

## Expanded Outdoor Dining Permit FAQs

### Overview

#### **What activity is allowed with this permit?**

The Expanded Outdoor Dining Permit allows establishments with valid Retail Food Establishment, Tavern or Consumption on Premises-Incidental Activity Licenses to temporarily expand operations into the public way or other private property (i.e. parking lots).

#### **How long does the permit last?**

The permit is good for up to 180 days, as long as the restaurant follows all rules and guidelines. The City reserves the right to cancel the pilot program and future Expanded Outdoor Dining applicants for public health, safety, or any other reason.

#### **How many days a week and what hours may I operate?**

For the first two weeks of the permit, the City will permit the closure of the streets for Friday, Saturday, and Sunday. Hours of operation will be determined at these locations on a case-by-case basis. Permits that are used by individual establishments to expand into private property. Permits associated with individual establishments must close at 11:00

#### **Who can apply?**

Any Chamber of Commerce, Special Service Area Agency, Business Association, or three (3) or more establishments on a contiguous block may apply for a street closure. To allow for street closure, at least 50% of participating establishments must serve food. Individual establishments with their own parking lots may apply by themselves to expand into their own lot. Individual establishments that serve liquor may apply to expand into the sidewalk in front of our immediately adjacent to their establishment.

#### **How much does it cost to submit my application and are there permit fees that a business needs to pay?**

There are no fees for the application or street closure. Establishments may be required to pay the relevant State and City temporary liquor permit fees.

#### **How do I apply?**

Please [click here](#) for more information on the Expanded Outdoor Dining Permit and to access the Permit Portal. The direct link to the Permit Portal is: <https://ipi.cityofchicago.org/Profile>.

## **Permit for Public Way (i.e. Street Closure) Expansions**

### **Who can apply for Street Closure?**

Any Chamber of Commerce, Special Service Area Agency, Business Association, or three (3) or more establishments on a contiguous block may apply for a street closure. To allow for street closure, at least 50% of participating establishments must serve food.

### **How many blocks of street closures can be applied for?**

The blocks of street closures will be determined on a case by case basis and reviewed with all relevant City departments. The closures must be managed by the applicant, so you are encouraged to think strategically about the blocks closed and the impact on other businesses in the area.

### **Will establishments with parking meters in front of their restaurants be eligible?**

Yes, applications will be reviewed on a case-by-case basis on impact to parking.

### **Who is responsible for closing the street?**

The applicant is responsible for Type III Barricades required for street closures.

## **Permit for Individual Establishment Expansions into Private Property**

### **Can I expand into an adjacent lot / private property and do I still need a permit?**

Yes, you must submit for this use through the Expanded Outdoor Dining Permit. The private property area does not need to be on the same property as the establishment, but CDPH will review food transport plans to ensure food safety.

### **Can I expand into my parking lot?**

Yes, but CDOT will need to review your Security / Traffic Safety Plan to ensure safety of customers dining in a space otherwise for vehicles.

### **Can liquor establishments expand into private property?**

Yes, liquor establishments can use the Expanded Outdoor Dining Permit to expand into private property. They should partner with a food establishment to ensure that food is available to guests.

### **Am I similarly limited to Friday, Saturday and Sunday?**

No, these limitations on days apply only for street closure permits.

**Are there hours of operation on private property?**

Expanded Outdoor Dining areas cannot operate earlier than 8:00 a.m. nor later than 11:00 p.m. Dining areas utilized by liquor establishments that do not serve food cannot operate earlier than 12:00 p.m. nor later than 11:00 p.m.

**Can I expand into areas that would typically require an Outdoor Patio license?**

Establishments that seek to temporarily have outdoor service may use the Expanded Outdoor Dining Permit in cases where an Outdoor Patio License would typically be required.

**Permit for Individual Establishment Expansions into Public Property**

**Can I expand onto the sidewalk?**

Establishments with a Tavern or Consumption on Premises-Incidental Activity license that do not have a Retail Food License may apply to expand into the sidewalk immediately in front of or adjacent to their establishment. Establishments with a Retail Food License should use the Sidewalk Café Permit to operate on the sidewalk – [learn more here](#).

**What rules must liquor-only establishments follow to expand onto the sidewalk?**

All sidewalk spaces must be constructed to allow for six feet of pedestrian access. Barriers must be erected around the seating area, 27 inches high or less above the ground to provide cane detection, with an entrance 3 to 5 feet wide. Additionally, all liquor-only establishments must partner with a retail food establishment so that food is available for patrons in outdoor areas.

**Can individual restaurants or bars operate on the entire sidewalk?**

Applications for full sidewalk closure will be evaluated on a case-by-case basis. In limited circumstances based on the design and use of the street, applicants may operate a sidewalk café or Expanded Outdoor Dining permit on the entire sidewalk.

**Application Process**

**When do application submittals close?**

There is currently no closing date for the applications, although this program is dependent on acceptable weather.

**What documents are required for the application submittal?**

The required documents can be found on the DCASE website. They required documents are:

- Floorplan/Site Plan
- Security Plan
- Certificate of Insurance

City and State Liquor License Applications (if serving alcohol outside) with applicable Certificate of Liquor Liability (Dram Shop) Insurance

### **What must be included in the Certificate of Liquor Liability Insurance?**

The certificate of liquor liability insurance must contain a notation that the City of Chicago and the State of Illinois are additional insured. It also must specify that the insurance covers the expanded outdoor dining area on the dates that have been selected for the permit. This needs to be as specific as possible.

- Example of Language for the Certificate of Insurance: *“Additional insured include the City of Chicago and the State of Illinois. The location includes the licensed premises at 121 Elm Street, as well as the adjacent parking lot at 123 Elm Street [or the street in front of the licensed premises from 100 Elm Street to 200 Elm Street] from June 1, 2020 through December 1, 2020.”*

### **How long does it take the City to review the application and respond back to the applicant?**

The initial review of the application will be conducted by all departments involved in providing services, permits or licenses within five (5) business days. If the initial application is not complete or more documents are needed, it may take longer than five days. Final issuance of permits is contingent on the success of the six initial pilot locations (public safety, health, etc.).

### **Which departments are responsible for processing these permits?**

Staff from the following departments will process these applications and oversee the program:

- Department of Cultural Affairs and Special Events (DCASE)
- Chicago Department of Transportation (CDOT)
- Department of Business Affairs and Consumer Protections (BACP)
- Chicago Police Department (CPD)
- Office of Emergency Management and Communication (OEMC)
- Chicago Transit Authority (CTA) – if bus routes are affected

## **Licensing Requirements**

### **Do I need to apply for a temporary food vendor license?**

No. A valid Retail Food License is required for the kitchen where the food will be prepared. All food and beverage must be prepared and stored inside the licensed premises.

### **If I have any liquor license questions, who should I contact?**

Please submit liquor license questions to the Department of Business Affairs and Consumer Protection (BACP). Please contact Bryan Knipper at [bryan.knipper@cityofchicago.org](mailto:bryan.knipper@cityofchicago.org) or (312) 744-1183.

## **Interaction with Other Public Way Permits**

### **How does this permit interact with existing sidewalk cafe permits?**

Sidewalk café permits and Expanded Outdoor Dining Permits are two separate processes.

The sidewalk café permit is an existing permit that allows restaurants to operate on the sidewalk directly adjacent or in close proximity to the licensed establishment. Applications should be submitted to BACP – more information can be [found here](#).

The Expanded Outdoor Dining Permit allows establishments to expand their operations into streets and private property, such as parking lots.

### **Can I expand my existing outdoor sidewalk cafe outside of my approved site plan?**

The Expanded Outdoor Dining Permit Process is not applicable for an expansion of a sidewalk café permit. Please [click here for more information](#).

## **Operational Considerations**

### **Who will be responsible for security?**

CPD will review the security plan and the applicant is responsible for implementing security for the expanding outdoor dining.

### **Who is responsible for waste?**

The applicant is responsible for all waste removal. The City will provide street sweeping.

### **If I have questions on a traffic plan and the re-routing of traffic, who do I contact?**

The Chicago Department of Transportation will assist the applicant regarding any questions they have regarding the street closures and re-routing of traffic. Please email: [cdotpermitsupport@cityofchicago.org](mailto:cdotpermitsupport@cityofchicago.org).

### **Will OEMC provide Traffic Control Aides (TCA's) to manage traffic?**

OEMC will not provide this service.

### **Can I erect a tent in the public right of way for my restaurant?**

No. Tents will not be allowed on the right of way. Table umbrellas are encouraged as a way to mitigate sun and rain.

### **Where can I find information on social distancing requirements for restaurants?**

The guidelines for food service establishments can be [found here](#). More information can be found at [www.chicago.gov/reopening](http://www.chicago.gov/reopening).

**Can bars be set up outside?**

No. All drinks must be poured/mixed inside the licensed establishments.

**Is BYOB allowed?**

No. The only alcohol allowed inside the Expanded Outdoor Dining area is alcohol served by the participating bars and restaurants to patrons seated at tables. No consumption of any alcohol purchased to-go from any establishment is permitted within an Expanded Outdoor Dining area.

**Can patrons be served drinks while they wait for their table?**

No. Only patrons seated at tables can be served alcohol from a licensed, participating establishment. No other seating (picnic tables, benches) can be added to the Expanded Outdoor Dining area except those used by participating establishments to serve patrons.

**Is entertainment allowed?**

No. You cannot set up bands, DJs, or other forms of loud entertainment. No stage or live entertainment allowed

**What is a food partner and who is required to have one?**

A food partner is a licensed retail food establishment that has a business arrangement with a liquor establishment to supply food to the Expanded Outdoor Dining area.

A food partner is required for any Expanded Outdoor Dining applicant who does not hold a retail food license. At the time of application, the liquor establishment must identify their food partner on the special event liquor license application. Menus and/or signage directing customers to the online menu of your food partner should be made available to all patrons. Food partners should be available to deliver food to the liquor establishment during all hours of operation.

**Is using a third party delivery service such as Doordash or Grubhub a food provider?**

No, the identified food partner must be a licensed retail food establishment.

**Organizational Questions**

**What if my restaurant does not belong to a Chamber of Commerce, Business Association, or Special Service Area (SSA)? Who can I contact to address my issues?**

Restaurants in proximity to others can apply in groups of three or more. If you would like more assistance or have questions, please contact: [chidining@cityofchicago.org](mailto:chidining@cityofchicago.org).

**Where can I find contact information for my local Chamber of Commerce, Business Association or Special Service Area?**

Information for local Chambers of Commerce or Business Associations can be found at [www.chicago.gov/nbdc](http://www.chicago.gov/nbdc). Information about Special Service Areas can be [found here](#).

**What if my local Chamber/Business Association/SSA is not participating in this program?**

Applications can be accepted from three establishments within a contiguous block. At least 50% of participating establishments must serve food.

###