

Town of Waxhaw  
1150 N. Broome Street, PO Box617  
Waxhaw, NC 28173  
704-843-2195 (Phone)  
704-243-3276 (Fax)  
www.waxhaw.com

Date Received

Permit Fee

Permit Number

### SIDEWALK DINING PERMIT

Date of Application: \_\_\_\_\_

Business Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Business Mailing Address: \_\_\_\_\_

Business Email Address: \_\_\_\_\_

Restaurant Owner Name: \_\_\_\_\_

Telephone: \_\_\_\_\_

Restaurant Owner Mailing Address: \_\_\_\_\_

Relationship of Applicant to Property Owner: \_\_\_\_\_

Please attach the following documents:

- Copies of Environmental Health Documents
- ABC License
- Proof of Insurance
- Site Plan- showing sidewalk dining area (table seating locations)
- Description and images of tables, umbrellas, & stanchions

Hours of operation of sidewalk dining area: \_\_\_\_\_

\_\_\_\_\_

Food/Beverage to be served: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Parcel: \_\_\_\_\_ Zoning: \_\_\_\_\_

**In order to be considered complete, the following must accompany application:**

1. Application fee paid in full must be received prior to the issuance of a Sidewalk Dining permit (checks should be made payable to the Town of Waxhaw).
2. A detailed description of the operation or business shall be included under "Food/Beverage to be served" and any other information that may be needed to ensure that the proposed use is in compliance with all applicable provisions of this Ordinance.
3. I have read and understand this application and the requirements placed upon this applicant and organization. I agree to abide by The Town of Waxhaw's Code of Ordinance Sec. 66-62 and understand that if I am granted a permit, I must abide by the provisions of said ordinance and agree to indemnify and hold harmless the Town, its officers, agents and employees against any loss or expense for damages arising out of or in consequence of the granting of this permit.

**CERTIFICATIONS**

1. I hereby certify that all of the information provided for this application is, to the best of my knowledge, accurate and complete.

\_\_\_\_\_  
(Signature of Applicant)

\_\_\_\_\_  
(Date)

*If the applicant is not the property owner, please complete the following:*

2. I do hereby authorize the above applicant to submit this Sidewalk Dining application to the Business Development Director on my behalf.

\_\_\_\_\_  
(Signature of Property Owner)

\_\_\_\_\_  
(Date)

**The following shall be completed by the Business Development Director:**

Based on the information hereby furnished to me, and my knowledge of the Waxhaw Unified Development Ordinance, **I HEREBY:**

**APPROVE**

**DISAPPROVE**

Comments/Conditions: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
(Business Development Director)

\_\_\_\_\_  
(Date)

**Approved permit expires one year from issuance**

# SIDEWALK DINING ORDINANCE INFORMATION



The following document summarizes Waxhaw's Sidewalk Dining Ordinance. This does not replace compliance with the ordinance and you are recommended to read the ordinance in its entirety.

Sidewalk Dining is only applicable to businesses located along North Main Street between North Providence Street and Hicks Street, and South Main Street between South Church Street and McKibben Street. Regulations include sidewalk dining that occurs within the public right-of-way.

Paper and online applications are accepted.



# SIDEWALK DINING ORDINANCE

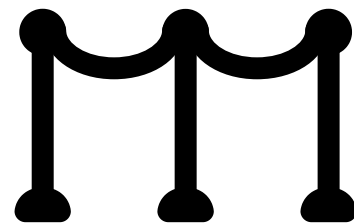
## ACCESSIBILITY

ADA compliance helps visitors and your customers navigate downtown safely and comfortably. Non-compliance may result in denial or suspension of a sidewalk dining permit.



Tables, chairs, and other furnishings must be placed to leave at least five feet of unobstructed space for the passage of pedestrians. Fire lanes and exits must remain clear at all times.

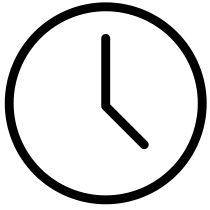
Restaurants serving alcohol within sidewalk dining area must visibly and vertically section off the area using stanchions or planters. Height must be between 3' and 4'2" and detectable by the visually impaired. Stanchions must not be a tripping hazard and can measure no more than 1" above sidewalk surface.



NOTE: If two people walking side by side have to go single file or if a wheelchair cannot pass through without maneuvering, your sidewalk is not accessible.

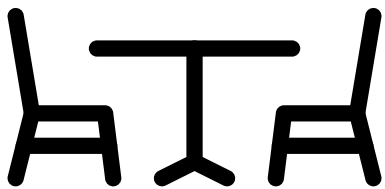
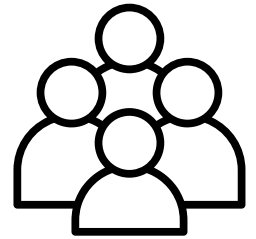
# SIDEWALK DINING ORDINANCE

## OPERATION



The sidewalk dining must be associated with the operating restaurant and may not be open or operated at any time when the restaurant is not open for business.

The seating capacity of the sidewalk dining may not be more than 50% of the indoor seating capacity of the associated restaurant.



Furnishings may not extend beyond the sidewalk frontage of the associated restaurant.

### Alcoholic Beverages

- Sidewalk dining area must be included as part of the premises for which an ABC permit is issued.
- Signs shall be posted and visible at all exit points from the sidewalk dining that alcohol cannot be removed from premises.
- No outdoor bar is allowed within the sidewalk dining and outdoor preparation of alcoholic beverages is not permitted, except unfortified wine may be decanted or beer poured at a table.



# SIDEWALK DINING ORDINANCE

## APPEARANCE

### IN COMPLIANCE



#### Tables and Chairs

- Easily moveable
- Approved by Zoning Administrator



#### Stanchions/Barricades

- Black Metal (aluminum, steel, wrought iron, etc.).
- Painted or stained wood.
- Commercial grade planters.
- Between 3' and 4'2" in height.



#### Planters

- No more than 3' in height.
- Plants must be shorter than 6' in height.
- Plants must be alive and in healthy condition.



#### Umbrellas

- Outdoor fabric with commercial grand stand.
- No logos or other signage.



#### Cleanliness

- Sidewalk and dining area is free of trash and debris.
- Spills and stains removed on a weekly basis.
- Furnishings and barricades cleaned and maintained at all times.

# SIDEWALK DINING ORDINANCE

## APPEARANCE EXAMPLES

### Tables and Chairs

Easily moveable

High-quality, outdoor materials

Color is okay, but must be approved by zoning administrator

Maintain consistent look and feel of downtown



### Stanchions/Barricades/Planters

Only required by those serving alcohol on sidewalk

High-quality, outdoor materials

Maintains consistent look and feel of downtown

Real plants must be alive and healthy



# SIDEWALK DINING ORDINANCE PERMIT APPLICATION CHECKLIST

- Contact info for restaurant owner.
- Type of food or beverage to be served.
- Hours of operation for restaurant and sidewalk dining.
- Drawing or site plan showing section of sidewalk to be used.
- Description and images of tables, chairs, umbrellas, and stanchions/planter to be used.
- Proof of insurance listing Town of Waxhaw as additionally insured (minimum limits of \$500,000 aggregate annually).
- Copy of permits and licenses.
- Statement of violations against ABC regulations in last 5 years.
- Annual Fee: \$35

## Questions?

Ashley Nowell  
Downtown Director  
704-843-2195 x250  
anowell@waxhaw.com