontally from the outside edge of the Tables & Chairs Area of Operation to the nearest obstruction (e.g. *tree pit, parking meter, bike rack, planting strip, etc.*).

If no obstruction exists, the Pedestrian Zone is measured to the back of the curb. At no time shall the Pedestrian Zone be less than 5 feet wide. Tables & Chairs may not encroach into tree pits. Portable signage, such as A-frames, or any other objects are not allowed to encroach into the Pedestrian Zone.

Minimum Width Requirements:

Minimum Sidewalk Width Face of building to back of curb	Pedestrian Zone Minimum Width
If less than 7 feet 6 inches	No permit is allowed.
If greater than or equal to 7 feet 6 inches	5 feet of Pedestrian Zone is required.

See Figure 2 for more spacing requirements.

III. Setbacks

Setbacks are required from elements within the public right-of-way. Fire Department connections shall have 3 feet of clearance around the connection.

All setbacks should comply with the City of Tulsa Revised Ordinances. Requirements can be found in Title 11.

Please refer to the Design Standards Chart on page 31 and please note the fire hydrant setback.

IV. Building Exits

A clear path of travel must be maintained for any building exit, and must be at least 3' wide or of equal width to the exit door - whichever is wider. This path of travel must be free of obstructions, including gates of any type, and must connect the building exit to the sidewalk.

Any fire escape above the area must have adequate clearance at the termination of the steps or ladder for evacuation purposes. Adequate clearance will be determined by the Fire Marshal.

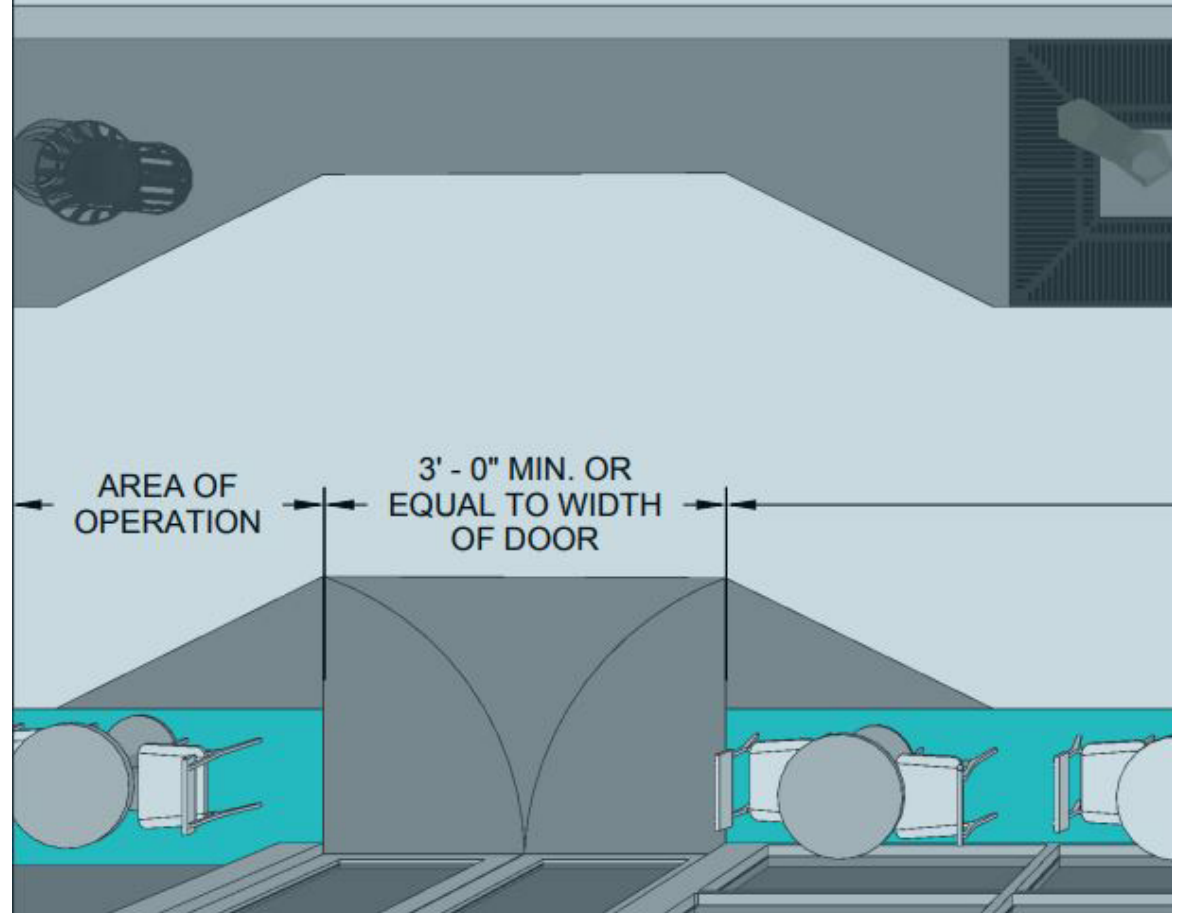
V. Exiting and Occupancy Requirements

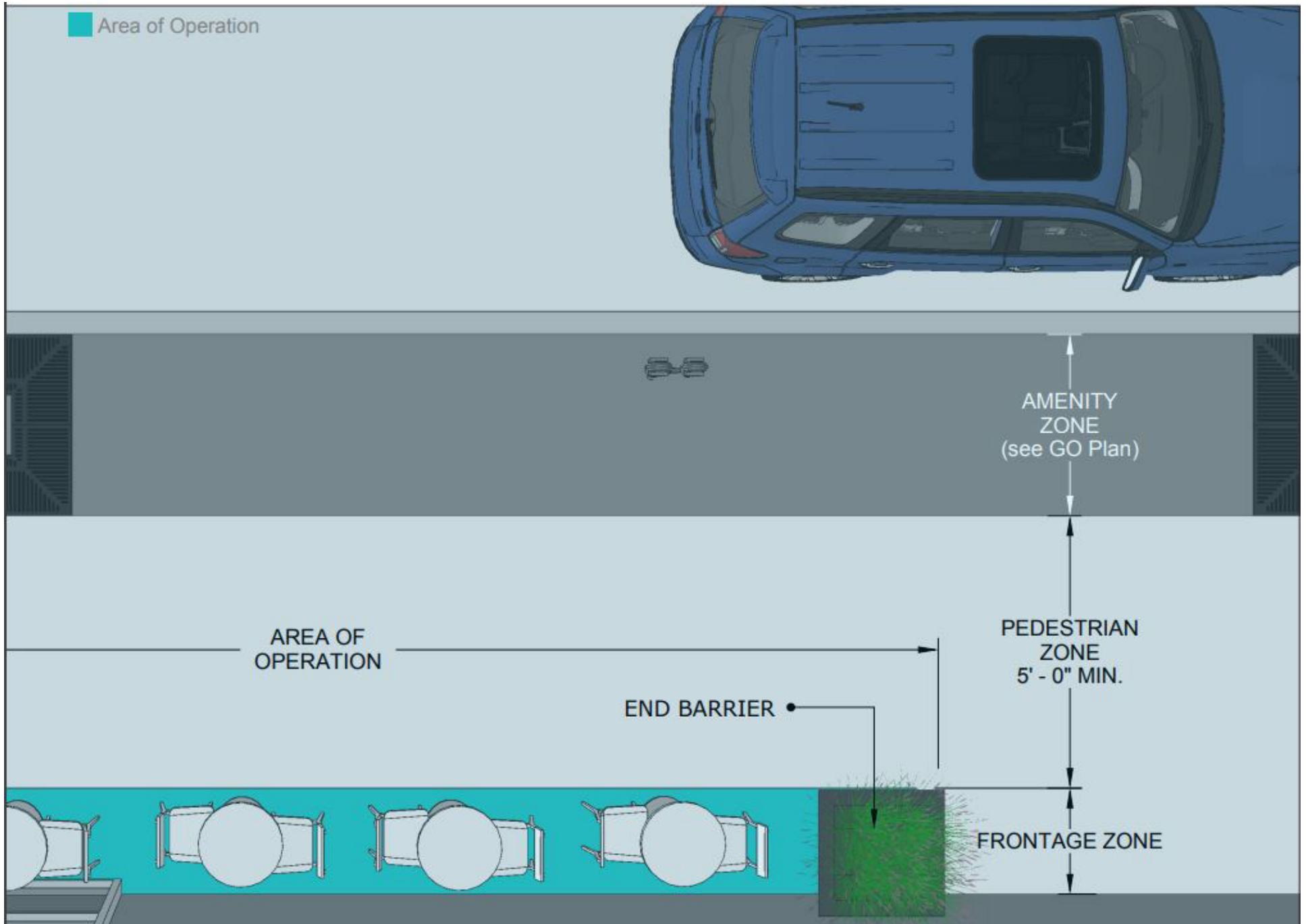
A Tables & Chairs Permit will not require a change to the occupancy permit for the food service establishment.

Figure 2. Tables & Chairs Spacing Requirements

This graphic does not represent an acceptable site plan. Please see page 30 for an acceptable site plan example.

Not to Scale







VI. End Barriers

Fencing is not allowed to define the Tables & Chairs Area of Operation from the Pedestrian Zone. An end barrier must be located at both ends of the Tables & Chairs Area of Operation (see *page 22*). End barriers help indicate a clear path for pedestrian travel, define the Tables & Chairs Area of Operation, and offer businesses an opportunity to create a unique, attractive space for customers. End barriers:

- Must abut the adjacent building and extend ninety (90) degrees from the building face.
- Must withstand wind, adverse weather conditions, and incidental contact
- Must not have protruding elements
- Must be constructed of materials and/or colors contrasting that of the sidewalk surface to increase visibility for the visually impaired
- May not display any advertising or promotional material
- Are not required on either side of an entrance which interrupts the Area of Operation, unless the Area of Operation terminates at the entrance, in which case, an end barrier is required on the Area of Operation edge nearest the entrance.

VII. Seating Platforms

Seating platforms are discouraged. Proposed Tables & Chairs sites that require leveling due to site topography will be considered on a case-by-case basis. Additional application materials may be required.

Platforms must be compliant with Federal ADA Design Standards and Chapter 16 of the International Building Code.

VIII. Heating Elements and Overhead Weather Protection (Umbrellas)

Heating elements and free-standing umbrellas are allowed within the footprint of the Area of Operation, but may not encroach on the Pedestrian Zone. Heating elements must be of a type permitted by the City of Tulsa Fire Marshal and must be temporary in nature and easy to remove.

An umbrella is not considered to encroach on the Pedestrian Zone if:

- The opened portion is located at least 7' above sidewalk grade
- The umbrella shall not block the visibility of traffic control devices
- The use of the umbrella is within the Tables & Chairs Area of Operation
- The umbrella installation must meet requirements for the city ordinance regarding sight triangles at intersections (see *Title 24*)

IX. Tables & Chairs Adjacent to a Curb

It may be possible, in certain situations, to have a Pedestrian Zone between the face of a building and the Area of Operation, with the Tables & Chairs Area of Operation adjacent to the curb.

This may present issues with serving alcohol or other complications, and therefore, this scenario will be reviewed on a case-by-case basis.

X. Amplified Sound

Use of speakers and other amplified sound equipment is allowed, but the maximum volume may not exceed sixty-five (65) decibels within the Area of Operation. Download a decibel measuring app on your smart phone or mobile device to check the decibel level within your Tables & Chairs Area of Operation.

Despite permitting the use of amplified sound equipment, any Tables & Chairs Area of Operation is subject to Title 27, Chapter 14, Section 1400 of the City of Tulsa Revised Ordinances.

Permanent installation of sound equipment is not allowed to occur in the public right-of-way. The equipment must be installed in such a way that will not interfere with the Pedestrian Zone or with the removal of furniture.

Sound equipment locations and their respective connections must be shown on the site plan.

Sound equipment must be wireless, and is not allowed to be connected by extension cords in the public right-of-way.

XI. Liquor Control

Tables & Chairs permits do not allow the service of food or beverages of any kind.

XII. Hours of Operation

Tables & Chairs areas are maintained by the adjacent business and exist for public use. Furniture may remain within the Tables & Chairs Area of Operation after business hours for public use, or they may be stored in a separate location.

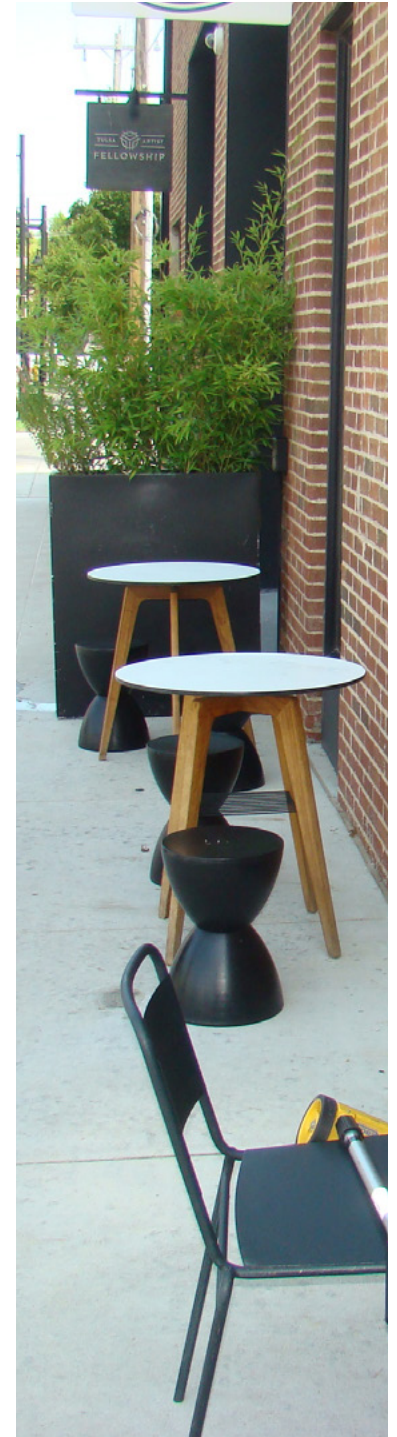
All furniture and equipment shall be removed from the right-of-way when not used by patrons for a period of ten (10) days or more (e.g. *seasonal removal*).

XIII. Prohibited Uses

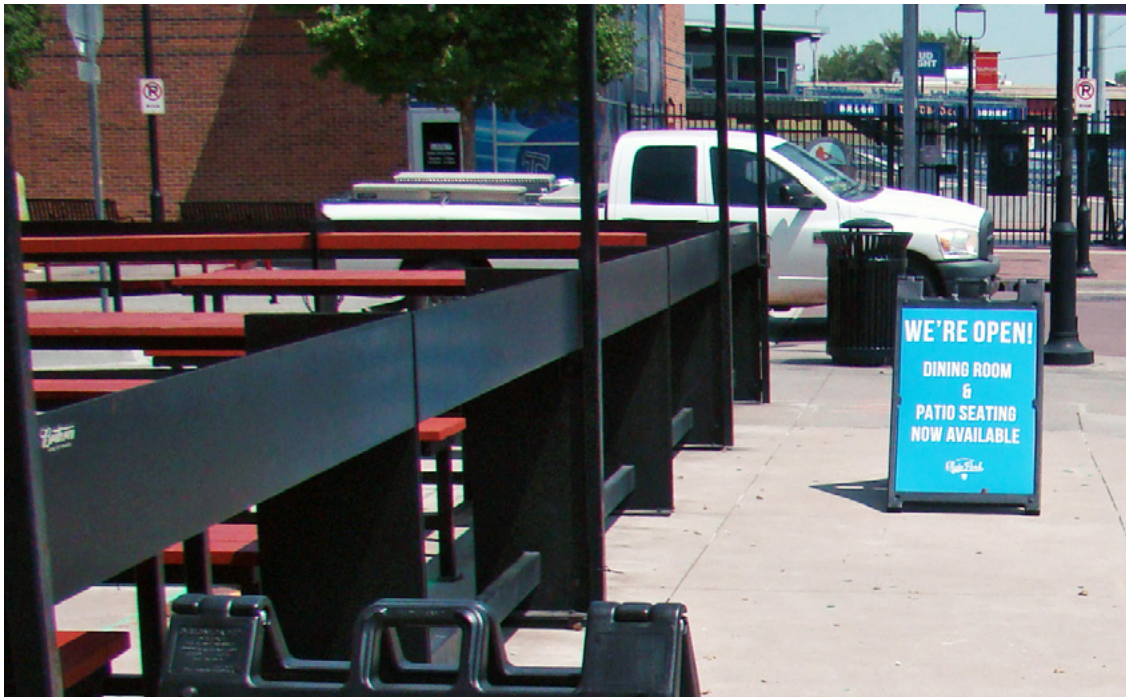
Outdoor storage is strictly prohibited.

XIV. Additional Resources

Please reference the Design Standards Chart on page 31 for additional information on site plan requirements. Please see the FAQs section for answers to common questions about the program.



Frequently Asked Questions



What is a Sidewalk Café Permit?

A Sidewalk Café Permit allows the holder of the permit to place furniture within the sidewalk area adjacent to a restaurant for use by patrons to whom the business has provided food or beverage service. The permit requires that the Sidewalk Café operator ensure that their Sidewalk Café meets site and other regulations as set forth by the City of Tulsa.

What is a Tables & Chairs Permit?

A Tables & Chairs Permit allows the holder of the permit to place furniture within the sidewalk area adjacent to a business. The permit requires that the Tables & Chairs operator ensure that their Area of Operation meets site and other regulations as set forth by the City of Tulsa.

Who is issued a permit and where can it be used?

The Sidewalk Café or Tables & Chairs Permit is issued to an individual, the Permittee, for use by the single business and location named in the application. The Permittee is often the owner of the business. The permit is personal to them and cannot be transferred in any manner, nor can the permit be used for another business or location.

What if I already have a permit or license agreement?

Permitted Sidewalk Cafés and Tables & Chairs areas will continue to be permitted, if not in violation of the program requirements, until June 30th. All Sidewalk Café and Tables & Chairs permits expire after June 30th. Permit renewal may occur before the expiration date. If site conditions will change, an Amendment Form must be submitted and approved prior to making changes.

If a license agreement was obtained prior to the establishment of these Permit Programs, then the terms of the agreement will still be honored; however, it should be noted that a license agreement is not a right, but a privilege and is viable at the discretion of the City of Tulsa.



What if I am a new owner of a business that previously had a permit and would like to have a new one issued?

If you are a new owner of a business that previously had a Sidewalk Café or Tables & Chairs Permit and would like to have one issued, you will need to re-apply for a Sidewalk Café or Tables & Chairs Permit; the permit is personal to the Permittee to whom it was issued and cannot be transferred to others.

What if I want to change who the Permittee is?

The permit is personal to the Permittee to whom it was issued and cannot be transferred to others. Any new Permittee must apply for a new Sidewalk Café or Tables & Chairs Permit.

Do I need permission from the owner of the property on which my business is located?

The owner of the property adjacent to the Sidewalk Café or Tables & Chairs area must be aware of the Sidewalk Café or Tables & Chairs application approval before installation. The property owner must sign a Property Owner Consent Form prior to application approval. It should be noted that the property owner is ultimately responsible for the maintenance and condition of the sidewalk, and is potentially liable for that which occurs on the sidewalk, e.g. a Sidewalk Café.

How will I know where the Area of Operation is located?

The applicant must provide a dashed line on the site plan delineating where the Area of Operation is to be located, including its dimensions. It is the responsibility of the Permittee or of the Responsible Party (*per the Responsible Party Agreement Form*), to ensure that all Sidewalk Café and Tables & Chairs operations, furniture, and other obstructions remain within the Area of Operation.

Where can my Sidewalk Café or Tables & Chairs area be located?

All Sidewalk Café or Tables & Chairs areas can only be located directly adjacent to your business's storefront. Additionally, a Sidewalk Café or Tables & Chairs area will only be allowed where:

- The area is zoned to allow the use
- The sidewalk, as measured from the property line to the back of the curb, is at least 7'-6" wide.
- A Pedestrian Zone can be established.

Zoning can be determined by viewing the Zoning map at tulsaplanning.org/resources/maps.

Sidewalk Café and Tables & Chairs operations are confined to a space referred to as the Area of Operation. All operations, furniture, and other obstructions must be within the Area of Operation at all times.

The area reserved for pedestrian and other travel is referred to as the Pedestrian Zone. This area must be free of all obstructions including, but not limited to: posts, signs, street lights, fire hydrants, bicycle racks, bicycles utilizing bicycle racks, vegetation, trees, tree wells, planters, literature and news racks, parking meters, bus shelters, benches, tables, chairs, umbrellas, heaters, and waste receptacles.

Obstructions such as café umbrellas are allowed in some instances to extend into the Pedestrian Zone from within the Area of Operation only when all parts are at or above a height of 7 feet within the Pedestrian Zone. Please see the tables on pages 10 and 21 for more information on minimum Pedestrian Zone and sidewalk widths.

The Pedestrian Zone is allowed to meander from side-to-side to avoid obstructions, so long as the minimum width requirement is maintained. Keeping the Pedestrian Zone as straight as possible is encouraged.

The Area of Operation for a Sidewalk Café or a Tables & Chairs area is typically located between the business's building and the Pedestrian Zone.



What types of furniture can I place in the Area of Operation?

In addition to tables, chairs, and fencing, a Sidewalk Café Permit allows the placement of furniture and other items within the Area of Operation that are pertinent to the operation of the Sidewalk Café. This includes items such as umbrellas, planters, and bus carts. All items are subject to approval by the City of Tulsa.

With the exception of umbrellas, all items placed within the Area of Operation must not be higher than forty-two (42) inches above sidewalk grade. The guidelines above apply to Tables & Chairs, except fencing is not permitted in the Area of Operations. End barriers are the required element that defines the boundaries of the Area of Operation for a Tables & Chairs Permit.

Do I ever need to remove my furniture?

You may leave your Sidewalk Café or Tables & Chairs furniture within your Area of Operation overnight or on days that your business is regularly closed; however, furniture should be secured after hours to something other than the sidewalk that is owned by the applicant or property owner.

All furniture and equipment used in the operation of a Sidewalk Café or within a Tables & Chairs area shall be removed from the right-of-way when not used by patrons for a period of 10 or more days (*Ex: seasonal removal*). Removal of furniture and equipment may be required on a case-by-case basis outside of business hours if it is deemed necessary by the City of Tulsa.

What if I want to adjust my Area of Operation after my permit is issued?

If you would like to increase, decrease, or modify the footprint of your Area of Operation, you will need to submit an Amendment Form to the Tulsa Planning Office for review prior to making any modifications.

Am I allowed to secure my furniture?

Furniture is allowed to be secured within the Area of Operation. Furniture may only be secured to structures that are controlled by the Sidewalk Café or Tables & Chairs operator or to structures owned by the adjacent property owner at their discretion.

It is preferred that furniture be secured in a fashion that allows quick removal of the furniture, such as with a cable and lock. Furniture is not allowed to be secured to the sidewalk with fasteners of any kind, other than being secured to approved Sidewalk Café fencing. Secured furniture must be removed within ten (10) days of the most recent patron usage.

How do I report an issue with noise or a café that is encroaching into the Pedestrian Zone?

The City of Tulsa Working in Neighborhoods Department (WIN), handles issues of public right-of-way encroachment. Dial 3-1-1 for any complaints related to Sidewalk Cafés or Tables & Chairs areas. The City of Tulsa has the right to require immediate changes if a Sidewalk Café or Tables & Chairs area has expanded beyond its permitted area, and may revoke an approved permit due to any on-going issues.

Noise-related issues can be directed to the Tulsa Police Department's non-emergency number: 918-596-9222.

Will Sidewalk Cafés and Tables & Chairs areas be required to provide ADA access?

It is the food service establishment's responsibility to comply with all regulations of the Americans with Disabilities Act (ADA). The City of Tulsa will evaluate the design plan and make recommendations. Moreover, the City of Tulsa's approval of a Sidewalk Café or Tables & Chairs area does not relieve the property owner or the operator of the establishment from complying with all aspects of the ADA requirements.

What about Sidewalk Cafés on private property?

Sidewalk Cafés on private property are not governed through this program.

Is there anything else I should consider?

Your Sidewalk Café or Tables & Chairs area must accommodate customers who are on the sidewalk and waiting in line for your business. The location and configuration of your Area of Operation cannot be such that it encourages customer waiting areas that obstruct the Pedestrian Zone. You may be required to provide a location for waiting customers that is on private property or incorporated into your Area of Operation.

All food must be prepared within your building; cooking and preparation of food within the sidewalk area is prohibited.

Before purchasing your furniture, consider the accessibility of your furniture and design for customers with disabilities, wheelchairs, or mobility devices.

The sale of alcohol within the State of Oklahoma requires that you comply with all ABLE requirements. Please visit ok.gov/able for more information.

How do I apply for a permit, and what should I do first?

Before you apply for a Sidewalk Café or Tables & Chairs Permit, review all of the information in this document. Look at the area that you plan to use and assess if it will meet the requirements of the program. Make a plan for how you intend to use the area.

Download the application materials at tulsaplanning.org/row.

Disclaimer

The City of Tulsa reserves the right to amend any aspect of these guidelines at any time. Program applicants that do not agree with the amended terms may withdraw their applications.



Fees

Fees based upon the provisions of Title 49, City of Tulsa Revised Code of Ordinances, and are non-refundable.



	Initial Application	Annual Renewal / Reinstatement	Resubmission, Amendment, or Addenda to an Application or Approved Permit
Application Fee	\$150.00 <i>Title 49, Section 1501</i>	\$105.00 <i>Title 49, Section 1502</i>	—
Re-Inspection Fee (each) <i>Title 49, Section 108</i>	\$52.00	—	\$52.00
Application Cancellation Fee	May withdraw application at any time without a fee penalty. All fees are non-refundable.		
Resubmission or Amendment Fee <i>Title 49, Section 106</i>	Includes one site plan resubmission. See Resubmission Fee column for more than one resubmission	—	\$80.00
Subtotal	\$150	\$105	\$80.00 - 132.00

Design Standards

Measurements primarily referenced from the 2011 Pedestrian Facilities in the Public Right-of-Way Accessibility Guidelines (PROWAG) Manual.



Design Standards	Dimensions
Minimum Pedestrian Zone width	5'
Minimum Sidewalk Café or Tables & Chairs Area of Operation width	2'-6"
Protrusion from post, wall, etc. (into the Pedestrian Zone)	4" max.
Wheelchair turning space	4'x4' min.
Fire hydrant setback	8' min.
Setback from alleys, bus stops, handicap parking spaces, and commercial loading zones	5' min.
Setback from parking meters, pay stations, traffic control devices, utility poles, bike racks, and other street fixtures	5' min.
Setback from crosswalk intersection area (Intersection area beginning at the corner curb radius extension or the edge of the crosswalk, whichever is closest to the Area of Operation)	10' min. from crosswalk; 35' min. from corner curb radius if no crosswalk is present, to meet sight-distance triangle requirements of Title 24, Section 103.A of Tulsa Revised Ordinances
Fencing/End Barrier Height If serving alcohol, reference ABLE requirements for fence height, whichever is taller.	36"-42"
Fencing toe rail/bottom edge (Sidewalk Café)	Cannot be >4" above sidewalk grade
Fire Department Connection setback	3' min.
Direct exit path width (from Sidewalk Café to Pedestrian Zone)	3' min.
Opened portion of umbrella (height from sidewalk grade)	7' min.

Site Plan Example

Note: This is only a graphic example of a site plan. Dimension requirements are subject to change.
Both computer-aided site plan drawings and hand-drawn site plans are acceptable.
For hand-drawn site plans, please refer to the Site Plan graph paper template in the application packet.
All drawings should be to scale. All other site plan requirements can be found within this permit program manual.

