The Corporation of the District of North Vancouver

CORPORATE POLICY

Title	OUTDOOR CUSTOMER SERVICES AREAS - Municipal Property
Section	Facilities and Land

POLICY

It is the policy of Council to establish the process for businesses to apply for outdoor customer service seating areas on public land.

Policy approved on: May 1, 2023
Policy amended on:

PROCEDURE

The District of North Vancouver recognizes that outdoor customer service seating areas provide animation to commercial areas and enhances public interaction. Accordingly, the District may wish to facilitate the use of certain public property for outdoor customer service seating areas provided criteria be met to ensure continued safe public passage.

Owners of restaurants, licensed lounges or neighbourhood public houses or retail food service may make an application to the Real Estate & Properties Department for an outdoor customer service seating area on District sidewalk or road allowance adjacent to their business if there is adequate sidewalk for public passage and the outdoor seating area to co-exist as set out in the Street and Traffic Bylaw.

Upon receipt and review by the Real Estate & Properties Department, the application for an outdoor customer service seating area on public property will be referred to the Planning, Business Licence and Engineering Departments.

If approved by the Real Estate and Properties Department and the referral departments and the Municipal Engineer, the applicant will be required to enter into a licence to occupy for the Outdoor Customer Service Seating Area administered by the Real Estate & Properties Department.

The licence will be cancellable at any time and include requirements for owners to, among other things:

- pay a documentation fee for preparation of the agreement;
- pay an annual licence fee for the use of the municipal property that will be calculated by multiplying the area of municipal property occupied by the outdoor customer service area by the applicable rate. The 2023 rates are listed below and will be increased annually on January 1st based on the Vancouver Consumer Price Index (assuming a positive change; if there is no change or a negative change, the fees will not be adjusted):

Outdoor Customer Service Area – non weatherized	$3.50 per sq ft
Outdoor Customer Service Area - weatherized	$5.50 per sq ft

- maintain and provide a certificate of liability insurance in an amount and on terms acceptable to the District with the District of North Vancouver named as an additional insured; and
- be able to remove the furniture and any improvements within 24 hours notice.

No smoking is permitted in Outdoor Customer Service Areas and business owners must comply with the Smoking Regulation Bylaw as amended from time to time.

Any application for an outdoor seating area on municipal property must comply with District policies and bylaws including but not limited to the Zoning Bylaw, Street and Traffic Bylaw and Smoking Regulation Bylaw as amended from time to time.