



## Community Development Department

949 East 2<sup>nd</sup> Avenue  
Durango CO 81301  
970-375-4850

### **2019 - OUTDOOR BISTRO TABLE GUIDELINES – 2019**

The Outdoor Bistro Dining program is managed by the City of Durango Community Development Department and permitted by the City Engineers office. Because the program operates in the public right-of-way, it requires an approved application and permit. The annual fee for approved Bistro Tables in the public right-of-way are as follows:

- Bistro Table Permits **without** a Liquor License - \$100
- Bistro Table Permits **with** a Liquor License - \$300 (does not include State fees to expand liquor license)

Intent of the program is to provide added vitality to the downtown experience and provide the establishment opportunity to enhance sales. Outdoor Bistro Dining is acceptable when it is, 1) compatible with Downtown codes and ordinances, 2) positively received by the public and neighboring business operators, 3) operated and managed in a safe and secure manner, 4) is an appropriate, positive, and complimentary addition to the downtown experience.

#### Guidelines:

1. Responsible party is the business owner applying for a permit and must have a valid City of Durango business license.
2. New applicants need; 1) a completed application, 2) sketch of the site indicating location of Bistro tables and chairs, 3) copy of valid business license, and 4) specifications and photo of the intended equipment. (The size, style, and color must be pre-approved, and the number of Bistro Tables permitted will be determined by public space restrictions and appropriateness to the location.) Completed applications are reviewed and forwarded to the City Engineer for issuance of an annual Revocable Public Right-of-Way Permit, after which an applicant may commence operations.
3. Renewals do not need to re-submit the application form if the information on the form is current, the business license remains current, and equipment and placement is unchanged from the prior year. They need only pay the annual applicable fee.
4. Costs associated with acquiring, maintaining and insuring the Bistro table will be the responsibility of the applicant and the City must be co-insured.
5. The applicant will assume all liability or loss of any kind arising from the permitted use of the public right-of-way for the bistro table.
6. The designated Bistro Table area represented in the site plan cannot encroach on neighboring property.
7. The Bistro Table must allow for a minimum of four feet for pedestrians use.

8. Bistro Tables can be serviced by staff. Servers must avoid blocking pedestrian flow, and tables must be cleared promptly after each use.
9. No alcohol can be served, or consumed, or otherwise present at the Bistro Tables unless the applicant applies for and receives a new State liquor license reflecting and including the expanded serving boundary.
10. If alcohol is proposed within the Bistro Table serving area, please contact Durango Clerk's Office, 970-375-5010 or [clerk@durangogov.org](mailto:clerk@durangogov.org) and adhere the following Bistro Table Containment Barrier Process and Criteria:
  - A rendering of the proposed containment area shall be submitted with the application that addresses the following criteria, and clearly portrays the 6-foot unobstructed sidewalk right of way. Upon receipt of the application and rendering, the City Engineer will determine if the application meets the below criteria, if it does a revocable permit will be issued. It is recommended that you do not purchase the containment barrier until the revocable permit, liquor license and other necessary permits are issued. The containment barrier criteria is as follows:
    - The containment barrier shall be self-supporting and between 30-inches and 42-inches in height. They shall be easily movable and self-supporting because they are temporary in nature.
    - The containment barrier must be constructed of durable, attractive metal, stone or wood material that is open in body (i.e. wrought iron fencing) and shall be painted a muted earth tone color. Barriers that are solid in body (i.e. stretched fabric, Plexiglas, see-through mesh, etc.), or vinyl barriers are not permissible.
    - No points or sharp edges along the top of the containment barriers shall be permitted.
  - Any proposed signs shall be subject to the City's Sign Code (Land Use and Development Code Article 3-6) and processed through the City's sign permit process by the Planning Division.
  - Lighting shall not be incorporated into the barrier design.
  - If the bistro tables are removed for an extended period of time (i.e. the winter season), then the containment barriers shall be removed during that same time period.
  - There are additional one-time fees for expanding liquor license boundaries in the State of Colorado.
11. Smoking is not allowed in Bistro Table Area.
12. Un-used Bistro Tables should not be used as pet tie outs and pets are not allowed in the public right of way. The applicant must be in compliance with San Juan Basin Public Health standards for pets
13. Bistro Tables must be secured after hours to deter theft or vandalism. Equipment may be moved indoors at night.
14. Bistro Table Areas cannot obstruct or remove existing City bike racks.
15. A Bistro Permit does not include authorization for liquor license or other permit requirements. The applicant is responsible for ensuring all the required permits and license are attained.