



Temporary Outdoor Seating Extension Guide

CITY OF RALEIGH

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NC DHHS Interim Guidance for Restaurants	3-5
RESTAURANT REQUIREMENTS.....	3-4
NC DHHS Interim Guidance for Bars	6-7
BAR REQUIREMENTS	6-7
City of Raleigh Requirements.....	8-10
ACCESSIBILITY	9
FURNITURE SPACING GUIDELINES.....	9
MAINTENANCE	9
NOISE.....	9
LICENSE PROVISIONS.....	10
Parklet/Pedlet Guidance	10-11
Portable Heater Safety Guidelines.....	12
Outdoor Fire Pits	13
Commerical Building Codes Checklist	14
ABC Temporary Extension of Premises	15
Registration Process	16
APPLICATION	16
CURRENT PERMIT HOLDERS	16
Frequently Asked Questions	17-19

NC DHHS [Interim Guidance for Restaurants \(December 8, 2020\)](#)

Governor Cooper has implemented a phased approach to slowly lift restrictions while combatting COVID-19, protecting North Carolinians and working together to recover the economy. Businesses and organizations should follow the guidelines below to prevent the spread of COVID-19.

Guidelines for Restaurants

Any place where people gather poses a risk for COVID-19 transmission. Restaurants should create and implement a plan to minimize that risk. The guidance below will help restaurants reduce the spread of COVID-19 in their communities.

In addition to the requirements below, certain businesses **must follow** Closure Periods or Stay at Home Orders, when they are in effect. For more information on any requirements that are currently in effect and how this applies to your business, please visit [Business Closure Periods and Stay at Home Restrictions](#).

Social Distancing and Minimizing Exposure

[Social distancing](#) is a key tool to decrease the spread of COVID-19. Social distancing (“physical distancing”) means keeping space between you and other people outside of your home. Stay at least 6 feet (about 2 arms’ length) from other people; do not gather in groups; stay out of crowded places and avoid mass gatherings. Phase 2 includes several requirements and recommendations to support social distancing in spaces where the public may gather.

Restaurants are **required to**:

- ☐ Ensure social distancing by arranging tables and seating to achieve at least 6-foot separation between parties for indoor and outdoor dining.
 - Each group of people sitting at a counter should be separated by six (6) feet.
- ☐ Ensure Emergency Maximum Occupancy is followed. The Emergency Maximum Occupancy is calculated using the following three tests. The most restrictive number must be used.
 - i. Limit to 50% of stated fire capacity or 12 people per 1,000 square feet if there is not a fire code number available. When no fire code number is available for outdoor dining, the 12 people per 1,000 square feet number should be applied.
 - ii. Limit the number of people in the space so that groups can stay six (6) feet apart.
 - iii. Arrange the restaurant so that customers sitting at a table are not within six (6) feet of any customers sitting at another table. Moreover, each group of customers sitting at a counter should be separated from other groups by six (6) feet.
- ☐ Post the reduced “Emergency Maximum Capacity” in a conspicuous place. [Sign templates](#) are available in English and Spanish on the NC DHHS COVID-19 response site.

Restaurants are required to (Continued):

- ☐ Post signage reminding people about social distancing (staying at least 6 feet away from others). [Know Your W's](#) sign templates are available in English and Spanish on the NC DHHS COVID-19 response website.
- ☐ Mark six (6) feet of spacing in lines at high-traffic areas for customers, such as any cash register or any place where customers wait to be seated.
- ☐ If tents or other enclosed structures are used for outdoor dining areas, air flow and ventilation must be maintained to assist with COVID-19 control. Tents or enclosed structures must meet the following:
 - Maintained with three sides at least 50% open.
 - If mesh is used, the screens should allow free movement of air and be no less than 0.011 gauge with an 18 x 16 mesh count.
 - Tents or enclosed outdoor structures that are not maintained at least 50% open on three sides should have forced air mechanical ventilation to control respiratory particles and placed to minimize air blowing from one person directly at another individual.
- ☐ If individual dining pods are used, they must be designed and implemented to allow adequate air flow. It is required that pods allow for settling of respiratory particles and must be cleaned and disinfected using an EPA registered disinfectant effective against SARS-CoV-2 between uses. Adequate contact time to allow for disinfection must be allowed between users. Follow manufacturer's directions for use to avoid inhalation hazards that may be associated with cleaners and disinfectants.
 - Individual dining pods are not recommended for use outside of individuals from the same household.
- ☐ Ensure that local fire and building code officials are consulted before installing any outdoor enclosures.
- ☐ Restrict alcohol beverage sales consistent with current Executive Order.

It is recommended that restaurants:

- ☐ Allow no more than 10 people at a table, unless they are a family from the same household. You do not need to ask whether groups are a family.
- ☐ Don't use shared tables among multiple parties unless the seats can be arranged to maintain social distancing between parties.
- ☐ Require patrons to wait outside, with markings to ensure 6 feet apart, with floor markings and instructions for social distancing.
- ☐ Provide hand sanitizer (with at least 60% alcohol) at the entrance when available.
- ☐ Provide education to employees on how to properly wear, remove, and wash or dispose of face coverings.
- ☐ Install physical barriers, such as sneeze guards and partitions at cash registers, or other food pickup areas where maintaining physical separation of 6 feet is difficult.
- ☐ Advise all waitstaff to stay 6 feet away from customers to the extent possible.
- ☐ Advise all employees to stay 6 feet away from each other to the extent possible.
- ☐ Stagger seating times to the extent possible by using reservation systems or other methods; rotate or stagger shifts to limit the number of employees in the workplace at the same time.

It is recommended that restaurants (Continued):

- ☐ Consider alternative options to gathering lots of people in a small area, such as having people wait in their cars and alerting them by phone when their table is ready.
- ☐ Staff meetings should be held virtually or provided by written notes instead of congregating.
- ☐ Reduce condiments and other items on the table for use between customers; provide condiments by request only; or provide disposable condiment packs.
- ☐ Continue to provide take-out, curbside pickup, and delivery options.
- ☐ Use rolled utensils and discontinue preset table settings.
- ☐ Continue to offer contactless payment options, curbside pickup, and delivery; if possible, use phone app technology to alert patrons when their table is ready to avoid use of pagers or buzzers.
- ☐ Use touchless payment options as much as possible. Ask customers and employees to exchange cash or card payments by placing on a receipt tray or on the counter rather than by hand. Wipe any pens, counters, or trays between use and between customers with a disinfecting wipe.
- ☐ Designate an ordering area at bars when wait staff are not available to visit.

NC DHHS [Interim Guidance for Bars and Outdoor Seating Areas in Bars \(December 8, 2020\)](#)

Guidelines for Conducting Business

Any scenario in which many people gather together poses a risk for COVID-19 transmission. All organizations and programs that gather groups of people should create and implement a plan to minimize the opportunity for COVID-19 transmission. The guidance below will help bars reduce the spread of COVID-19.

In addition to the requirements below, certain businesses **must follow** Closure Periods or Stay at Home Orders, when they are in effect. For more information on any requirements that are currently in effect and how this applies to your business, please visit [Business Closure Periods and Stay at Home Restrictions](#).

Social Distancing and Minimizing Exposure

[Social distancing](#) is an important way to decrease the spread of COVID-19. Social distancing (“physical distancing”) means keeping space between yourself and other people outside of your home. Stay at least 6 feet (about 2 arms’ length) from other people; do not gather in groups; stay out of crowded places and avoid mass gatherings. Phase 3 includes several requirements and recommendations to support social distancing in spaces where the public may gather. Outdoor bars are allowed to reopen under the following requirements should reinforce this message and ensure compliance with patrons.

Bars are **required to**:

- ☐ Only serve alcoholic beverages for on-site consumption in outdoor seating areas only.
 - ☐ Guests may place their orders either through waitstaff or if necessary, by coming inside the building but must consume their beverages in outdoor seating areas only.
- ☐ Close any indoor seating areas or indoor amenities, with the exception of restrooms.
- ☐ For any outdoor area where patrons drink beverages:
 - ☐ Limit occupancy to 100 people for the total seating area or 30% of seating outdoor capacity, whichever is less. Workers or any other support staff do not count toward these capacity limits.
- ☐ Establish seating areas for patrons to discourage standing at the bar or in commonly trafficked areas.
- ☐ Require that all patrons be seated.
- ☐ Ensure social distancing by arranging tables and seating to achieve at least 6-foot separation between parties.
- ☐ Ensure each group of people sitting at a counter are separated by six (6) feet.
- ☐ Limit self-service or walk up service if possible to prevent patrons congregating around bar area.
- ☐ Designate an ordering area at bar when wait staff are not available to visit each table. The ordering area must be at least 6 feet from other patrons seated at bar.

Bars are required to (Continued):

- ☐ For live music or entertainment, ensure that there is at least 6 feet distance between performers and customers.
- ☐ Post the reduced “Emergency Maximum Capacity” in a conspicuous place.
 - ☐ Sign templates are available in English ([Full-Color](#) and [Grayscale](#)) and in Spanish ([Full-Color](#) and [Grayscale](#)) on the NC DHHS COVID-19 response site.
- ☐ Post signage at the main entrance that reminds people to stay 6 feet apart.
 - ☐ [NC DHHS Know Your Ws](#) provides [English](#), [Spanish](#), [Combined English and Spanish](#) versions of the “Wait” flyer.
- ☐ Clearly mark six (6) feet of spacing in lines at high-traffic areas for customers, such as any cash register, ID check, or any place where customers may congregate or wait.
- ☐ Restrict alcohol beverage sales consistent with current Executive Order

It is recommended that bars:

- ☐ Provide service only to seated patrons, or, if not applicable, to patrons in designated areas that are practicing Social Distancing.
- ☐ Close any dance floors.
- ☐ Clearly mark designated entry and exit points to the extent possible.
- ☐ Develop reservation times to the extent possible to help limit wait times and lines.
- ☐ Develop and use systems that allow for online, email, or phone transactions.
- ☐ Use touchless payment options as much as possible. Ask customers and employees to exchange cash or card payments by placing on a receipt tray or on the counter rather than by hand. Wipe any pens, counters, or trays between use and between customers with a disinfecting wipe.
- ☐ Place partitions between bartenders/servers and customers when possible. Physical barriers do not replace face coverings.
- ☐ Install physical barriers (e.g., plexiglass) to protect security personnel at entrance as they check IDs. Physical barriers do not replace face coverings.
- ☐ Allow games, such as pool and darts, to be played only if players maintain 6 feet of distance from other players, game equipment is not shared by players during game play, and equipment is cleaned and disinfected between use. Keep game equipment behind the bar until requested.

City of Raleigh Requirements

The COVID-19 Pandemic has hit the world in unprecedented ways. Our region has addressed the Pandemic aggressively, but there is a growing desire to reopen the economy as appropriate.

Phase 2 of the State's reopening approach allows businesses such as restaurants, breweries, wineries, bottle shops, and wine shops to open for on-premises services with limits on occupancy, specific requirements for disinfection, and maintaining social distancing. Phase 3 allows bars' outdoor seating areas to reopen, subject to reduced capacity limits and other restrictions.

In order to align with the above-mentioned Phase 2 and 3, the City of Raleigh has created the following guidelines to allow businesses to expand their business footprint or outdoor seating onto City public rights-of-way or in privately-owned parking lots without having to meet specific City Code and permit requirements while also slowing the spread of COVID-19.

An Outdoor Seating Temporary License will be issued to all businesses who register and will last until all COVID-19 restrictions are lifted by the State plus an additional 30-day grace period following this date, at no cost to the applicant.

Pursuant to the State's three-phased approach, Phase 2 restricts restaurants from allowing no more than 50% of maximum occupancy as stated in fire capacity code.

Example: 20-person occupancy x 50% = 10-person occupancy

Phase 3 limits guests in outdoor areas to 100 people for the total seating area or 30% of the facility's stated outdoor occupancy, whichever is less.

Example: 20-person occupancy x 30% = 6-person occupancy

Business Requirements:

- A minimum clear, straight path of 5 feet must be maintained between any business entrance and the pedestrian walkway space
- A minimum clear path of 5 feet must be maintained between the Outdoor Seating premises and edge of driveways, alleys, and handicap ramps
- Furniture may be located next to the curb (with 2 feet clearance), adjacent to the building, or in approved locations to accommodate a parklet/pedlet design
- Must not block access to public amenities like street furniture, trash receptacles, way finding, or directional signs
- Must not block access to public utilities, building entrances, crosswalks, bus stops and transient entrances
- Must not extend within sight triangles at street intersections
- Must be delineated from other neighboring Outdoor Seating premises
- Alcohol beverages cannot extend beyond the Outdoor Seating premises

- Signage must not be placed or located in a manner that obstructs pedestrian and/or vehicular traffic or violates standards of accessibility as required by the ADA
- May not be in or restrict access to required handicap parking spaces
- May not be in or restrict the function of fire lanes
- May not cover or restrict access to fire hydrants
- Use of removable barriers to define the Outdoor Seating premises is permissible
- No cooking or open flames are permitted in the Outdoor Seating premises
- No food preparation, plastic food displays, food storage, or refrigeration apparatus shall be allowed on the public right-of-way

Accessibility

Outdoor Seating premises must be designed and constructed to be ADA accessible.

Furniture Spacing Guidelines

As required by NC DHHS, restaurants are required to ensure social distancing by arranging tables and seating to achieve at least a 6-foot separation between parties for outdoor seating. Each group of people sitting at a counter should be separated by 6 feet. Total capacity for indoor and outdoor seating may not exceed 100% of fire capacity code. It is recommended that businesses allow no more than 6 people at a table and to not use shared tables among multiple parties unless the seats can be arranged to maintain social distancing between parties.

Maintenance

It shall be the responsibility of the business to activate the spaces described in this guide with temporary materials such as tables and chairs, umbrellas, visual/physical barrier materials as needed per site specific conditions, plantings, furnishings, and related accessories.

Repairs or replacement must be completed within 10 days of discovery. Maintenance (daily upkeep, litter pickup, etc.) associated with business operations shall also be the responsibility of the business.

Businesses are responsible for delineating their defined premises from other neighboring Outdoor Seating premises in the form of visual/physical barriers and ensuring alcoholic beverages do not extend beyond the Outdoor Seating premises. “No Alcohol Beyond This Point” signage is required.

Noise

Registration for an Outdoor Seating Temporary License does not change noise limitations outlined in the Raleigh City Code of Ordinances.

Sketch Plans

Sketch plans of outdoor seating extension areas are required upon registration. Plans must denote ADA access. Example plans are provided for outdoor seating on [City sidewalk](#) or use of a [parklet](#).

License Provisions

- Licenses will be in effect until all COVID-19 restrictions are lifted by the State, plus an additional 30-day grace period following this date.
- The license holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted spaces.

Parklet/Pedlet Guidance

What is a Parklet or a Pedlet?

Temporary parklets and pedlets can be an effective approach to expanding outdoor seating areas to maintain social distancing requirements, and as such, the City of Raleigh has revised guidance and eased restrictions for parklets and pedlets during the State's COVID-19 response.



A **parklet** is a platform in the parking lane of the street adjacent to the sidewalk and is intended to provide additional space and amenities for the adjacent business and its patrons.

A **pedlet** is a structure that acts as a sidewalk extension beyond the curb line. It is utilized to allow for a business to use the existing sidewalk as an extension of the business and the pedlet acts as a new route for pedestrians.



Transportation Resources

- The City of Raleigh's Transportation department can supply traffic barricades to separate parklets/pedlets from traffic. Businesses will be required to maintain these barricades in place.
- There is no cost for businesses to encumber parking spaces during this temporary initiative.
- Transportation will evaluate each parklet/pedlet request for appropriateness on NCDOT-maintained roadways and coordinate any requirements with NCDOT and the applicant.
- Parklet/pedlet installations take away parking spaces and may conflict with the provision of curbside pick-up locations and business parking supply. Transportation staff will work with applicants to balance potentially competing uses along the curbside.

Acceptable Locations

- Parklets/pedlets are only allowed in the Downtown Overlay District and adjacent Pedestrian Business Overlay Districts
- Parklets/pedlets are limited to streets with a speed limit of 35 mph or less
- Locations must be set back 20' from intersections nor can they interfere with any adjacent driveway operations.
- Parklets/pedlets are prohibited in the following locations:
 - on Fayetteville Street
 - in front of driveways
 - at street corners
 - along steep slopes (5%)
 - above manholes or other utility access
 - in front or within 5' of fire hydrants
 - in bus lanes or loading zones
 - too close to other Parklets
 - in disabled parking spaces
 - on NCDOT roads
 - on bridges

Design Standards

- Parklets/Pedlets must be ADA accessible
- Parklets/pedlets can be no wider than a parking stall width
- Parklets/pedlets may have a maximum length of 2 parking spaces
- Parklets/pedlets must have a load bearing capacity to a max of 100 lb per square foot
- Installations must create buffers between adjacent parking and the street, and must include wheel stops between adjacent parallel parking space and the parklet/pedlet
- Installations shall include reflective elements at parklet/pedlet corners
- Parklets/pedlets must not impede curbside drainage
- Parklets/pedlets shall be designed for easy removal (24-hour notice)
- No advertisements may be included in the installation

Miscellaneous

Note a *permanent* Parklet will be treated differently and additional requirements would apply. Pedlets are not allowed on a permanent basis.

Portable Heater Safety Guidelines

Given the public health benefits of keeping patrons outside as the City works to slow the spread of COVID-19, and the importance of finding ways for establishments to continue conducting business in the colder months, the City of Raleigh has provided the following guidance on how businesses can safely use portable heaters in accordance with North Carolina Fire Code.

The purpose of the references below is to provide safe guidelines for the use of supplemental heat. Unfortunately, with the use of space heaters comes the increased risk of fire and potential injury. Therefore, it is necessary to establish and maintain strict guidelines for the use of such appliances.

Gas Heaters

- 603.4.2.1.1 **Prohibited locations:** The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:
 - Inside of any occupancy where connected to the fuel gas container.
 - Inside tents, canopies, and membrane structures.
 - On exterior balconies.
- 603.4.2.1.2 **Clearance to buildings:** Portable outdoor gas-fired heating appliances shall be located not less than 5 feet from building.
- 603.4.2.1.3 **Clearance to combustible materials:** Portable outdoor gas-fired heating appliances shall not be located beneath, or closer than 5 feet to combustible decorations and combustible overhangs, awnings, sunshades or similar combustible attachments to buildings.
- 603.4.2.1.4 **Proximity to exits:** Portable outdoor gas-fired heating appliances shall not be located within 5 feet of exits or exit discharge.
- 603.4.2.2.2 **Installation and maintenance:** Portable outdoor gas-fired heating appliances shall be installed and maintained in accordance with the manufacturer's instructions.

Electrical Heaters

- 605.10 **Portable, electric space heaters:** Where not prohibited by other sections of this code, portable, electric space heaters shall be permitted to be used in all occupancies other than Group I-2 and in accordance with Sections 605.10.1 through 605.10.4.
 - Exception: The use of portable, electric space heaters in which the heating element cannot exceed a temperature of 212 degrees (F) shall be permitted in nonsleeping staff and employee areas in Group I-2 occupancies.
- 605.10.1 **Listed and Labeled:** Only listed and labeled portable, electric space heaters shall be used.
- 605.10.2 **Power Supply:** Portable, electric space heaters shall be plugged directly into an approved receptacle.
- 605.10.3 **Extension Cords:** Portable, electric space heaters shall not be plugged into extension cords.
- 605.10.4 **Prohibited areas:** Portable, electric space heaters shall not be operated within 3 feet of any combustible materials. Portable, electric space heaters shall be operated in locations for which they are listed.

Outdoor Fire Pits on City Property

A portion of City Code outlines that outdoor fire pits are considered unlawful on City-owned property, which would include sidewalks, parking spaces, streets, and plazas used for an outdoor seating extension.

City Code

Sec. 13-1004. - FIRE OR FLAMES ON CITY-OWNED OR CONTROLLED PROPERTY.

It *shall* be unlawful for any person to ignite, carry, transport or to cause to be ignited, carried or transported or to allow to burn on or across any sidewalk, *street*, easement, right-of-way, park or other *property* of any kind owned or otherwise controlled by the *City*, any flame, fire, or lighted nonelectric lantern, other than a match, cigarette lighter or lighted pipe, cigar, or cigarette; provided the foregoing *shall* not apply to *City* employees or employees of a licensed utility company engaged in the performance of their duties; nor to workers engaged in the performance of their duties pursuant to a valid contract with the *City*; nor to construction workers working under a valid permit issued by proper authorities; provided further, it *shall* not be unlawful to build or ignite fires in cooking pits, fireplaces or other areas on *City*-owned or controlled *property* designated by the City as areas for fires, cooking or burning.

(Code 1959, §15-49)

Open Flame Guidance

The portions of City property used by businesses to extend their outdoor seating are not areas designated for fires, cooking or burning nor will they become acceptable locations. No cooking or open flames are permitted in the Outdoor Seating premises. An alternative option would be to use portable heaters. Please reference page 11 of this guide, which includes portable heater safety guidelines. It is the responsibility of businesses to procure portable heaters in accordance with North Carolina Fire Code.

Commerical Building Codes Checklist

This checklist is intended to help streamline permitting and inspection approvals **for only temporary shelters and tents** for businesses such as but not limited to restaurants, bars and nightclubs. This information applies to requirements on private property and not the public right-of-way. If any of the additions become permanent, they will need to be re-permitted as permanent structures.

A structure attached to a building is considered permanent and is not applicable to these guidelines.

Temporary Structure – (Less than 180 days)

1. A building permit is only required if the structure exceeds 120 sq. ft.
2. A zoning permit is required for all temporary structures.
3. The construction documents shall include a site plan.
4. The structure shall be located in accordance with Table 602 of the 2018 N.C. Building Code.
5. The construction documents shall conform to structural strength and uplift requirements.
6. The construction documents shall include the occupancy, means of egress and occupant load.
7. The construction documents shall include the location of new electrical lights, switches and receptacles. (Electrical permit required if applicable)
8. The construction documents shall include the location and type of heating or cooking equipment. (Mechanical and Electrical permit required if applicable)
9. Portable fire extinguisher shall be provided as required by Section 906.1 of the 2018 NC Building Code.
10. An accessible route to toilet facilities is required. The addition shall provide access to the maximum extent that is technically feasible.

Temporary Tents and Membrane Structures – (Less than 180 days)

1. A building permit is not required for temporary tents, canopies or membrane structures.
2. A zoning permit is required for all temporary tents or membrane structures.
3. A fire operational permit is only required for tents in excess of 800 sq. ft.
4. A fire operational permit is only required for standalone tents (12 or more feet from a building) **and** open on all four sides if tent exceeds 1800 sq. ft.
5. The construction documents shall include a site plan.
6. With an occupant load of 50 or greater, the construction documents shall include means of egress, seating capacity and seating arrangement.
7. The construction documents shall include the location of new electrical lights, switches and receptacles. (Electrical permit required if applicable)
8. The construction documents shall include location and type of heating or cooking equipment. (Mechanical and electrical permit required if applicable)
9. Portable fire extinguisher shall be provided as required by Section 906.1 of the 2018 NC Fire Code.
10. An accessible route to toilet facilities is required. The addition shall provide access to the maximum extent that is technically feasible.

TECHNICALLY INFEASIBLE – “An alteration of a facility that has little likelihood of being accomplished because existing physical or existing site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.”

Alcoholic Beverage Control Commission Guidance

Temporary Extension of Premises for On-Premises Consumption

In accordance with Executive Order 141 (Phase 2 – Easing of Restrictions), the ABC Commission will temporarily allow On-Premise ABC permit holders to include additional outdoor seating as part of their licensed premises if that space is approved by the appropriate local government entity. This temporary change is allowed to maximize social distancing.

The below guidelines do not override any order from the North Carolina Office of the Governor, the NC Department of Health and Human Services, or any local ordinances. In the event that North Carolina reverts to Phase 1, these guidelines are invalid during that time period.

- An application for a temporary extension will not need to be submitted to the ABC Commission.
- If the area of the extension is not within the property's deed or lease, permittee must obtain the written permission of the property owner where the extension will be located.
- In addition to receiving approval from the appropriate local government entity, the ABC permittee must notify their ALE agent, the District ALE office or local law enforcement of the temporary extension of premises prior to use of the extended area. This includes those who will be temporarily extending their premises onto their own property (yard or parking lot, for example).
- A diagram of the temporary extension must be maintained on the permitted premises indicating the size and location of the temporary extension, the types of barriers to be used, and how many tables and chairs will be placed in the temporary area.
- The temporary extension does not increase an establishment's maximum occupancy as previously established by the fire code. (See EO141, Section 6.C.2.a)
- The extension of premises must be adjacent to, abutting, and connected to the primary licensed premises. One of the exterior walls of the licensed premises must be part of the extended area.
- Any temporary extension must comply with ADA accessibility requirements.
- The temporary area must be visibly and vertically marked off (crowd control stands, bike racks, planters, etc.) so that the average citizen can distinguish between the extended licensed premises and the public walkway.
- If extending into public property (such as sidewalk or street closures), it is recommended the local governing authority issue written guidelines (either by resolution or from the appropriate government division).
- Consumers will not be allowed to take open containers of alcoholic beverages out of the temporary extension of premises area.
- Failure to comply with these guidelines or other ABC rules could result in immediate cancellation of your temporary extension.
- If you have questions for the NC ABC Commission, please contact General Counsel, Stacey Carter-Coley at stacey.carter-coley@abc.nc.gov.
- To notify ALE of your temporary extension of premises, visit: <https://www.ncdps.gov/our-organization/law-enforcement/alcohol-law-enforcement/about-ale>, click "Contact ALE by Email", and send an email with your Trade Name and complete address.

Registration Process

Any business interested in expanding their footprint onto City public right-of-way, to be consistent with the State's [Phase 2 – Easing of Restrictions](#), must comply with all State and local laws, including but not limited to North Carolina Building Code, North Carolina Prevention Code, NC ABC Commission, and Wake County Environmental Services.

Businesses are required to register for an Outdoor Seating Temporary License with the City of Raleigh and comply with the requirements outlined in the Outdoor Seating Extension Guide.

[Temporary Outdoor Seating Extension - Application](#)

Upon registration, applicants can choose from the following options to expand Outdoor Seating:

- City sidewalk
- Parklet
- Pedlet
- Privately-owned parking lot

Registration will include submittal of the following:

- Business Information
- Business Contact Information
- Hours of Operation
- Certificate of Insurance and Additional Insured Endorsement
- Indemnity Agreement
- Existing Wake County Environmental Services Permit
- Existing ABC Permit (if applicable)
- Sketch plan of Outdoor Seating premises denoting ADA access

Street Closures

For more information about expanding your business footprint by use of a street closure, contact hospitalitypermits@raleighnc.gov. Requirements similar to the special event permitting process may apply.

Current Permit Holders

Current outdoor seating permit holders are being granted a 1-year permit extension to expire on 6/30/2021 with proof of an updated Certificate of Insurance and Indemnity Agreement. No fees will apply. Current permit holders are still required to register for an Outdoor Seating Temporary License if they wish to expand their outdoor seating footprint.

[Temporary Outdoor Seating Extension - Application](#)

Questions

For more information about this process and other private use of public space inquiries, please contact hospitalitypermits@raleighnc.gov or call 919-996-2200.

Frequently Asked Questions

What does the process entail to obtain an Outdoor Seating Temporary License?

Businesses are required to register for an Outdoor Seating Temporary License with the City of Raleigh and comply with the requirements outlined in the Outdoor Seating Extension Guide.

[Temporary Outdoor Seating Extension - Application](#)

Upon receipt, a confirmation email will be sent to applicant with further questions/instructions detailing this streamlined, expedited process.

Do I need a permit to add tables and chairs to the sidewalk in front of my business?

While a permit is not required, businesses will need approval to extend outdoor seating premises by registering for a temporary license, submitting necessary requirements, completing a site inspection, and following the guidelines outlined in this guide. No fees will apply.

Do I need to get approval to take over a public parking space in front of my business?

Yes, to expand your business footprint into a parking space or to move pedestrian access into a parking space you must apply for an Outdoor Seating Temporary License.

Do I have to pay to encumber parking spaces for use of a parklet or pedlet?

There is no cost for businesses to encumber parking spaces during this temporary initiative.

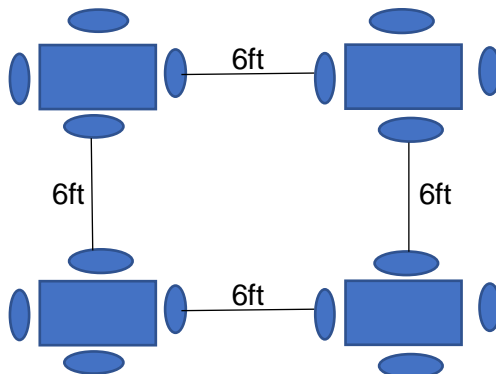
What are the hours of operation allowed on sidewalks?

Outdoor Seating hours of operation should remain consistent with your typical hours of operation. If you are expanding operations outdoors, please be mindful of your neighbors and any additional noise which may be generated.

Outdoor Seating premises may not operate after 2:00 a.m. on Saturday or Sunday and may not operate after 12:00 a.m. Monday through Friday.

How does the “6-foot rule” work for restaurant seating?

If people are at a table together, they do not need to be 6 feet apart. Each table setting needs to be 6' from other tables measured from the back of each chair, chair-to-chair.



Frequently Asked Questions (Continued)

What is the expected timeline of receiving a temporary license to extend my outdoor seating?

City staff will make every effort possible to review, communicate, and complete final site inspection at the earliest possible timeline, respective of the necessary actions required to fulfill the proposed request.

Do I need an Outdoor Seating Temporary License to extend my outdoor seating on private property?

Businesses wishing to extend their footprint onto a privately-owned space are still asked to contact the City of Raleigh's Office of Emergency Management and Special Events. There is still specific guidance to share with applicants, though extending onto private property does not require a temporary license issued from the City. While the Outdoor Seating Temporary License does not apply to private property, you must separately obtain permission from private property owners and/or landlords to extend your seating or use onto private property. Alterations to your restaurant service area onto private property should still adhere to ADA, Emergency Egress, and other applicable guidelines, regulations and laws.

Can I serve alcohol in an extended Outdoor Seating premise?

The ABC Commission will temporarily allow current On-Premise ABC permit holders to include additional outdoor seating as part of their licensed premises to maximize social distancing.

Can I exceed my interior capacity by extending my seating area onto public right of way?

No. Your overall occupancy capacity cannot exceed posted/approved capacity, regardless of size of outdoor space extension.

Can I cook or prepare food outdoors?

No. All food preparation guidelines, as permitted by Wake County Environmental Services remain in place and must be adhered to.

Are overhead shade structures allowed?

Overhead shade structures, such as umbrellas, may be utilized to provide shade in outdoor seating premises. Overhead elements must provide the appropriate clearance and may not interfere with the visibility of any traffic or wayfinding signage. Shade structures must be secured by weighted devices.

We will not allow any temporary or permanent tents, or any type of overhead installations within the City's maintained right-of-way, including City sidewalks and parking spaces. Streets and plazas have more flexibility due to more room, and those businesses are encouraged to reach out to us. Any tent or overhead installation on City sidewalk or parking spaces may significantly reduce the available pedestrian space and visibility for vehicular traffic. While we want to help all of our businesses impacted, we must also maintain a safe, accessible, and comfortable way to traverse our streets.

Are portable heaters allowed?

Portable heaters, such as gas or electric, may be utilized to provide supplemental heat in outdoor seating premises so long as all requirements of North Carolina Fire Code are met.

Frequently Asked Questions (Continued)

Are outdoor fire pits allowed?

No. Open flames on City-owned property, such as a fire pit, is considered unlawful. An alternative option would be to use portable heaters.

Am I allowed to expand my business's outdoor seating on NCDOT-maintained roadways?

Transportation will evaluate each parklet/pedlet request for appropriateness on NCDOT-maintained roadways and coordinate any requirements with NCDOT and the applicant.

What types of barricades are required to safely construct a parklet/pedlet space?

The City of Raleigh's Transportation department can supply traffic barricades to separate parklets/pedlets from traffic. Businesses will be required to maintain the barricades in place for the duration of the parklet/pedlet.

Can I build a permanent parklet or pedlet rather than a temporary one?

Permanent parklets are not currently permitted within the Fayetteville Parking Zone, which encompasses Fayetteville Street and its side streets. Temporary parklets can be approved during the COVID-19 pandemic.

