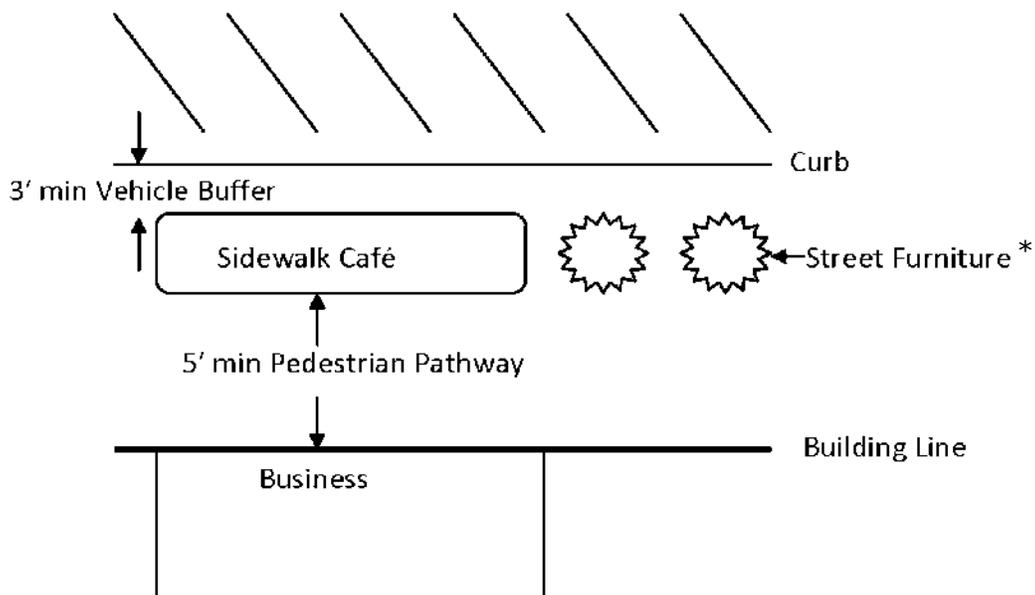


Sidewalk Café Seating Information Sheet

Sidewalk café seating is a great way to add curb appeal and extra room for patrons of your restaurant or café. No permit is needed for you to establish a sidewalk café; this type of seating is still regulated by *Salem Revised Code*, Chapter 78, sections 220 and 240 (refer to page 2).

The two most important factors in setting up your sidewalk café are maintaining proper clearances (see below) and keeping the area clean. Each sidewalk café must maintain a five-foot minimum pedestrian pathway past the sidewalk café and a minimum three-foot buffer from the curb. These clearances will serve to both keep your patrons safe and allow for the passage of others along the sidewalk. This is particularly important for the handicapped, and it is recommended the area directly adjacent to the building be kept clear of obstructions. Keeping your sidewalk café area clean contributes to the appearance of your area and discourages vandalism.

Figure 1 - Preferred



* Street Furniture—includes but not limited to permanent features such as street signs, street lights, pedestrian lights, street trees, benches, trash receptacles, utility boxes, bicycle racks, art pedestals, etc.

Continued on page 2.

Si necesita ayuda para comprender esta información, por favor llame 503-588-6211.

If you need help understanding this information, please call 503-588-6211.

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity, and source of income, as provided by *Salem Revised Code* Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities.

Figure 2 - Optional

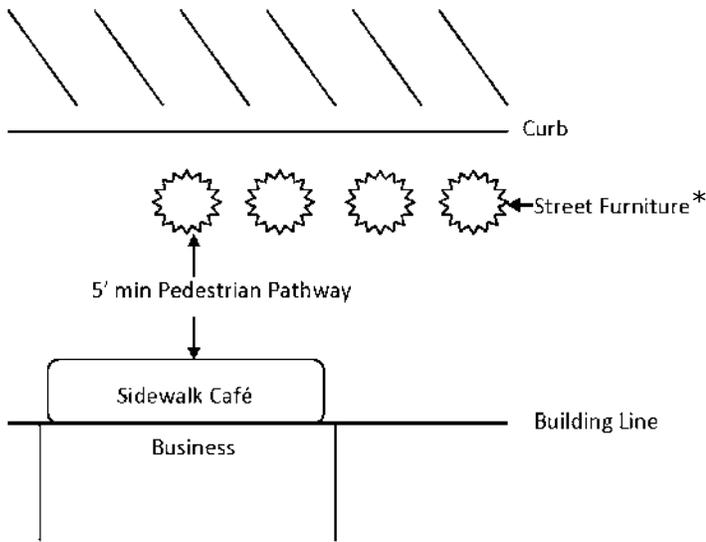
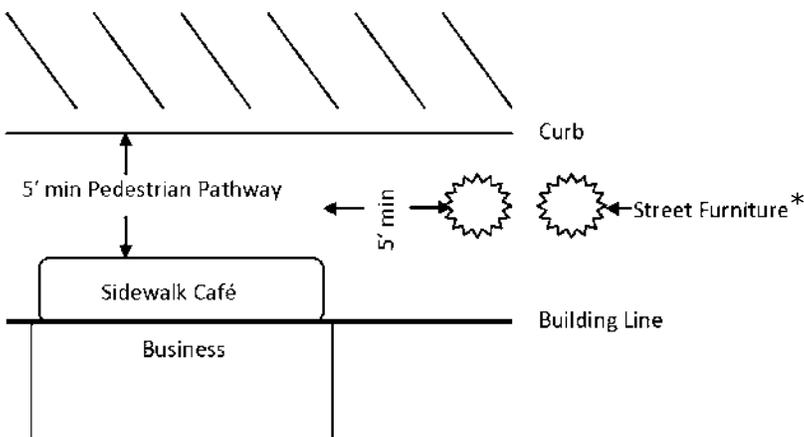


Figure 3



section, the owner of the property abutting the defective sidewalk shall indemnify and defend the City, its officers, employees, and agents, in the event it is established in such action that the occurrence or condition giving rise to the action could have been prevented had such owner not breached a duty imposed under subsection (a) of this section. (d) Neither the City nor its officers, employees, or agents acting in the scope of their duties shall be liable to any person having a remedy under subsection (b) of this section. (e) Whenever any owner, lessee, or occupant of any property neglects to perform the duty imposed under subsection (a) of this section, the Director shall issue a notice and order the owner, lessee, or occupant to remedy such neglect, and in case the person then fails to make such sidewalk safe or to clean the same or to clear the same of ice, snow, dirt, vegetation, debris, or obstructions within such time as the Director may have specified in the notice and order, then the Director shall proceed as provided in SRC 78.300. (Ord No. 4629; Ord No. 12-83; Ord No. 17-92; Ord No. 72-2002; Ord No. 99-07)

78.240. Sidewalk Cafes. (a) Any person owning or operating a restaurant or café that serves food, beverages or alcoholic liquor to patrons seated at tables located within the sidewalk area in front of the restaurant or café shall maintain a pedestrian pathway of not less than five feet wide and a vehicle buffer zone of not less than three feet wide within the sidewalk area. The pedestrian pathway and the vehicle buffer zone shall be kept clear of fixtures, tables, or chairs at all time. The pedestrian pathway shall begin either where the public sidewalk and the property line meet or between the sidewalk café and the street when the sidewalk café is placed next to a building or property line and then extends into or is placed entirely on the adjacent public sidewalk. (b) It shall be unlawful for any person owning or operating a sidewalk restaurant or café to fail to maintain a pedestrian pathway or a vehicle buffer zone as required in subsection (a). (Ord No. 3390; Ord No. 52-84; Ord No. 72-2002; Ord No. 27-13)

**Salem Revised Code, Chapter 78,
Sections 220 and 240**

78.220. Duty of Property Owners to Keep Sidewalks Safe, Clean, Etc. (a) It shall be the duty of the owners, lessees, and occupants of all property abutting upon or adjacent to any sidewalk to keep such sidewalk clean and clear of ice, snow, dirt, vegetation, debris, or obstructions for the safe use of the public at all times. (b) The owners, lessees, and occupants shall be liable to any person suffering bodily injuries or property damage as a result of any breach of a duty imposed under subsection (a) of this section. (c) In the event any action naming the City or any of its officers, employees, or agents is brought as a result of any failure to comply with the duty imposed under subsection (a) of this

* Street Furniture—includes but not limited to permanent features such as street signs, street lights, pedestrian lights, street trees, benches, trash receptacles, utility boxes, bicycle racks, art pedestals, etc.