



**City of Huber Heights**  
**Planning and Zoning Department**

**MEMORANDUM**

TO: Businesses of Huber Heights  
FROM: Scott Falkowski, Assistant City Manager  
DATE: May 12, 2020  
RE: Temporary Onsite Outdoor Seating

In an effort to help The City of Huber Heights' businesses recover from the mandated shutdowns and social distancing requirements, the City will allow a new temporary onsite outdoor seating permit which will allow for a portion of their already approved seating to be moved outdoors. Due to the social distancing requirements of the governor's executive order, the City understands that some restaurant establishments will seek alternatives to their indoor and outdoor configurations by extending operations to new outdoor areas including sidewalks, parking lots, etc.

To ensure that the above social distancing requirements are met while encouraging restaurant establishments to resume operations, the City is providing the following flexible outdoor operations allowances where they may not be permitted by City Code otherwise:

1. Permit. A Temporary Outdoor Restaurant Operations Permit application must be sent via email to [dmillard@hhoh.org](mailto:dmillard@hhoh.org) or delivered to Huber Heights City Hall, attn: Zoning Department. The permit will be effective for 180 days or until the State of Emergency has been lifted. No fee will be required for said permit.
2. A scaled drawing showing all dimensions and spacing related to the seating areas, accessibility and clearance requirements, plus how many tables and chairs will be used outside is required with the permit application.
3. Occupancy. New outdoor operations cannot result in a total occupancy greater than the originally approved occupancy limit for the restaurant.
4. ADA Requirements. No temporary outdoor operations shall be placed on a sidewalk unless an accessible path is available or shall be placed on or prohibit access to Handicap Accessible parking spaces.
5. Life Safety Requirements. At least one fire extinguisher shall be provided for the outdoor operations using any number of tents. Points of ingress and egress shall not be blocked for any reason.
6. Tents. The maximum tent size shall be 10' X 10'. Any combination of tents together greater than 400 sq. ft. will require a permit from the Montgomery County Building Department. All tents shall be located a minimum of 12 feet from any structure or any other tent or tent cluster. One open side is required for any tent.
7. Traffic and Parking. New outdoor operations cannot interfere with normal vehicle traffic movement to include fire department access to the building and access to fire hydrants and other fire-fighting equipment.
8. Health Department Requirements. Food preparation must be done inside the restaurant kitchen facilities. Dining must occur on the property/lease area of the restaurant. All of Health Department requirements must be met as well.
9. All other State and Local requirements shall remain in effect.
10. Visit <https://coronavirus.ohio.gov/static/responsible/Restaurants-and-Bars.pdf> for more information from the State of Ohio.

# Temporary Outdoor Restaurant Operations Permit Application



Submittal Checklist:

- 24-Hour Contact Information
- Site Plan detailing layout of proposed outdoor operations including, but not limited to, location of tables, seating, tents, portable toilets, parking areas, waste disposal areas, fencing, exits and entrances into temporary area, etc.
- Permission from Property Owner

<b>Business Information</b>	Business Name:	
	Address:	
	Phone:	
<b>24-Hour Contact</b>	Contact Person:	
	Contact's Signature:	Date:
	Phone:	Email:
<b>Property Owner</b>	Owner's Name:	
	Owner's Signature:	Date:
	Owner's Address:	
	City, State:	Zip:
	Phone:	Email:
<b>PROPERTY OWNER'S AFFIDAVIT: I hereby certify under penalty of law that I am the owner of the above-referenced property and authorize the temporary outdoor restaurant operations as described herein.</b>		

**SUBMIT APPLICATION AND CHECKLIST ITEMS TO [DMILLARD@HHOH.ORG](mailto:DMILLARD@HHOH.ORG)**

<b>Staff Use Only</b>	
Application Received:	Permit #:
Permit Start Date:	Permit Expiration Date:
Approved/Denied By:	Approved/Denied Date: