TEMPORARY SIDEWALK DINING PROGRAM

This form details a temporary program, concurrent with Mayor's COVID-19 Emergency Proclamation, which allows dining on City properties, including sidewalks, malls, and parks, with guidelines, conditions, and restrictions. Business owners will be allowed to place movable furniture on City properties as part of this program to increase their seating areas and allow for social distancing.

Guidelines:

Location:
1. The business must be on the ground floor.
2. The business must abut City property.
3. The sidewalk dining area must be paved.
4. Front yard space must be used, if available, before using City property.

Allowable Times of Operation:
1. Furniture may only be used during the business hours of operation listed on the form.
2. Furniture may be placed one hour before and removed one hour after the posted hours of operations.
3. Furniture may not be stored on City property when not in use.
4. No usage of City property between 11:00 p.m. and 7:00 a.m.
5. With 24-hour notice, the business must vacate City property for regular City maintenance activities or permitted construction. In case of emergencies, there may be no notice.

Allowable Furniture and Equipment:
1. All furniture shall not be affixed to the dining area but should be stable and wind resistant to prevent accidental tipping. These include:
   a. Tables and seating
   b. Stands featuring menus and prices
   c. Supplemental lighting
   d. Trash receptacles
   e. Temporary railings
   f. Umbrellas and awnings
Conditions and Restrictions:

1. Dining areas must comply with all applicable Americans With Disabilities Act requirements, including, but not limited to, the provision of accessible tables and seating.
2. The business must comply with all requirements of its State Department of Health Food Establishment Permit.
3. No smoking is permitted within the dining area.
4. If not fronting a City mall or park, liquor sales may be allowed under existing businesses' liquor licenses and applicable laws. Contact the Honolulu Liquor Commission for approval at (808) 768-7323.
5. Dining services must be consistent with all COVID-19-related and Social Distancing Requirements as set forth in the applicable emergency proclamations, orders, and rules relating to the City's and the State's response to COVID-19.
6. Tables and seating must be situated to allow at least 6 feet of space between customers.
7. Furniture must be placed to maintain the following conditions:
   a. On sidewalks, 36 inches of clearance is required to maintain an accessible path.
   b. On pedestrian malls, 20 feet of clear space is required for delivery and emergency vehicles. Additionally, operations may not exceed posted mall hours and no liquor service is permitted.
   c. In parks and playgrounds, furniture may only be placed up to 7 feet from the property line, not to exceed one row of tables and seating. Additionally, no liquor service is permitted.
8. Furniture may not be placed within 10 feet of:
   a. Driveways, ramps, or street intersections
   b. Bus stops
   c. Fire hydrants or dry standpipes
9. Furniture may not be placed over planter strips, tree wells, or fire lanes.
10. Cooking and heating elements are not allowed.
11. Speakers for live or amplified audio are not allowed.
12. Signs, as defined under the Land Use Ordinance, are not allowed.
13. No additional parking will be required.
14. The business is responsible for, at minimum, daily removal of trash generated by outdoor dining.
15. The City may conduct reviews of furniture placement and require revisions or removal of furniture that does not meet these guidelines.
16. The business must comply with the insurance provisions listed in the acknowledgment.
17. Any violation of these guidelines may result in forfeiture of this privilege.
18. The City reserves the right to revoke this privilege at any time.

Questions may be directed to 768-2489.