



# Madison Fall, Winter & Spring Streatery FAQs

## OUTDOOR SEATING GUIDANCE FOR: Sidewalk Cafes & Cafes in Parking Lanes

The City of Madison has extended its Streatery Program to April 14, 2021. This will provide both an opportunity and a challenge for Restaurants and Taverns to be able to continue to serve patrons in a physically distanced arrangement in accordance with [Public Health Madison Dane County \(PHMDC\) orders](#). The City wants to encourage the extension of the outdoor dining season as much as is practical. However, it is important to note that meeting all heating, tent and electric code requirements during the coldest winter months, and during heavy snowfall may be infeasible.

**Permits Required:** [mblake-horst@cityofmadison.com](mailto:mblake-horst@cityofmadison.com) and [sop@cityofmadison.com](mailto:sop@cityofmadison.com)

All new outdoor seating areas created under the Streatery Program were initially permitted until October 25, 2020. If a Restaurant/Tavern would like to continue operations past October 25, they will have to do the following:

- [Sidewalk café licenses](#) under MGO 9.13 are valid through April 14, 2021 but a revised layout plan for your sidewalk café equipment with additional elements for cold weather is needed.
- For cafes that extend into the roadway/parking lane, file a new plan to get your [street occupancy permit extended](#), showing all additional elements needed for cold weather operations.
- Upon approval of these plans, the Streatery Extension of Premises Alcohol License will continue.

### **Tents**

Only tents and other membrane structures will be allowed for sidewalk cafes and seating areas in the street/parking lane, with the following regulations:

1. All tents shall comply with all Fire Code regulations found at this [link](#).
2. Tents that cover more than 1 table must have 100% of the sides open to allow air flow, or it will be considered an indoor space and subject to indoor space requirements from PHMDC.
3. Use of tents may be deemed unsafe and prohibited during severe weather events (wind, snow, etc.)
4. Only tents under 400 square feet are allowed on the sidewalk. See [link](#) for additional size restrictions.
5. All tents on the sidewalk must be taken down and removed every evening upon close of business. Tents in the street/parking lane may only remain up overnight if approved through a Street Occupancy Permit.

### **Heating & Lighting Elements**

Heating & Lighting Devices are allowed but must meet the following operational regulations:

#### **1. Heating Devices – general requirements:**

- Heating equipment must be shown on site plans submitted with the permit application.
- Heating equipment must be unplugged or disconnected for secure/locked overnight storage, and employees should be trained in proper installation of fuel tanks and in detecting leaks.
- Establishments shall maintain clearance between heaters and all other objects, including tent sides. Required minimum clearance distance depends on the heating device; five feet is recommended.
- Operators should follow all recommended safety guidelines/operations manual issued with a specific product.
- Heater Agreement. Licensee may be required to sign an indemnification agreement in favor of the City, depending on the type of heating equipment, storage location, and other factors as determined by the City Risk Manager. The Heater Agreement will be provided for signature upon plan approval.

#### **2. Propane Heaters: [Please see specific propane heater requirements from the Fire Department.](#)**

- Any devices fueled with propane are only allowed in open, uncovered areas.
- Establishments must have a propane heater and tank storage plan approved by the Fire Department, Vending Coordinator, and others as required. Propane Heaters may stay in place after hours, if approved, but propane tanks must be removed, secured and stored elsewhere.
- Propane tank storage cages should be placed in an inconspicuous location. Surface parking lots, alleys, outdoor enclosed dumpster areas, and the like are encouraged. Storage areas should be generally hidden from the public. Cages may not be placed on a public sidewalk.

3. **Electric Heaters:** Electric heaters are encouraged when there is no availability to store propane outside.
  - Electricity must be pulled from the business.
  - Any electric cords will require a 9 feet clearance over the public sidewalk. No electrical cords shall be strung across the street. Electrical cords within the café space shall be secured using cord covers approved as part of the approved plan.
  - Electric Heaters will likely require an electrical upgrade by a certified Electrician and/or building inspection to assure that there is enough electrical capacity to maintain safety.
  - Electrical heating equipment must be marked “UL listed” or “UL classified.”
4. **Lighting:** Lighting must be marked “UL listed” or “UL classified”
  - Electricity must be pulled from the business (not adjacent street lights.) Any electric cords will require a 9 feet clearance over the public sidewalk. No electrical cords shall be strung across the street.
  - Approval of electrical equipment and cord location is subject to change, including currently approved set-up.

### **Snow Plans**

1. **Snow Plans:** Cafes must have a Snow Plan/Agreement that follows all of these regulations, approved by:
  - **Within the Roadway:** Street Superintendent for all cafes within the roadway, anywhere in the City including the Downtown Mall Concourse Maintenance Area. [CLICK HERE to submit your snow plan/agreement.](#)
  - **Downtown Mall Concourse Maintenance Area:** The Assistant Parks Superintendent must also approve snow plans for Cafes within the [Downtown Mall Concourse Maintenance Area](#). To submit your plan email Assistant Parks Superintendent, [Lisa Laschinger](#).
2. **Sidewalk Cafes on City Sidewalk/Terrace:** All café equipment (furniture, tables, chairs, enclosures and other items) on the sidewalk or in the terrace will need to be removed until after plow operations have ceased for the snow event.
  - Sidewalk Cafes located within the [Mall Concourse Maintenance Service Area](#) cannot be put their equipment back out until after City Street Plowing Operations have ceased for the snow event, and Parks Maintenance staff has cleared the terrace/sidewalk areas. City Maintenance Staff is required to give priority to main walks, ramps, bus stops and ADA parking spots; café areas may not be cleared first. If you choose to set up before City Maintenance Staff have cleared the sidewalks and terraces, you may need to address additional snow removal on your own. Operators must follow any ordinance adopted by the Common Council that addresses snow removal for sidewalk cafes. ***Snow MUST NOT be shoveled back into the street.***
  - Sidewalk cafes located in other parts of the City will be required to remove their own snow from the entire sidewalk area and terrace after the City has finished street plowing operations. ***Snow MUST NOT be shoveled back into the street.***
  - Stay Informed on City Snow Plowing Operations - Sign up for alerts/emails:
    - ✓ Call the Winter Parking Hotline: (608) 261-9111
    - ✓ Sign up for text list: [Winter Text Alerts](#)
    - ✓ Sign up for Email list: [Declared Snow Emergency Email Updates](#)
    - ✓ Sign up for Email list: [Snow Plow Email Updates](#)
3. **Café Zones and Cafés using a Street Occupancy Permit in the street/parking lane (roadway):**
  - Cafes in the roadway will be responsible for clearing, salting and sanding any ice and snow within the confines of the café.
  - Cafes that have been approved to use semi-permanent tent structures must remove snow from the top of the tent, as well as clear any ice that builds up on the sidewalk or road from tent canopy snow melt.
4. **Salt:** If café owners are applying their own salt/sand within the café areas, please follow Wisconsin Salt-wise guidelines and do not oversalt your café spaces, as it will run off into the lake. Wisconsin Salt Wise [LINK](#)
5. **Snow Plan Waiver:** Licensee may be required to sign a waiver releasing the City from injury to people or damage to your equipment resulting from snow removal by the City, including regular plow operations, and reimbursing the City for injury or damage to City employees or equipment caused by your set-up, based on factors to be determined by the City Risk Manager. ***The waiver will be provided for signature upon plan approval.***