



CITY OF CLAWSON

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Extended Outdoor Dining & Display Areas

While COVID-19 health-related restrictions are in place by the state of Michigan, the City of Clawson may allow extended temporary outdoor dining & display areas for restaurants and retailers in the city who are impacted by health-related capacity restrictions. To reconfigure your outdoor space for winter use, the following steps must be taken:

1. Submit an [Application for Outdoor Cafes or Display Area Approval](#) to the Building Department along with digital plans of the entire outdoor dining/display area that confirm compliance with the standards provided below. **In an effort to support local businesses, the City shall waive the required permit fees for temporary outdoor dining & display areas that are submitted in response to the COVID-19 health-related restrictions.**
2. In order to ensure the safety of patrons, the Department of Public Works (DPW), Building Department, and Fire Department will review the application and notify the applicant if additional information is needed.
3. After installation, the applicant must notify the Building Department for inspections.

Standards for Extended Outdoor Dining & Display Areas

Outdoor Display:

- Temporary outdoor display may be placed within the adjacent public right-of-way, provided that a minimum clear area of 80 inches shall be maintained along all pedestrian walks.
- All outdoor display, including all merchandise, display units, shall be brought indoors each day during non-business hours.
- Outdoor display shall be located in a designated area immediately abutting the associated building(s)
- The outdoor display of merchandise shall not exceed a maximum height of eight feet.

Outdoor Dining:

- The outdoor dining area shall be separated from all vehicular parking and maneuvering.
- The outdoor dining area shall not be located within ten feet of any properties zoned R-1 or R-2.
- The outdoor dining area shall be kept clean and void of litter at all times.
- All vending machines shall be located within a completely enclosed building.
- No additional signage is permitted within the outdoor dining area.
- Outdoor dining areas may be located in the public right-of-way, subject to approval by the Building Department.

Standards for Extended Seasonal Temporary Outdoor Structures and Heaters

Temporary outdoor structures, including tents, are allowed under the following regulations:

- Outdoor temporary structures such as tents or canopies with sidewalls or coverings would be considered indoor seating, and therefore unallowable per [MDHHS mandates](#), **unless they are open on three sides.**
- Enclosed structures, such as plastic domes, may be used for individual parties of 6 or less, and must have adequate ventilation to allow for air circulation.
- Temporary structures must be weighted, anchored or secured to the ground, but cannot be anchored with any method that requires screwing, cutting or drilling into public streets, sidewalks or parking areas.
- If heating devices are used, all structural materials should have fire-resistant certification or flame certification showing material is fire-rated or noncombustible. Businesses must have fire extinguishers to cover the space.
- The use of tents and other temporary structures may be deemed unsafe and prohibited during severe weather events (wind, snow, etc.). Businesses will need inclement weather plans in writing to prevent injuries in storms, snow or other unsafe situations.

Heating Devices must meet the following operational regulations:

- Heating equipment must be shown on the site plans submitted with the permit application.
- Electrical heating equipment must be marked "UL listed" or "UL classified"
- Natural gas heaters or any devices fueled with propane are only allowed in open, uncovered areas unless under ceiling structure with proper ventilation and appropriate fire resistance properties as approved by the Fire Marshall.
- Applicants should follow any recommended safety guidelines issued with a specific product (see the product's operations manual)
- Electric heating equipment should be unplugged or disconnected or overnight storage, and employees should be trained in the proper installation of fuel tanks and in detecting leaks.
- The establishment should maintain clearance between heaters and all other objects. Required minimum clearance distance depends on the heating device; a minimum of three feet is recommended.
- Cords or materials to power or fuel heating elements should not create tripping hazards or violate ADA guidelines.
- Patrons must not interact with the heater.
- All heating devices and site arrangements including heating devices must pass inspection by the City Fire Marshall.
- Enclosed areas with heating devices must have clearly marked entrances and exits.

***Applicants are responsible for obtaining all required permits and authorizations from the Oakland County Department of Health.**

***Applications requesting the use of City Parking lots/spaces for outdoor dining/display areas shall require approval of the City Manager and City Attorney.**