

To request to create an outdoor smoking area –	
LICENSED FOOD & BEVERAGE ESTABLISHMENTS	IF SERVICE WILL BE PROVIDED, apply for Sidewalk Café License (seating is assumed).
	IF NO SERVICE WILL BE PROVIDED, BUT SEATING IS REQUESTED, apply for Sidewalk Café License.
	IF NO SERVICE OR SEATING WILL BE PROVIDED, apply for Encroachment Permit for smoking accessory equipment such as ashtrays, heaters, planters.
OTHER ESTABLISHMENTS (for example, businesses that want to provide outdoor areas for their employees)	Apply for Encroachment Permit for smoking accessory equipment such as ashtrays, heaters, planters. If there is any seating, it must be available to anyone, its use cannot be restricted.
For an Encroachment Permit, no equipment will be permitted that functions to define, restrict or otherwise attempt to encompass the public space for a private use. Before a permit can be issued, the application is reviewed for space considerations, volume of pedestrian traffic, impact to pedestrian traffic, safety concerns, and the like.	

ATTACHMENT

Comparison Chart: Sidewalk Café License and Encroachment Permit for Smoking Accessory Equipment