



## **City of Lockport Temporary Outdoor Dining Application for Lockport Restaurants**

The City has created a simple, straightforward application process geared at expediting the time from submittal to approval. Interested restaurant owners/operators can email a completed Temporary Outdoor Dining Application for Lockport Restaurants, as well as a sketch of the planned outdoor dining area layout, to [bpohlis@lockport.org](mailto:bpohlis@lockport.org). Community Development Department staff will reply to the request within one business day of receipt and will schedule the required inspection within two business days. Businesses who intend to offer outdoor dining will be required to maintain safe social distancing between diners, as well as provide adequate parking for customers and segregate vehicular traffic if the outdoor dining area is located in the parking lot. The process is for the use of private property only. If a restaurant is seeking the use of public sidewalks or roadways please contact the Community Development Department at 815-838-0549 x1137. Eligible businesses must hold a current business license and, if applicable, a current liquor license. The restaurant must also be in compliance with all of the City's liquor codes.

# GUIDE FOR TEMPORARY OUTDOOR DINING

## RESTORE ILLINOIS PLAN PHASES 3 & 4

### DISCLAIMER

*The City of Lockport does not make, and hereby disclaims, any warranty, express or implied, as to the accuracy or completeness of the Guide for Temporary Outdoor Dining (hereinafter "Guide") or any of the measures or recommendations set forth and described herein. The City of Lockport undertakes no obligation and assumes no responsibility for any injury or damage to persons or property arising out of, or related to, any use and/or reliance on these regulations and any information provided therein or for any errors or omissions. The sole risk of relying on this document is that of each individual alone and the City of Lockport disclaims any liability based on information provided in this Guide.*

The City of Lockport has created this guide to assist our local businesses in providing outdoor dining opportunities. This document provides regulations for outdoor dining on a temporary basis pursuant with the recent amendments of Governor Pritzker's Restore Illinois Plan and will cease or be amended if there is a State order or injunction limiting such use. By adhering to these regulations, the City of Lockport shall allow restaurants to temporarily offer outdoor dining until such time as 100% of the indoor seating area is available for use, however the City makes no representation as to consent or authorization by other entities, agencies or departments. The safety of employees and customers is our priority; therefore, the following must be followed to operate a temporary outdoor dining facility within the City of Lockport:

- Complete application for *Temporary Outdoor Dining* (attached) and submit requisite documents.
- Complete application for *Tent Permit for Temporary Outdoor Dining* (attached) for tents greater than 625 sq. ft. and submit requisite documents. Permit fees are waived. If there are electrical needs in the outdoor dining area, it shall be GFCI protected. Inspections and approvals are required.
- Tents shall be anchored to accommodate wind loading. Consult with Brian Pohlis ([bpohlis@lockport.org](mailto:bpohlis@lockport.org)), Building Inspector, for questions related to suitable anchor or counter-weight materials.
- The use of public sidewalks or public lands will be considered on a case-by-case basis. Please contact the Community Development Department (Kimberly Phillips [kphillips@lockport.org](mailto:kphillips@lockport.org), City Planner) for further information.
- Outdoor dining area must not be located so as to impede FD/emergency vehicle access.
- Outdoor dining area shall minimize two-way traffic where possible by providing one-way point of ingress and egress.
- The temporary outdoor dining area shall be accessible to the disabled and shall follow any federal, state and City laws, regulations and ordinances pertaining to accessibility and nondiscrimination.
- No use of flammable/combustible liquids/gases without approval.
- A minimum of two fire extinguishers are required: One must be located outside the tent area within 10 feet of the outdoor dining enclosure, a second fire extinguisher must be located inside the tent area. Extinguishers must be visible and installed a minimum of 4 inches off the ground and no more than 52 inches above the ground.
- Business owners must follow all guidelines issued by the Illinois Department of Public Health, Centers for Disease Control or other official authority.
- Smoking is prohibited.
- Outdoor dining area must maximize physical distancing with six feet as the minimum distance between seating.
- The outdoor dining area shall be closed no later than 10:00 p.m. Sunday through Wednesday and 11:30 p.m. on Thursday through Saturday.
- If alcohol will be served and/or consumed, please see attached Temporary Order No. 2020-03 issued by Mayor Streit as the Liquor Commissioner.

- Music is allowed, however, if a complaint is received and the applicant is found amplifying music, in the judgement of the attending officer, to the detriment of the surrounding residences, the applicant will be required to turn off any amplified sound.
- No excessive noise will be tolerated. If complaints are received, the outdoor dining area may be further limited or possibly removed.
- If a tent is utilized, it shall be open 50% of the total lineal feet of the tent perimeter (no tents will include walls but may include weather protection panels integrated into the tent structure). If no tent is utilized, or in supplement of a tent area, operators may use awnings, umbrellas or other coverings. (See tent guidelines below)
- Follow the Illinois Department of Commerce & Economic Opportunity's Restaurants & Bars for Outdoor Dining Guidelines issued on May 24, 2020.

In addition to the regulations stated above, the following must be complied with for outdoor dining areas utilizing parking lots:

### **OUTDOOR DINING AREAS IN PARKING LOTS**

- The use of parking lots located on the same property as the restaurant/bar shall be allowed for outdoor dining.
- Restaurants/bars that do not own their parking lot may use adjacent private parking areas provided written permission from the property owner is obtained and shared with the City.
- If a private parking lot on the subject premises is used, adequate parking must remain for customers and employees when indoor dining is allowed.
- A temporary physical barrier shall separate the outdoor dining area from the rest of the parking lot. Temporary barriers shall not pose a safety hazard to customers. No permanent barriers may be installed without proper permits.
- Restaurants within a strip mall, plaza, shopping center or other multi-tenant space shall obtain written permission from the property owner or property manager to utilize the common parking area for outdoor dining.
- Driveways, drive aisles, drive-thrus or other means for traffic flow shall not be impeded or obstructed.
- Access to and from ADA parking spaces shall not be impeded.
- Permanent plumbing, electrical and lighting fixtures shall not be allowed or installed without appropriate permits. If necessary, permits for these specific items, for only this temporary use, will be waived.
- Any temporary lighting shall be directed in a manner to not impair visibility on nearby streets nor shine into surrounding residences.
- Once existing State orders restricting capacity expire or a new State order is passed permitting 100% capacity inside the premises, the use of parking lots for temporary outdoor dining shall cease. All parking lots shall revert to their original use.

**NOTE:** If the kitchen has been closed for an extended period of time it will be subject to a full inspection as part of the outdoor dining approval process. Please contact the Will County Health Department.

The City of Lockport strongly recommends that restaurants review their processes and take the necessary steps to prioritize employee and customer safety. Guidance from insurance companies, attorneys and safety consultants is recommended. Recommendations are subject to change based on data and metrics regarding COVID-19. Additionally, please consider reviewing guidelines provided by the State of Illinois and National Restaurant Association which can be found here: <https://dceocovid19resources.com/assets/Restore-Illinois/businessstoolkits/restaurantbars.pdf>. and <https://restaurant.org/covid19>

# TENT PERMIT FOR TEMPORARY OUTDOOR DINING

**(Permits only required for tents over 625 sf)**

CITY OF LOCKPORT

222 E. 9<sup>th</sup> Street, Lockport, IL 60441

Submit via email to [bpohlis@lockport.org](mailto:bpohlis@lockport.org)

1. Permission letter from owner of property is required if putting up tent on property owned by others.
2. Attach a Plat of Survey, if available, with location of tent (must be located on private property). A plat is preferred. However, if no plat is available, provide a plan that shows dimensions to buildings, property lines, parking and drive aisles, location of enclosure and size of tent
3. Tent must be made of Fire Resistant Material, please provide a copy of the certificate.
4. Provide layout of table and/or chairs.
5. If heating and/or electrical equipment are involved indicate location and description.
6. **Inspections of the tent area must be requested and performed prior to operation. Contact the Building Department 24 hours prior to schedule once the area is complete. Operation without inspection approval is cause for closure.**

Owner of Property/Business:	
Contact Name:	Phone:
Email:	
Address where tent is to be located:	
Size of Tent:	
Start Date Tent Put Up:	
Size of Tent:	
Number of Fire Extinguishers?	Lighting provided?

**If the tent is to be installed by a commercial tent installer, a City of Lockport Contractors license and a \$20,000 Surety Bond made out to the City of Lockport is required. Contractor should contact the Building Department for application requirements.**

Tent Installer:
Email:
Phone Number

Electrical Contractor (if applicable):
Email:
Phone Number:

\_\_\_\_\_ Date: \_\_\_\_\_  
Applicant signature

By signing the application, the applicant is affirming that proper commercial premise liability insurance and if applicable, dram shop insurance have been obtained to cover the potential loss and/or claim of damage arising from the use of the outdoor space for dining and/or drinking.

City of Lockport

## Temporary Outdoor Dining Application

### General Information

Restaurant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Email address: \_\_\_\_\_

Anticipated date to begin outdoor Dining: \_\_\_\_\_

I would like to request temporary City barriers:  Approximate quantity: \_\_\_\_\_

I have a liquor license and plan to sell liquor:

I lease my building space:

I own my building:

I am the property owner, if not property owner, their signature required on the line below:

\_\_\_\_\_

Please submit a detailed map indicating all dimensions, locations and number of seating/tables on private property. If a private parking lot is to be used please indicate total number of parking spaces and number of parking spaces to be used by the dining area. A barrier must be provided between the dining area in the parking lot and vehicular traffic. Please indicate the type of barrier and location on the plan. If traffic in the parking lot is to be rerouted from existing patterns, please indicate on the plan. If you are using a parking lot not owned by you or in common ownership with other tenants a signature noting agreement by the owner is required.

I, \_\_\_\_\_, hereby agree to the above terms and understand restrictions as they related to outdoor dining during Phases 3 & 4 of Governor Pritzker's Restore Illinois Plan.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

By signing the application, the applicant is affirming that proper commercial premise liability insurance and if applicable, dram shop insurance have been obtained to cover the potential loss and/or claim of damage arising from the use of the outdoor space for dining and/or drinking.

Submit this application and proposed layout to [bpohlis@lockport.org](mailto:bpohlis@lockport.org)

**Inspections of the tent area must be requested and performed prior to operation. Contact the Building Department 24 hours prior to schedule once the area is complete. Operation without inspection approval is cause for closure.**