

Restaurants and eateries with existing outdoor dining areas

1. Follow all State, Federal, CDC and County Health directives for providing service. Refer to the County Economic resources portal found here:
<https://covid19-bucksgis.hub.arcgis.com/pages/bucks-covid-19-economic-resources>
<https://www.governor.pa.gov/wp-content/uploads/2020/05/20200527-Restaurant-Industry-Guidance.pdf>

For restaurants and eateries without existing outdoor dining areas

1. See 1 above for guidance documents.
2. If there is a liquor license, check with municipal solicitor and LCB for any issues with the consumption of alcohol outside of the building, but on the property.
3. Consult with local code official for zoning and or permitting requirements.
4. Areas to consider for outdoor dining:
 - A. Sidewalk area between the principal building and the roadway/access drive, provided no less than 5' remains clear between proposed seating and the curb line for pedestrian access.
 - B. Temporary use of a parking space(s) adjacent to the building provided sufficient parking remains for staff and patrons under the new 50% capacity and 6' table separation guidance and in coordination with local municipal officials.
 - C. Landscape areas adjacent to the principal building provided that ADA access can be provided on a permanent, stable, slip resistant surface.
 - D. Under no circumstance can outdoor eating areas or curb side pickup areas interfere with, occupy or block designated fire lanes.

Outdoor Eating Use Model Ordinance Language:

Outdoor eating and food service is permitted as an accessory use when they are operated and serviced by a restaurant/eatery where all food preparation, sanitation, and related services for the outdoor dining shall be performed. All outdoor eating use areas are subject to the following requirements:

- (a) The outdoor eating area shall have a permanent, stable, slip resistant floor.
- (b) The outdoor eating area shall be open to the sky with the exception that it may have a retractable awning or umbrella(s) and may contain furniture, including tables, chairs, and planters that are easily portable and that can be moved inside the principal structure. Tents for commercial purposes may be permitted subject to review and inspection by the building code official.
- (c) The outdoor use area may not permanently occupy areas that are required by the establishment to meet the parking requirements of the applicable zoning section. The temporary use of parking spaces may be permitted subject to the review and approval of the fire marshal and local building code official.
- (d) Parking shall be provided for outdoor eating areas in accordance with the parking requirements for the restaurant/eatery use, as required by the zoning ordinance.

- (e) Location of outdoor use areas:
1. No outdoor eating or food service shall be permitted within the right-of-way of any street or within a sidewalk area except as provided in subsection 3 below.
 2. All outdoor eating areas shall be located a minimum of 10 feet from a side or rear property line where the restaurant abuts or is adjacent to a residential zoning district.
 3. Outdoor use areas may be located within sidewalk areas that are 10 feet in width or greater and the following conditions are met:
 - (a) Outdoor dining areas shall have a continuous, unobstructed pathway five feet in width between the seating area and any obstacle (e.g., curb line, tree, pole, post, sign, or planting area).
 - (b) No sidewalk dining area shall be situated within five feet of any pedestrian crossing, fire hydrant, driveway, curb line, or in a manner which visually obstructs vehicular traffic sight lines, traffic control devices, or signs.
 - (c) No outdoor dining area may be permanently located within the sidewalk area by means of a raised platform, fence, wall, or other structures or enclosed by a fixed wall.
 - (d) Outdoor tables, chairs, furniture and decorative items shall be of uniform design and shall be removed from public property November 1 through March 31.
- (f) No outdoor service shall be provided before 6:00 a.m. or after 11:00 p.m.
- (g) No amplified music or sound is permitted. All activities, including the playing of music, shall comply with the local noise limitations of the municipal ordinances and the Pennsylvania Liquor Control Board, if applicable.
- (h) Outdoor lighting shall not shine onto adjoining properties. Light standards shall not exceed a height of 15 feet, and light fixtures shall be focused downward with a shield, preventing light from shining on adjacent properties. String lights may be permitted subject to the above conditions.
- (i) The carrying of any open container of alcoholic beverages is prohibited outside the delineated area of the outdoor eating area or as regulated by local ordinance and or the conditions of the liquor license as stipulated by the Pennsylvania Liquor Control Board.
- (j) No outdoor use area shall interfere with safe pedestrian and vehicular traffic on or in the vicinity of the restaurant or lot nor shall it occupy, block or interfere with designated fire lanes.
- (k) There shall be no outdoor food preparation and no outdoor bars or bar service. There shall be table service or self-seating with carry out food as applicable.
- (l) All trash shall be removed from the outdoor use area and from the area surrounding the outdoor use area on at least a daily basis.
- (m) The use shall be connected to public water and wastewater facilities.
- (n) A Bucks County Health Department license shall be required before issuance of a use/occupancy permit required under this chapter.