

Jeremy Robinson  
Commissioner



Ann Fordock  
Deputy Commissioner

Martin E. Davis, L.S.  
Deputy Commissioner

DEPARTMENT OF PUBLIC WORKS  
Ben Walsh, Mayor

**SIDEWALK CAFÉ  
PERMIT APPLICATION & INSTRUCTIONS**

**REQUIRED FOR:** Operating food/beverage service and customer seating in the Right of Way.

**THIS APPLICATION PACKET CONTAINS:**

- 1) List of Required Submittals
- 2) Submittal Instructions
- 3) Sidewalk Café Application, page 2
- 4) Affidavit, page 3
- 5) Rules & Regulations, pages 4 - 6
- 6) Sidewalk Café Design Standards, page 7

**REQUIRED SUBMITTALS:**

- Sidewalk Café Application, notarized
- Notarized Affidavit and copy of NYS Liquor License, if alcoholic beverages are sold
- Insurance Certificate listing the City of Syracuse as Additional Insured (\$1,000,000 minimum ea. occur.)
- Diagram of Sidewalk Café Set-Up, including dimensions
- ***NOTE – Due to COVID-19, the application fee normally required for Sidewalk Café Permits will be waived for 2020 only.***

**SUBMITTAL INSTRUCTIONS:**

- 1) Application must be completed in its entirety. Incomplete or partial applications will not be processed.
- 2) Application and additional documents must be submitted to the:

**Central Permit Office**

201 E. Washington St., Room 101  
Syracuse, NY 13202  
(P) 315-448-4715  
[CentralPermitOffice@SyrGov.net](mailto:CentralPermitOffice@SyrGov.net)  
[www.syr.gov.net/Central\\_Permit\\_Home.aspx](http://www.syr.gov.net/Central_Permit_Home.aspx)



## SIDEWALK CAFÉ PERMIT APPLICATION

Restaurant/Business Name: \_\_\_\_\_

Restaurant/Business Address: \_\_\_\_\_

Check One:  New Application

Renewal Application. If renewing, check one:

Same set-up as previously approved Sidewalk Café permit

New set-up (explain): \_\_\_\_\_

Regular Hours of Operation: \_\_\_\_\_

Does the business sell alcoholic beverages?  Yes  No

Does the property have a Special Permit?  Yes  No  Not Required

Square footage of café area: \_\_\_\_\_ Application Fee: \$ 2020 WAVIED

\_\_\_\_\_  
Applicant Name (Owner/Manager)

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Cell Number

\_\_\_\_\_  
Address

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
E-Mail Address

\_\_\_\_\_  
Additional Contact Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Cell Number

\_\_\_\_\_  
Address

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
E-Mail Address

I, \_\_\_\_\_, hereby apply for a permit from the City of Syracuse Department of Public Works to operate a sidewalk café at the above address. I hereby certify that I have received and reviewed a copy of the Rules and Regulations governing the operation of a sidewalk café in the City of Syracuse. I hereby agree to fully comply with all of

the rules and regulations. I understand that the sidewalk café permit may be revoked if I fail to abide by the Rules and Regulations.

**Applicant's Signature:** \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Please print name: \_\_\_\_\_

Sworn to before me this \_\_ day of  
, 20\_\_.

\_\_\_\_\_  
Notary Public

**AFFIDAVIT OF OWNER/MANAGER - Sidewalk Café Permit**

STATE OF NEW YORK )  
)ss.:  
COUNTY OF ONONDAGA )

I, \_\_\_\_\_, being duly sworn, say:

1. I am the \_\_\_\_\_ of  
(title/relationship to establishment – i.e., owner/manager)

\_\_\_\_\_ in Syracuse, NY and I am authorized by  
(establishment)

\_\_\_\_\_ to make the following representations to the City of  
(establishment)

Syracuse.

2. I make this Affidavit to induce the City of Syracuse to issue a Sidewalk Café Permit to

\_\_\_\_\_ and recognize that the City of Syracuse is relying  
(establishment)

on my representations in issuing such permit.

3. That \_\_\_\_\_ is licensed and authorized by the New York State Liquor Authority  
(establishment)

to serve alcohol in the outdoor area more fully described in the site plan submitted in  
application

for the Sidewalk Café Permit. A copy of \_\_\_\_\_ liquor license which  
(establishment)

originally included the area or has been amended to include the sidewalk café area, and which is in full force and effect, is attached.

X\_\_\_\_\_

Sworn to before me this  
\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC



## **Rules and Regulations For the Operation of a Sidewalk Café**

- 1.) The issuance of a sidewalk café permit is a privilege granted by the City of Syracuse. The City of Syracuse requires compliance with all Rules and Regulations contained herein. Operators of sidewalk cafes are required to abide by these regulations and to show respect for the community in which the sidewalk café is located. Failure to do so may result in the revocation of the sidewalk café permit. The City of Syracuse Police Department, Fire Department, Code Enforcement and Ordinance Enforcement, will monitor the operation of all sidewalk cafés in the City of Syracuse and are empowered to issue citations for any violations of these rules and regulations, and all local laws, ordinances, and rules and regulations of the City of Syracuse that may apply.
- 2.) All applicants will be provided with a copy of the **Rules and Regulations** with their application packet. These rules and regulations must be read and the compliance statement at the bottom of the application must be signed by the applicant.
- 3.) **WAIVED DUE TO COVID-19.** A completed application must be submitted to the City to be processed, which includes all necessary requirements stated herein. The appropriate application fee outlined below is based on square footage and is **due when the application is submitted. Payment to be in the form of a check or money order made payable to “Commissioner of Finance”:**
  - a. Up to 200 sq. ft     \$ 50.00
  - b. 201 – 400 sq. ft     \$100.00
  - c. 401 – 600 sq. ft     \$150.00
  - d. 601 – 800 sq. ft.     \$200.00
  - e. 801 – 1000 sq. ft     \$250.00
  - f. 1001 + sq. ft.         \$300.00
- 4.) The applicant, if required by the City, must possess a **“Special Permit”**. When application is processed, we will check to see if you have a Special Permit. (Most restaurants in Armory Square and in most areas outside of Downtown are required to have this). If you **do not** have a Special Permit and are required by the Zoning Office to possess this, you will need to obtain this before your application is completed. If you **do** have a Special Permit, but it does not reflect your Sidewalk Café area, you will need to amend it. The Zoning Office can help you apply for a new or modified Special Permit.
- 5.) **The Sidewalk Café permit season** from April 1<sup>st</sup> to October 31<sup>st</sup> of the year the permit is issued. If good weather allows before or after these dates, and your business already has a permit approved for the year, you are allowed to set up your café on a day to day basis. In the “off-season”, storage of the tables and chairs on the sidewalk is prohibited and they need to be brought in off the sidewalk each night. If they are on the sidewalk before April 1<sup>st</sup> or after October 31<sup>st</sup>, it is possible they will be confiscated. The sidewalk area **MUST** be returned to the condition that existed prior to the set out of the outdoor sidewalk café.
- 6.) All tables, chairs, plants, planters, and any other items of the sidewalk café, hereinafter referred to collectively as **Sidewalk Café Elements**, shall be approved as a part of the permit approval process as set forth in the regulations for sidewalk cafés. Sidewalk Café elements shall be promptly stacked and/or set aside immediately after the sidewalk café discontinues its daily operation.



## Rules and Regulations For the Operation of a Sidewalk Café (continued)

- 7.) Once a Sidewalk Café permit is given, the permit **must be displayed** in a prominent place near sidewalk café area. Permit must include layout of permitted area for compliance.
- 8.) Prior to the issuance of a sidewalk café permit the Operators of sidewalk cafes are required to provide the City of Syracuse with a **Certificate of Insurance** in the amount of \$1,000,000.00 for General Liability coverage naming the City of Syracuse as an additional insured and \$500,000.00 for Workers' Compensation coverage. The additional insured shall be listed as City of Syracuse, Department of Public Works, 1200 Canal Street Extension, Syracuse, New York 13210.
- 9.) Prior to the issuance of a sidewalk café permit the Operators of establishments that serve alcoholic beverages are required to submit to the City of Syracuse Department of Public Works a copy of a valid **New York State Liquor License** for the establishment along with an affidavit stating that the establishment has a valid liquor license. The affidavit must be signed and notarized stating that the establishment has provided significant proof and paperwork to the New York State Liquor Authority of the addition of the sidewalk café to the business operations.
- 10.) For establishments that did not require a liquor license at the time the sidewalk café permit was issued and elect to serve alcoholic beverages after the issuance of a sidewalk café permit, proof of a valid liquor license must be provided to the City of Syracuse Department of Public Works upon obtaining said license.
- 11.) Sidewalk cafés shall not operate earlier than **7:00 am** nor later than **12:00 am** unless the hours of the establishment are more restrictive by operation of law or otherwise, in which case, the establishment's more restrictive hours shall control.
- 12.) All **sidewalk cafés and the employees** thereof shall be subject to and comply with all applicable requirements and standards for a retail food establishment including but not limited to the following:
  - i. Patrons must wear shoes and shirts at all times.
  - ii. All sidewalk café's must have an opening for ingress and egress at all times.
  - iii. All sidewalk café's must adhere to the size, design and any other specifications approved by the City at all times. Strict adherence to required design standards as set forth herein is mandatory.
  - iv. Strict adherence to hours of operation, approved layout of all components of the sidewalk café, clear space for pedestrians and required landscaping is mandatory.
- 13.) Where the **City** has installed a **permanent structure** such as a parking meter, planter, **tree, brick or paver banding areas**, light pole or other device, the operator of the sidewalk café shall make accommodation of a minimum of **six feet (6')** required clearance for pedestrian passage (unless otherwise directed by the City). Operators of sidewalk cafés shall be mindful of the rights of pedestrians traveling past their sidewalk café at all times during the operation of the sidewalk café. Complaints regarding sidewalk cafes will be investigated by the City and violations of the rules and regulations herein will result in citations being issued to the operator and/or revocation of the operator's sidewalk café permit.
- 14.) All areas within and surrounding the sidewalk café must be maintained in a **clean, neat and sanitary condition** and shall be policed routinely by the operator to ensure removal of all litter and debris. Daily sanitary cleaning of the sidewalk café is required. Sidewalk within and adjacent to the sidewalk café must be



## **Rules and Regulations For the Operation of a Sidewalk Café (continued)**

washed down and cleaned on a daily basis. The operator shall not wash garbage cans or any other container, or other personal property of any nature on the sidewalks. All cleaning must be performed in accordance with applicable federal and state regulations.

- 16) Sidewalk cafés shall be prohibited from playing **amplified music**, whether live or recorded. No speakers, microphones, televisions or other audio or video devices shall be permitted at a sidewalk café. Permitting for such entertainment must be obtained through the Syracuse Police Department. If the operator has a valid permit for these forms of entertainment a copy of the permit must be included with the sidewalk cafe application.
- 15.) **Canopies, awnings, and umbrellas** must be firmly installed to withstand typical weather conditions. These units must be rolled up and securely fastened when the outdoor café is closed, or they must be dismantled. A permit must be obtained from the City of Syracuse Division of Code Enforcement permit office for all Canopies and Awnings. The Permit Office is located on the first floor of City Hall Commons at 201 East Washington Street; Room 101; Syracuse, New York 13202.
- 16.) The outside eating area must be confined within a **clearly defined boundary** using temporary materials. **The extent of the area is to be marked with cloth style/gaffers tape or other semi-permanent and non-residue producing material at all corners.** Acceptable materials will include planters with flowers or foliage, decorative fencing, or other approved material. The maximum height of the boundary material must not exceed 3 feet 6 inches. A photo or exact description must be given with the application. The line of fencing must be included in the allowed area of the Sidewalk Café and not beyond.
- 17.) Per Police and Fire regulations, no alcoholic beverages or food may be consumed at the outdoor café area after **12:00am**. All persons must come indoors and the Sidewalk Café must be closed at that time.
- 18.) **No outside cooking** will be permitted without the additional food vending licensing from the City of Syracuse.
- 19.) The outside café area must be **supervised** by appropriate personnel at all times but in particular when alcoholic beverages will be served and consumed.
- 20.) A City of Syracuse Fire Department Inspector will visit the site to determine the proper **“Occupancy”** for the proposed Sidewalk Café and issue a Certificate of Maximum Occupancy for that area. **Occupancy number must be updated to reflect any NYS or City requirements for social distancing.**
- 21.) The Zoning Administrator, City Ordinance Enforcement, DPW Inspectors, or Syracuse Police and Fire Departments will inspect all sidewalk cafés after permits have been issued and the café is in operation. Any **violations** of the provisions of these rules and regulations, or any deviation from approved plans or willful omissions of the application will result in citations being issued to the operator and/or revocation of the sidewalk café permit for the premises.



## **Rules and Regulations For the Operation of a Sidewalk Café (continued)**

- 22.) Any operator or his or her employees, agents or contractors who violate or resist enforcement of any provision of the sidewalk café rules and regulations may be subject to immediate permit **revocation** by the City and/or shall be subject to the issuance of a citation.
- 23.) Operators of sidewalk cafés shall be required to abide by all federal, state and local **laws, rules and regulations** applicable to the operation of a Sidewalk Café in the City of Syracuse.

### **Design Standards for Sidewalk Cafés**

To remain consistent with the City of Syracuse's objective of developing outdoor dining spaces, including furniture, objects, structures and décor associated therewith, in as much that applicants desiring to use public space for semiprivate use as outdoor cafés are enhancing the private interests of their enterprise as well as that of the City, the following design standards shall apply to establishments seeking permission to erect sidewalk cafés throughout the City of Syracuse.

#### **I. Site Plan - A drawing of the sidewalk area must be submitted indicating the following:**

- a.) Dimensions of property frontage.
- b.) Dimensions from building face to edge of sidewalk and from edge of sidewalk to the curb (or grass or brick area).
- c.) Dimensions of proposed Sidewalk Café Area, Fencing or Border included
- d.) Dimensions of all tables, chairs and other apparatus.
- e.) The location on sidewalk of all **tape/markings for corners**, tables, chairs, barriers, planters, and other apparatus.
- f.) The specific materials, furniture and colors to be used.
- g.) A description of how this area will be managed and maintained.
- h.) Fire Department connections (if applicable)

#### **II. Space and clearances.**

- a.) The linear width of the café, including all fencing and borders, should fit within the property boundaries except where the edge of the café border is less than 20 feet from an adjoining property.
- b.) The café may extend from the face of the building toward the curb, assuring that a clear pedestrian passageway that is a minimum of **6 feet** is maintained at all times (unless otherwise directed by the City), exclusive of all meters, sign posts, tree grates, etc... The grass or brick area between the sidewalk and the curb may not be used as part of the **6 foot** passageway.
- c.) The tables and related apparatus will not be permitted to obstruct the sight distance of vehicular or pedestrian traffic.
- d.) The café shall not interfere with any utilities or other facilities such as telephone poles, fire hydrants, tree grates, signs, parking meters, or benches located on the sidewalk or public right of way.
- e.) Fire connections on building must not be blocked.





**Rules and Regulations  
For the Operation of a Sidewalk Café (continued)**

- f.) The café may not impinge on any required clear distance for maneuvering around entrances or exits. The outdoor dining area shall be accessible to disabled patrons and employees, and any building adjacent to these areas shall maintain building egress as defined by the current local codes.

***III. Signage***

***A sign posted in a visible location is required at every sidewalk café, which states, “It is unlawful to consume alcoholic beverages not purchased at operator’s establishment or its sidewalk café or to remove alcoholic beverages from the sidewalk café.”*** Signs advertising sale of goods or services at a sidewalk café shall be prohibited. This prohibition includes but is not limited to sandwich boards, banners, writing or signs as part of the furniture or on umbrellas, pamphlets, podiums, or other Sidewalk Café apparatus containing a sign or advertisement.