

Guidance for Establishing Outdoor Seating in the Public Right of Way

On May 27, 2020, Mayor Carter issued executive order 2020-10, which allows the expanded use of public right of way for outdoor dining. Pursuant to the executive order, seating for food and beverage establishments may be established on sidewalks, on-street parking spaces, and vehicular travel lanes. Food and beverage establishments with an existing sidewalk café obstruction permit may reestablish their sidewalk cafes on June 1st without additional approvals, however, the seating arrangement in these sidewalk cafes may need to be reconfigured to comply with the State Department of Employment and Economic Development COVID-19 guidelines.

Food and beverage establishments that wish to expand their outdoor dining area into on-street parking spaces, vehicular travel lanes, or streets, may apply for a Temporary C-19 right of way obstruction permit to use the public right of way for outdoor dining. Food and beverage establishments that wish to sell alcohol in the public right of way must also apply for a Temporary C-19 Outside Service License in conjunction with the Temporary C-19 Right of Way Obstruction permit.

The 2020-10 executive order supplements guidance from the State Department of Employment and Economic Development, which requires businesses to:

- Develop and implement a COVID-19 Preparedness Plan;
- Open for outdoor dining or curbside pickup/delivery only;
- Ensure at least 6 feet of distance with maximum on-premises capacity to no more than 50 persons;
- Limit table service to 4 persons, or 6 if part of one family unit;
- Require reservations and not allow walk-in customers;
- Require masks or face shields to be worn by workers and strongly recommend masks for all customers; and
- Establish regular disinfection routine and train workers.

To establish an outdoor dining area in the public right of way in Saint Paul you must submit an application for a Temporary C-19 Right of Way permit and a Temporary C-19 Service License if alcohol will be served. A site plan must also be submitted which at a minimum, details the following:

- The boundaries of the outdoor dining area
- The outdoor dining installation (required barriers, the seating arrangement, signage, etc.)
- Traffic control measures

More detailed standards and conditions specific to the type of public right of way obstruction and the application can be found at: <https://www.stpaul.gov/departments/public-works/right-way>. Applications for street or lane closures will likely require additional information to be submitted and shown on the site plan.

For questions about site plan requirements in the public right of way please contact Bill Awker at 651-266-9804 or bill.awker@ci.stpaul.mn.us.