



Town of High Level

Temporary Outdoor Patio Program

Guidelines

The Town of High Level is allowing for temporary outdoor patios, a pilot program, so that food and beverage businesses can remain open and continue to serve customers in alignment with Alberta Health Services (AHS) directives. Starting on April 15th 2021 until October 31st 2021, the Town of High Level will allow restaurant businesses to expand or create temporary outdoor patios in private parking areas or within public property.

To participate in this program:

1. Begin by designing your temporary patio in accordance with these Guidelines.
2. Fill out the Temporary Outdoor Patio Permit Application Form and sign the Temporary Outdoor Patio Program Agreement.
3. If you are proposing to use the adjacent sidewalks, municipal-owned parcels, or road right-of-ways, you must also ensure that you have obtained the appropriate insurance, which covers your temporary patio.
4. Send the signed Applicant Agreement and Temporary Outdoor Patio Permit Application to development@highlevel.ca for approval.

Your submission must include:

- a. A site plan that includes the proposed patio location, setbacks from existing buildings, and adjacent parking stalls;
 - b. Material of the patio, any cover, railing, and fencing;
 - c. Any proposed planters and landscaping; and
 - d. Signed Temporary Outdoor Patio Program Applicant Agreement.
5. Once submitted, it will take a minimum of one (1) business day to receive your approval or initial comments.

Town Administration will review your submission and provide an approval if the application conforms to these Guidelines, you have submitted a signed Temporary Outdoor Patio Program Applicant Agreement.

For temporary patios that extend along the frontage of adjacent businesses, Applicant's will be required to submit permission from all affected adjacent landowners.

General Requirements for Temporary Patios on Private Property and within Public Property or a Road Right-of-Way

1. Temporary patios shall only be permitted in association with eating and drinking establishments, which hold a valid Town of High Level business license.
2. Temporary patios permitted under these Guidelines shall extend no later than the end of the pilot program or the Applicant's Agreement with the Town authorizing such spaces.
3. Applicants are responsible for obtaining all relevant permissions, including, but not limited to, the Alberta Gaming and Liquor Commission (AGLC). AGLC requirements are available at: www.aglc.ca
4. Applicants are responsible for meeting all Alberta Health Services (AHS) COVID-19 restrictions for restaurants, bars, pubs, lounges and cafes. AHS restrictions are available at: <https://www.alberta.ca/enhanced-public-health-measures.aspx#restrictions>
5. The Applicant for a temporary patio shall mitigate any negative impacts to adjacent or nearby properties, including adjacent businesses and residential neighbourhoods. Consultation with adjacent business owners and residents (if applicable) is strongly encouraged prior to submitting a Temporary Outdoor Patio Program Applicant Application to the Town of High Level.
6. On-site parking may be used for a temporary patio with the exception of barrier-free parking stalls.
7. Any approvals required by the property owner for use of shared parking spaces is the responsibility of the Applicant.
8. All areas of the temporary patio must be a minimum distance of 2.0m (6.5ft) from the edge of any adjacent driving aisle.
9. Temporary patios must have one (1) entrance and one (1) exit to encourage one-way pedestrian traffic through the temporary patio. Any exit gates must swing freely outward from the temporary patio during hours of operation.
10. Barrier-free access must be provided to, through, and throughout, the temporary patio to the satisfaction of the Town.
11. Smoking is prohibited within temporary patios.
12. Temporary patios may have temporary covers installed to shade customers from weather elements, and every effort must be made to ensure flammable materials are kept free from temporary heat sources.
13. Temporary patios must not extend in front of adjacent tenant spaces, exits, or beyond the Applicant's business frontage, except with written permission from affected adjacent property owners and occupants; this includes any overhanging elements.
14. Temporary curb ramps are required to provide a safe passage for pedestrians to cross between roadways and pedestrian walkways, where necessary.
15. Cooking and/or food and drink preparation is not permitted within temporary patios.

16. Outdoor speakers or sound systems shall be allowed, provided that, the speakers are used on a limited basis between 9AM–9PM at a reasonable volume as background music.
17. The Applicant's business name and logo may appear on fencing, but other banners and signs are prohibited.
18. It is the Applicant's responsibility to ensure that the patio remains in a clean and tidy state including but not limited to the removal of garbage.
19. CSA-certified electric or propane patio heaters (with max 20lb tank) are permitted when located at least 3m (10ft) away from tree branches (and other landscaping), operated as per the manufacturer's directions, and not stored on the road right-of-way. Solid, gel or liquid-fuel fire features are not permitted.
20. A minimum 1.5m (5ft) clearance from fire department connections and hydrants must be maintained on a temporary patio, and a fire extinguisher (minimum 2A-10BC) must be available within 23m (75ft) of any part of the temporary patio.
21. A fire inspection is required prior to occupying the temporary outdoor patio. This can be scheduled by contacting Bylaw Enforcement Officer at lhauk@highlevel.ca or 780-821-4020 once the temporary patio setup is completed.
22. A health inspection is required prior to occupying the temporary outdoor patio. This can be scheduled by contacting Alberta Health Services Public Health Inspectors at: Hannah.Smith4@albertahealthservices.ca or Amanda.Hepp@albertahealthservices.ca
23. No structures, improvements, or objects associated with the temporary patio may impact existing drainage patterns, swales or natural flow of stormwater.
24. When located in a parking area, outdoor patios shall include planters, perimeter fencing or barriers used to buffer the edge of the patio from parking spaces and drive aisles to the satisfaction of the Town.
25. Planters, perimeter fencing or barriers may also be used by the Applicant to define the patio, subject to these Guidelines. Planters, perimeter fencing and barriers must not exceed 1.2m (3.9ft) in height (including plants in the case of planters), must not damage any public property or affect any underground utilities, and must be adequately secured.
26. Planters, perimeter fencing and barriers on sidewalks or pedestrian walkways must be easily removable and not pose any safety hazards.
27. The Applicant shall maintain the outdoor patios, including any associated structures, improvements and equipment in a safe and clean condition and in good repair. This maintenance must include keeping the area free of any potential dangers; including debris, snow and ice.
28. Temporary patios shall not be permitted:
 - a. within 7.5m (24.6ft) of the corner of an intersection, or;
 - b. within 10m (32.8ft) of the corner of an intersection that has a stop/yield sign or a pedestrian crosswalk.
29. Temporary patios shall not encroach into loading zones or fire lanes.
30. It is the Applicant's responsibility to ensure that they have appropriate insurance, which covers the new temporary patio.

Additional Requirements for Temporary Patios on Public Property or within a Road Right-of-Way

1. Temporary patios shall only be permitted on public property if they comply with the following:
 - a. Temporary patios located within public on-street parking spaces or on public sidewalks must be fully located within the front of the business that is utilizing the patio, unless there is written consent from the property owners and occupants of the adjacent properties.
 - b. Temporary patios located on public sidewalks must maintain the clear path of pedestrian travel and wheelchair access as required above.
2. The outdoor patio improvements (including chairs and tables) shall be set up only during the applicable business hours of operation, and may not be stacked or stored outside on public property at any time when the business is closed.