

Temporary Outdoor Patio & Retail Program (Public Land)

Temporary Program

The City of Fort St. John is looking to support businesses who have been impacted by the pandemic by providing a simple, cost-effective and streamlined way to increase outdoor patio and retail areas on a temporary basis. These expanded outdoor areas will help businesses maximize operations while maintaining social distancing for their customers. Temporary patios and retail areas will be allowed to operate until **September 30, 2022**.

General Information

If you're interested in a temporary outdoor patio or retail expansion on public land adjacent to your business (i.e. sidewalk), the process is fast and easy. Just follow these steps to help make your temporary space successful and safe:

1. Talk with the landowner(s) and other affected businesses;

If you are a commercial tenant, it is your responsibility to ensure that the landowner consents to your proposal (in writing). Also, neighbouring businesses could be affected by your proposal, so make sure that they are aware and you have considered any mitigation matters.

2. Choose your location

Identify where you plan on creating your temporary patio or retail area. Contact the Planning & Engineering Department for a PDF showing the aerial view of your property. Outline proposed temporary patio or retail area. A few things to consider as you select your area:

- Avoid blocking access for persons with disabilities, such as ramps and designated parking;
- Ensure that pedestrians and vehicles can still move around safely;
- Keep a safe distance from utility infrastructure, such as transformer boxes.

3. Decide whether you plan on extending liquor service to the temporary patio area

If you plan on serving liquor in your temporary patio area, make sure that it is consistent with your Liquor License. If you require a new Liquor License, or a change to an existing Liquor License, please contact the Liquor & Cannabis Regulation Branch for your Temporary Expanded Service Area Authorization.

4. Consider visibility and signage

If you're going to use fencing around your temporary space, use low fencing (3 feet or less) that is not entirely opaque. Also, ensure that any new signage is kept to a minimum and is temporary.

5. Insurance and Indemnity

The Owner/Applicant shall save harmless the City and City Staff from all losses which may arise in connection with this temporary approval.

The Owner will obtain and maintain, during the full term of the approved installation, a general liability policy of insurance which includes without limitation the following provisions:

- (a) the City of Fort St. John to be added as an additional insured;
- (b) the policy to contain a cross liability clause;
- (c) minimum limits of \$5,000,000 all-inclusive, including bodily injury & property damage, contractual liability, host liquor liability and products and completed operations;
- (d) provide the City with thirty (30) days prior written notice of cancellation;
- (e) shall not contain any special limitations on the scope of coverage afforded the City, its officers, officials, employees, agents or volunteers; and
- (f) provide the City with a copy of the Certificate of Insurance as requested.

6. Confirm that this is temporary

This program is for outdoor retail and patio expansions that are temporary only and must be removed by **September 30, 2022**. All materials and furniture used must be temporary in nature so that they can be removed easily, and the area can be restored to its original condition.

6. Submit your information to the City of Fort St. John Planning Engineering Department

This process is meant to help you plan out a successful and safe temporary outdoor space. Ensuring that your temporary outdoor patio or retail area is safe and functional for you, your customers, and the businesses around you is your responsibility. Once you are ready to go with your plans, please submit this checklist to developmentsservices@fortstjohn.ca. Once you have received an email accepting your checklist, you are ready to get moving!

CONTACT US:

Planning & Engineering

Francis Work Beaton Building

10003 110 Avenue

Fort St. John, BC

Phone: 250-785-8150

Email: developmentsservices@fortstjohn.ca

Request for Temporary Outdoor Patio & Retail Space (Public Land)

Checklist:

Please complete the following checklist and submit to the [Planning & Engineering Department](#) for processing of your temporary outdoor patio or retail area request. All items must be completed and submitted prior to approval.

| | | |
|-------------------------------|--------------|--|
| Applicant Contact Information | Name | |
| | Address | |
| | Phone Number | |
| | Email | |
| Business Name | | |
| Business Address | | |

- The landowner(s) consents to the proposed patio/retail area, and adjacent tenants (if any) have been notified of the proposed patio or retail area.
- A photo of the proposed location is attached.
- A dimensioned site plan outlining the temporary patio/retail area is attached include distance of the length and depth of proposed patio zone along building façade, with layout of tables, chairs and/or retail appurtenances.
- Liquor is NOT being proposed on the patio.
- If liquor is being served, please contact the Liquor & Cannabis Regulation Branch for your Temporary Expanded Service Area Authorization.
- A copy of your Certificate of Insurance

As the applicant, I confirm that I have read the *Temporary Outdoor Patio & Retail Program on Public Land Bulletin* and that this application is in conformance with the Bulletin. I have attached to this form the information required in this Checklist. Further, I understand and agree that all materials used in the construction of the temporary patio / retail area are fully removable and that the area will be restored to its original condition no later than **September 30, 2022**.

I understand that this application form is a public document and that any and all information contained in it, including personal information as that term is defined in the Freedom of Information and Protection of Privacy Act of B.C., is open for inspection by the public.

I understand that I am responsible for obtaining any required authorizations and permissions from Telus, PNG, BC Hydro and Shaw.

General Safety Requirements for Temporary Outdoor Patios on the Public Right of Way (Sidewalk):

1. Patios that do not serve alcohol are not required to be enclosed by a barrier. Fences, if in-place, must be secured without any damage to or drilling into the public right of way and/or sidewalk.
2. Patios are permitted along the building façade within the site property lines.
3. Patios must have 2 meters setback from the building entry.
4. Additional coordination may be required for locations with bus stops, loading zones, accessible parking stalls along the fronting streets.
5. Additional coordination may be required for Fire Department building standpipes and access zones.
6. Patios must have a setback of 6 meters from stop signs, traffic signals or an intersection.

Declaration:

I hereby agree that:

1. I understand and acknowledge all General Safety Requirements for Temporary Outdoor Patios on Public Lands:
2. the requested Temporary Outdoor Patio/Retail does not imply authorization for a permanent installation;
3. the requested Temporary Outdoor Patio/Retail will not increase the maximum occupancy of the establishment;
4. if the patio is on the Public Right of Way (sidewalk):
 - b) I will provide a Certificate of Insurance to the City of Fort St John for this application; and
 - c) I will enter into a short-term licence agreement with the City of Fort St. John if required;
5. the Temporary Outdoor Patio/Retail installation may be terminated by the City with 24 hours notice by phone or email, unless emergency access is required for patios in the Public Right of Way, and/or operational safety concerns are identified, in which case no notice is required;
6. the Temporary Outdoor Patio/Retail installation at the above noted location will comply with all the provisions of any Provincial regulations and Public Health Orders;
7. the Temporary Outdoor Patio/Retail installation may be subject to inspections by the City or Provincial agencies without notice.

Applicant: _____ Date: _____

Approval: _____ Date: _____