



### **CAFÉ SEATING at Downtown and Hill Business Locations**

Café seating at coffee shops and restaurants on the Hill and downtown have become more and more popular over the past few years. With that in mind, the city of Boulder now allows these establishments to provide temporary street furniture without a permit under the following conditions<sup>1</sup>:

- Property is located within the University Hill General Improvement District or the Downtown Boulder Business Improvement District and excluding the Pearl Street Mall;
- The furniture shall consist solely of tables or chairs intended for outdoor use. Furniture shall be constructed of metal or similarly stable and durable materials that are subject to approval by the city manager. Any other encroachments, including without limitation umbrellas and railings are not allowed;
- The placement or use of the furniture can not impair or impede the utility of the right-of-way or easement for its designated purpose;
- Establishment must provide the city with a certificate of general comprehensive liability insurance (1M per occurrence; 2M aggregate) with DESCRIPTION OF OPERATIONS reading: *City of Boulder, its officials and employees are named as additional insured at (name and exact address of business)*;
- The furniture is available for use by the general public. Temporary street furniture for the exclusive use of patrons, offering table service of food or beverages or associated with an establishment licensed to serve alcoholic beverages is prohibited;
- The furniture must be temporary in nature and removed easily without tools or equipment;
- The furniture must be removed and securely stored on private property between the hours of 11 p.m. and 6 a.m. or outside of business hours, whichever is more restrictive;
- No amplified music provided to the right of way area;
- The placement or use of the furniture does not reduce the unobstructed width of the adjacent sidewalk to less than six feet. The unobstructed width may be reduced to five feet for a maximum distance of five feet in areas adjacent to fixed public infrastructure including, but not limited to, utility poles, parking payment facilities, and fire hydrants (see attached diagram);
- The sidewalk area adjacent to the furniture is accessible and usable to persons of all levels of mobility and the sidewalk area can be used in a manner that is consistent with the federal Americans with Disabilities Act.
- Additional configurations of café seating may be considered and would need the approval of city staff.
- There is no application fee associated with café seating.

If you are interested in pursuing café seating, please contact: Lane Landrith, Community Vitality Department, at [landrithl@bouldercolorado.gov](mailto:landrithl@bouldercolorado.gov), or 303-413-7316.

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<sup>1</sup> “Exempt Encroachments” Boulder Revised Code 8-6-8.

