

# Town of Olds Bylaw 2018-48

## A BYLAW OF THE TOWN OF OLDS A MUNICIPAL CORPORATION IN THE PROVINCE OF ALBERTA

**WHEREAS** the Municipal Government Act, RSA, 2000, c. M-26 and amendments thereto, authorizes a Council to pass bylaws for municipal purposes; and

**WHEREAS** pursuant to section 7(e) of the *Municipal Government Act*, a council may pass bylaws for municipal purposes respecting businesses, business activities and persons engaged in business; and

**WHEREAS**, the Council of the Town of Olds wishes to provide regulations to allow for, regulate and control Sidewalk Cafes and Sidewalk Sales within the boundaries of the Town of Olds; and

**AND WHEREAS** Sidewalk Cafés and Sidewalk Sales can enliven municipal streets and enhance economic vitality;

**NOW THEREFORE**, the Municipal council of the Town of Olds, in the province of Alberta, duly assembled, hereby enacts as follows:

1. **BYLAW TITLE:** This Bylaw may be cited as the **Sidewalk Café & Sales Bylaw.**

2. **PURPOSE:**

The purpose of this bylaw is to regulate the creation and operation of Sidewalk Cafés and Sidewalk Sales within the municipal boundaries of the Town of Olds.

3. **DEFINITIONS:**

"Applicant" means any person who makes an application for a Sidewalk Café or Sidewalk Sale under the provisions of this Bylaw.

"Boardwalk" means a temporary Sidewalk made of wood, composite or other material satisfactory to the Development Officer.

"Building Permit" means a document issued in accordance with the Alberta Building Safety Codes.

"Business" means:

- (a) a commercial, merchandising or industrial activity or undertaking;
- (b) a profession, trade, occupation, calling or employment; or
- (c) an activity providing goods or services, however organized or formed, including a cooperative or association of persons.

"Business Premises" means the store, office, warehouse, factory, building, enclosure, yard or other place occupied or capable of being occupied, by any person for the purpose of any business.

"Bylaw Enforcement Officer" means any person employed by the Town as a Bylaw Enforcement Officer or Community Peace Officer.

"Chief Administrative Officer" means the Chief Administrative Officer of the Town and includes any person to whom the Chief Administrative Officer's powers are delegated or any person appointed to act in the absence of the Chief Administrative Officer.

"Council" means the Municipal Council for the Town of Olds in the Province of Alberta, as duly elected and defined in the Municipal Government Act, R.S.A. 2000, Chapter M-26, as amended.

"Curb" means the concrete edging to a roadway.



“Curbside Café/Sale” means a design of Sidewalk Café or Sidewalk Sale that occupies the sidewalk between the pedestrian clearway and the curb edge. See sketch in Appendix 2.

“Curbside & Parklet Café/Sale” means a design of Sidewalk Café or Sidewalk Sale that occupies both the parking area of a roadway and the curbside area. See sketch in Appendix 2.

“Development Officer” means a person appointed as a Development Officer pursuant to the Town’s Land Use Bylaw.

“Development Permit” means a document authorizing a development issued pursuant to the Town’s Land Use Bylaw.

“Drinking Establishment” means an establishment the primary purpose of which is the sale of alcoholic beverages for consumption on the premises and the secondary purposes of which may include entertainment, dancing, the preparation and sale of food for consumption on the premises, take-out food services and the sale of alcoholic beverages for consumption away from the premises. A drinking establishment includes any premises in respect of which a “Class A” liquor license has been issued and where minors are prohibited by the terms of the licence.

“Enclosures” means structures or fixtures used to surround an area. Examples are a fence, railing, or planters.

“Fee” means the monetary amount levied on each application for a business license as set out in the Town of Olds “Rates Bylaw”

“Fixture” means furniture, shade devices, potted plants and/or other décor items.

“Flankage Café/Sale” means a design of Sidewalk Café or Sidewalk Sale that is located on the secondary frontage (side) of a property that is located on a corner lot. See sketch in Appendix 2.

“Frontage Café/Sale” means a design of Sidewalk Café or Sidewalk Sale that occupies a section of the sidewalk directly in front of the Business. See sketch in Appendix 2.

“Frontage & Curbside Café/Sale” means a design of Sidewalk Café or Sidewalk Sale that uses both the frontage and the curbside area. There are two separate café/sale areas that are bisected by the pedestrian clearway. See sketch in Appendix 2.

“Land Use Bylaw” means the Town of Olds Land Use Bylaw and any amendments thereto.

“Licensed Premises” means all areas associated with the operations of a business that have obtained a Liquor License from the Alberta Gaming and Liquor Commission.

“Liquor” means beverages that are intended for human consumption containing over 1% alcohol by volume (e.g. spirits, wine, liqueur, coolers, cider or beer).

“Liquor License” means a license, as obtained from the Alberta Gaming and Liquor Commission, to sell liquor for consumption on the premises

“Merchandise” means commodities or goods that are bought and sold in business.

“Municipal Ticket” means a form prescribed by the Chief Administrative Officer, or his designate, allowing payment to the Town of the penalty specified by this Bylaw for an offence, which shall be accepted by the Town in lieu of prosecution of the offence.



"Parklet Café/Sale" means a design of Sidewalk Café or Sidewalk Sale that occupies a parking area of a roadway. See sketch in Appendix 2.

"Person" means a natural person or a body corporate, and includes a partnership, a firm, an association or other group of persons acting in concert.

"Right of Way" means property owned by the Town of Olds for the use of the public for pedestrian and vehicular movements. The Right of Way includes, but is not limited to the sidewalk, boulevard, and roadway.

"Roadway" means that portion of a street between the curb lines or the portion of a street designed for vehicular travel and parking.

"Sidewalk" means a hard-surfaced path for pedestrians alongside a roadway.

"Sidewalk Café" means an outdoor seating area located within a municipal right of way (sidewalks, boulevards and roadway) which functions as an outdoor extension of the primary business of food and/or beverage service.

"Sidewalk Café & Sales Permit" means a permit for Sidewalk Café or Sidewalk Sale issued under this bylaw.

"Sidewalk Café & Sales Permit – Type 1 - Minor" means a Sidewalk Café & Sales Permit that allows food and beverage operators and retail operators to use portions of the sidewalk or boulevard in front of their business premise (frontage or curbside) for patron seating and sales, and for Sidewalk Cafés, consisting of a maximum of 16 seats and with no liquor served in the café area.

"Sidewalk Café & Sales Permit – Type 1 - Major" means a Sidewalk Café & Sales Permit that allows food and beverage operators and retail operators to use portions of the sidewalk or boulevard in front of their business premise (frontage or curbside) for patron seating and sales, and for Sidewalk Cafés consisting of a maximum of 24 seats and with liquor served in the café area.

"Sidewalk Café & Sales Permit – Type 2 - Minor" means a Sidewalk Café Permit that allows food and beverage operators and retail operators to use portions of the parking area or roadway in front of their business premise for the purpose of patron seating and sales or a temporary sidewalk (Boardwalk), and for Sidewalk Cafés, consisting of a maximum of 16 seats and with no liquor served in the café area.

"Sidewalk Café & Sales Permit – Type 2 - Major" means a Sidewalk Café Permit that allows food and beverage operators and retail operators to use portions of the parking area or roadway in front of their business premise for the purpose of patron seating and sales or a temporary sidewalk (Boardwalk), and for Sidewalk Cafés, consisting of a maximum of 24 seats and with liquor served in the café area.

"Sidewalk Sales" means an outdoor sales display area located within a municipal right of way (sidewalks, boulevards and roadway) which functions as an outdoor extension of the primary business

"Site Plan" means a scale drawing showing:

- (i) the location and dimensions of the sidewalk café or sale area relative to the roadway and the sidewalk,
- (ii) the location of proposed fixtures/furniture and/or enclosures, to be located in the area, and
- (iii) the location of any existing streetscape elements that is located within the proposed area of the sidewalk café or sidewalk sale.

"Streetscape Element" includes (but not limited to) items such as light standards, sign posts, trees, benches, planter boxes and fire hydrants.



“Town” means the Municipal Corporation of the Town of Olds in the Province of Alberta, and or the area contained within the corporate boundaries of the said municipality, as the context may require.

“Violation Ticket” means a violation ticket as defined in the Provincial Offences Procedure Act, R.S.A. 2000.

#### **4. PERMIT APPLICATION**

- 4.1 The Development Officer for the Town of Olds is responsible for carrying out the provisions of this bylaw.
- 4.2 No person shall open or operate a Sidewalk Café or Sidewalk Sale within the municipal boundaries of the Town of Olds without first obtaining a Sidewalk Café & Sales Permit.
- 4.2.1 To obtain a Sidewalk Café & Sales Permit an applicant must:
  - a) Submit a completed application form (Appendix 3) that includes the details of the proposed Sidewalk Café or Sidewalk Sale. The application form must be signed by the applicant, where the owner is an individual person, or in the case of an applicant that is a corporation, must be signed by a director or officer or the corporation with the authority to bind the corporation to the terms of the permit.
  - b) Submit a Site Plan showing the area to be occupied, the dimensions of the area, and the type and location of any Enclosures, Fixtures and Streetscape Elements. Photos may also be requested at the discretion of the Development Officer.
  - c) Pay the required fee as outlined in the Town of Olds “Rates Bylaw”. Permit fees are not refundable.
  - d) Indemnify and save harmless the Town of Olds, its employees and agents, from and against all liabilities, action, claim, damage, bodily injuries, or loss whatsoever arising from the use of any road right of way, including sidewalks, boulevards, and roadways. The applicant must provide proof of liability insurance, for no less than two million (\$2,000,000) dollars, naming the Town of Olds as an additional-insured thereunder.
- 4.3 A proposed Sidewalk Café or Sidewalk Sale must be located adjacent or directly in front of an existing restaurant, cafe, drinking establishment, store, or a similar business, or a combination of any of these.
- 4.4 Sidewalk Cafés or Sidewalk Sales are only permitted within commercial and industrial defined land use districts (as outlined in the Town’s Land Use Bylaw), and where the conditions of approval can be met.
- 4.5 Sidewalk Cafés or Sidewalk Sales will be restricted to businesses located on the ground floor of a building.
- 4.6 A Sidewalk Café or Sidewalk Sale will only be permitted if the location will maintain a safe, secure and comfortable environment for pedestrians using the municipal right of way.
- 4.7 A new application, documentation and payment of the required fee for a Sidewalk Café & Sales Permit is required each and every year. A Sidewalk Café & Sales Permit will be valid only in the year the permit has been approved and issued.

#### **5. STANDARD CONDITIONS OF APPROVAL**

- 5.1 The Sidewalk Café & Sales Permits shall be prominently displayed in a conspicuous place in the business at all times while open.



- 5.2 All fixtures and enclosures (e.g. fences and barriers) must be temporary and shall not penetrate the sidewalk or roadway, and must be capable of being removed given a 24 hour notice.
- 5.3 Enclosures placed around the Sidewalk Café or Sidewalk Sale shall be a minimum height of 1.0 meter and a maximum height of 1.2 meters. Fencing must be generally transparent. Solid sheet fencing surfaces are not permitted. Fencing must be constructed of high-quality finish materials such as iron, aluminum, finished wood, or other materials acceptable to the Development Officer.
- 5.4 All Sidewalk Cafés licensed for Liquor must be enclosed by a barrier or fence as required by the Alberta Gaming and Liquor Commission.
- 5.5 Enclosures on all sides of a Sidewalk Café or Sidewalk Sale which may be in direct contact with roads, parking lots or other areas which may come directly in contact with motor vehicle traffic may be required (at the discretion of the Development Officer), to be flanked by safety barriers or types of removable traffic stopping devices and reflectors to prevent vehicles from entering the Sidewalk Café or Sidewalk Sale.
- 5.6 All fixtures and enclosures shall be located so that there is a 1.5 meters minimum distance to any streetscape element and a clear, unobstructed sidewalk space of 1.5 meters for pedestrian use is maintained at all times.
- 5.7 No fixtures or enclosures shall be located within 6.0 meters of any street corner or intersection.
- 5.8 All fixtures used as shade devices shall be no higher than 2.5 meters, must be secured and located entirely within the approved Sidewalk Café or Sidewalk Sale area.
- 5.9 The maximum height of fixtures and display apparatus shall be 2.0 meters, measured from the surface of the sidewalk.
- 5.10 Merchandise for a Sidewalk Sale being displayed in a permit area must be of an arrangement such that they do not pose a hazard to pedestrians.
- 5.11 Lighting within the area of a Sidewalk Café must be designed to contribute to the appearance and ambiance of the café, as well as improve its safety and security. Lighting shall be directed downward and shall not project onto adjacent properties.
- 5.12 All signs and outdoor advertising within the Sidewalk Café or Sidewalk Sale area must conform to the Town of Olds Land Use Bylaw.
- 5.13 Landscaping and plant material must be in pots and planters and contained within the Sidewalk Café or Sidewalk Sale area.
- 5.14 At all times and at their own expense, the Applicant shall keep and maintain the Sidewalk Café or Sidewalk Sale area in a clean, sanitary, attractive condition satisfactory to the Development Officer and shall keep the sidewalk surrounding or adjacent to the Sidewalk Café or Sidewalk Sale free from garbage and debris of any kind. The Applicant of the Sidewalk Café & Sales Permit shall be responsible for the daily disposal of all garbage generated by their Sidewalk Café or Sidewalk Sale.
- 5.15 The addition of any temporary structures, decks and/or awnings, of any size may require a Building Permit.
- 5.16 Outdoor heating devices, such as free-standing propane heaters, may be placed within the designated area of a Sidewalk Café provided that
  - a) the number and location of proposed heater has been indicated on the approved site

- plan,
- b) the installation and operation of any heater must be strictly in accordance with all Provincial safety regulations, and the manufacturer's instructions, and
  - c) the location and operation of the heater within the Sidewalk Café must not present a risk of harm to the health or safety of the public.
- 5.17 The Development Officer may require as a condition of the issuance of a Sidewalk Café & Sales Permit that:
- a) Outdoor heating devices are not be permitted within the designated area, or
  - b) That the number and type of heaters be limited, or
  - c) That the location of heaters be confined to certain areas prescribed by the Development Officer.
- 5.18 Where a Sidewalk Café or Sidewalk Sale encroaches on an adjacent business, approval may still be granted by the Development Officer, if written permission is received from the adjacent business and/or property owner approving the encroachment.
- 5.19 The allocation of Sidewalk Cafés and or Sidewalk Sales onto the parking area of the roadway shall be on a temporary/seasonal basis.
- 5.20 The Applicant may use a maximum of three (3) vehicular parking spaces to accommodate a Sidewalk Café, Sidewalk Sales or a temporary sidewalk (Boardwalk). The vehicular parking spaces must be in front of the Applicant's Business.
- 5.21 A Sidewalk Café or Sidewalk Sale may operate on any and all days with the terms of the Sidewalk Café & Sales Permit, except on days or times where a community sanctioned event restricts the use of the Road Right of Way (sidewalk, boulevard and/or roadway) directly in front of or adjacent to the permit area. Such events may include, but are not limited to parades, festivals, sporting and cultural events, memorial services, road closures or maintenance or repair works.
- 5.22 For the purpose of installing, maintaining or repairing any utility or service installation owned by the Town of Olds or a public utility, the Applicant shall allow employees or agents of the Town of Olds and of any public utility to enter the portion of the Sidewalk or Roadway designated in the Sidewalk Café or Sidewalk Sale Permit, and when requested by the Development Officer, remove the fixtures and/or enclosures of the Sidewalk Café within 48 hours, or immediately in the event of an emergency, for regularly scheduled utility or service installation, maintenance or repair.
- 5.23 The Applicant shall ensure that when the Sidewalk Café or Sidewalk Sale is not open for business, all fixtures left on the sidewalk or roadway are safely stored and/or secured. A Sidewalk Café or Sidewalk Sale area must not be used as an outdoor storage area or other unapproved use at any time of the year. All fixtures and enclosures must be removed and stored off-site during the off-season.
- 5.24 The Sidewalk Café or Sidewalk Sale must comply with all Municipal, Provincial and Federal Bylaws and regulations.
- 5.25 If the Business of the Applicant is a Licensed Premises and the proposal is to extend their Liquor License to the Sidewalk Café area, the applicant must meet all requirements of the Alberta Gaming and Liquor Commission and proof of appropriate licensing must be presented to the Development Officer.
- 5.26 Smoking is prohibited in all Sidewalk Café and Sidewalk Sale areas as in accordance with the Alberta Tobacco and Smoking Reduction Act.

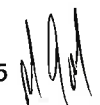

- 5.27 The Applicant shall ensure that the Sidewalk Café or Sidewalk Sale is accessible to persons with disabilities as per the Government of Alberta's Barrier-Free Design Guide.
- 5.28 The Development Officer may assign additional conditions of approval if deemed warranted and appropriate.
- 5.29 The Development Officer may grant a variance to reduce or relax any the requirements of the Sidewalk Café & Sales Bylaw if in the opinion of the Development Officer the variance would not unreasonably interfere with the public's use and enjoyment of the sidewalk and/or adjoining roadway or the variance would not present a risk of harm to the health or safety of the public, or would not constitute a nuisance.

## **6. TRANSFER**

An Applicant may not assign or transfer a Sidewalk Café & Sales Permit to another party without prior consent of the Development Officer.

## **7. REFUSAL, SUSPENSION AND/OR REVOCATION OF PERMIT**

- 7.1 The Development Officer may refuse to issue a Sidewalk Café & Sales Permit to an applicant if any of the following circumstances apply:
- a) The application is incomplete, or contains false or misleading information.
  - b) The applicant has not obtained the appropriate Development Permit and/or Building Permit if required.
  - c) The proposed Sidewalk Café or Sidewalk Sale does not comply with the requirements of this bylaw.
  - d) The proposed Sidewalk Café or Sidewalk Sale would unreasonably interfere with the ability of the Town of Olds or any public utility company to have access to or maintain a utility or service installation.
  - e) The proposed Sidewalk Café or Sidewalk Sale would unreasonably interfere with the public's use and enjoyment of the sidewalk and/or adjoining roadway.
  - f) The proposed Sidewalk Café or Sidewalk Sale would present a risk of harm to the health or safety of the public, or would constitute a nuisance.
- 7.2 The Development Officer may refuse to renew a Sidewalk Café & Sales Permit if any of the circumstances described in section 7.1 apply.
- 7.3 When a notice to suspend or revoke a Sidewalk Café & Sales Permit is given, it shall have attached to it in writing the reasons for suspension or revocation.
- 7.4 Any business for which a Sidewalk Café & Sales Permit has been suspended or revoked, shall cease operations immediately upon notification of the suspension or revocation by the Development Officer.
- 7.5 With respects to complaints relating to an approved Sidewalk Café or Sidewalk Sale, if, in the sole opinion of the Development Officer, municipal resources are being disproportionately allocated to monitor and police said Sidewalk Café or Sidewalk Sale, that Sidewalk Café & Sales Permit shall be immediately revoked.
- 7.6 Upon suspension or revocation of a Sidewalk Café & Sales Permit, the Applicant shall, at the Applicant's cost and expense, remove all Fixtures and/or Enclosures from the Sidewalk or Roadway, as the case may apply, within 48 hours of notice of suspension or revocation.



- 7.7 Where any applicant neglects, refuses or fails to give up possession of sidewalk or roadway, as required by the Development Officer, or fails to do so within the time specified, the Development Officer, or their designate, may cause any Fixtures and Enclosures located on the Sidewalk and/or Roadway to be removed and the Sidewalk and/or Roadway to be restored to a safe and proper condition and may charge the full cost to the Applicant of the Sidewalk Café & Sales Permit and/or the owner of the property where the restaurant, café, Drinking Establishment, or retail store that the Sidewalk Café and Sales Permit is attached to.

## 8. APPEAL

- 8.1 Where an application for a Sidewalk Café or Sidewalk Sale has been refused, or where an existing Sidewalk Café & Sales Permit has been revoked, suspended, or issued subject to conditions, the Applicant or permittee as the case may be, is entitled to appeal to the Chief Administrative Officer the refusal or revocation of the license.
- 8.2 The Applicant shall have five (5) business days from the date of refusal, revocation, suspension, or issuance subject to conditions, in which to appeal to the Chief Administrative Officer, in writing; otherwise, the right of appeal shall be barred and extinguished.
- 8.3 Any person desiring to appeal the decision of the Development Officer, pursuant to this bylaw, shall be required to pay an appeal fee as outlined in the Town of Olds "Rates Bylaw".
- 8.4 Chief Administrative Officer shall hear the appeal within fourteen (14) days of receipt and shall give forty-eight (48) hours' notice of the hearing in writing to the appellant.
- 8.5 The Chief Administrative Officer, after hearing an appeal, may:
- a) Direct a Sidewalk Cafe & Sales Permit be issued with standard conditions,
  - b) Direct a Sidewalk Café & Sales Permit be issued with standard conditions and additional conditions, or
  - c) Uphold the decision of the Development Officer on grounds which appear just and reasonable to Chief Administrative Officer.
- 8.6 A decision of the Chief Administrative Officer on an appeal is final and binding on all parties.

## 8 OFFENCES & PENALTIES

- 8.1 Any person who contravenes any provision of this Bylaw by:
- a) doing any act or thing that is prohibited under the terms of this Bylaw; or
  - b) fails to do any act or thing that is required to be done under the terms of this Bylaw;
- is guilty of an offence and the Town of Olds shall utilize whatever means deemed appropriate to affect collection.
- 8.2 A Violation Ticket may be issued by a Bylaw Enforcement Officer to any person alleged to have breached any provision of this Bylaw. The Violation Ticket shall require the payment to the Town of the Specified Penalty set out in Appendix 1 of this Bylaw.
- 8.3 Should a person not pay the penalty provided or contravene any section of this Bylaw and a prosecution has been entered against him, he shall be liable on summary conviction to the penalties legislated under Section 566 of the *Municipal Government Act, Chapter M-26, R.S.A. 2000* and amendments thereto, in addition to any Sidewalk Cafe & Sales Permit Fee he may be required to pay.



8.4 The Development Officer is authorized to take the necessary steps to initiate legal proceedings to enforce this Bylaw, by way of injunction or otherwise, against any Sidewalk Café or Sidewalk Sale permittee deemed in non-compliance of this Bylaw.

**9 DUTIES OF BYLAW ENFORCEMENT OFFICER**

Where a Bylaw Enforcement Officer believes on reasonable and probable grounds that a person is

- a) operating a Sidewalk Café or Sidewalk Sale without a valid Sidewalk Café & Sales Permit issued under this bylaw;
- b) has violated a Sidewalk Café & Sales Permit condition imposed by the Development Officer; or
- c) contravened any other provision of this Bylaw;

the Bylaw Enforcement Officer may commence proceedings by issuing a summons by means of a Violation Ticket in accordance with Part 2 of the *Provincial Offences Procedure Act* R.S.A. 2000 c. P-34.

**10 SEVERABILITY PROVISION**

Should any provision of the Bylaw be adjudicated invalid such provision shall be severed and the remaining Bylaw shall be maintained in entirety.

**11 AMENDMENTS TO APPENDICES**

Town Council may by resolution amend Appendix 1 and 2 from time to time as required. The Development Officer may amend Appendix 3 from time to time as required.

**12 EFFECTIVE DATE OF BYLAW & REPEAL OF EXISTING BYLAW**

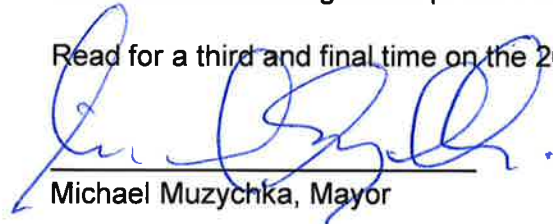
This Bylaw comes into full force and effect on January 1, 2019  
Bylaw 2016-05 and all amendments thereto are hereby repealed.

Read for a first time on the 26<sup>th</sup> day of November, 2018.

Read for a second time on the 26<sup>th</sup> day of November, 2018.

Unanimous consent given to present for third reading this 26<sup>th</sup> day of November, 2018.

Read for a third and final time on the 26<sup>th</sup> day of November, 2018.

  
Michael Muzychka, Mayor

  
Michael Merritt, Chief Administrative Officer

Signed by the Mayor and Chief Administrative Officer this 27<sup>th</sup> day of November 2018.

**Town of Olds Sidewalk Café & Sales Bylaw 2018-48**  
**Appendix 1**  
**Penalties**

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The specified penalty for breach of this Bylaw is:

- First Offence - \$ 50.00
- Second Offence - \$ 100.00
- Third Offence - \$ 500.00


## Appendix 2

### Café/Sales Designs

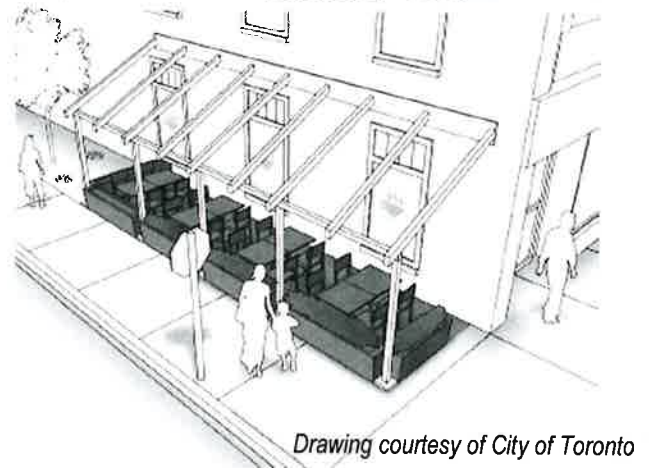
#### **Frontage Café/Sale**

- Occupies a section of the sidewalk directly in front of the business.



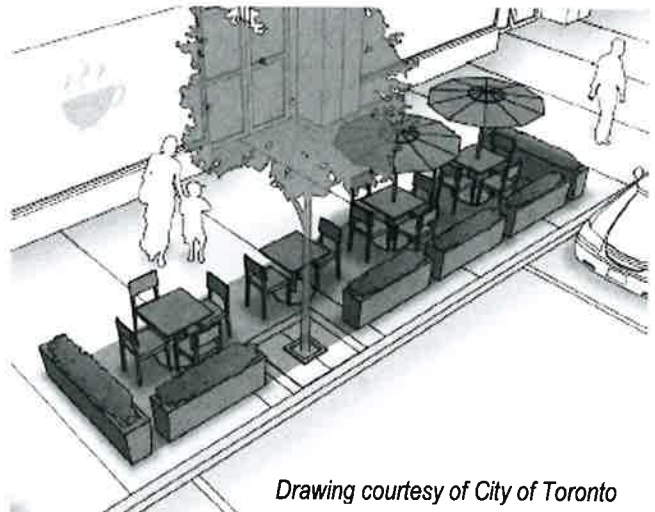
#### **Flankage Café/Sale**

- Located on the secondary frontage (side) of a property that is located on a corner lot.



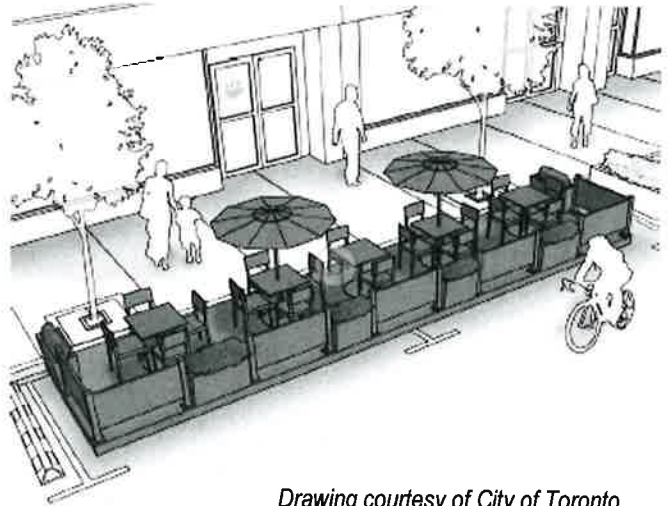
#### **Curbside Café/Sale**

- Occupies the sidewalk between the pedestrian clearway and the curb edge.



**Parklet Café/Sale**

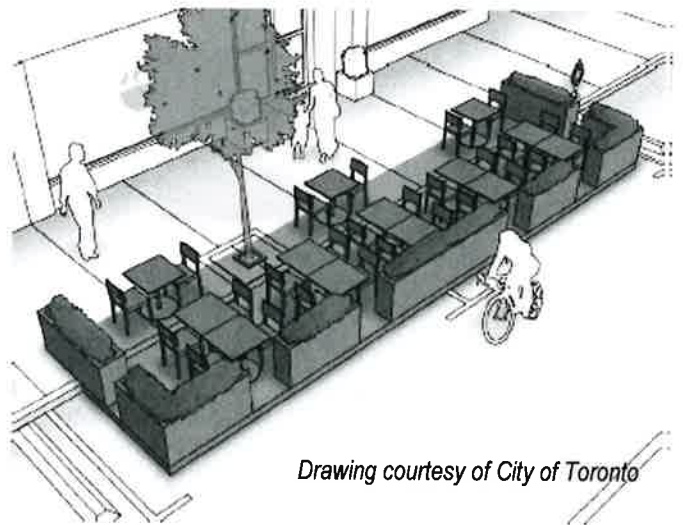
- Occupies the parking area of a roadway.



*Drawing courtesy of City of Toronto*

**Curbside & Parklet Café/Sale**

- Occupies both the parking area of a roadway and the curbside area.

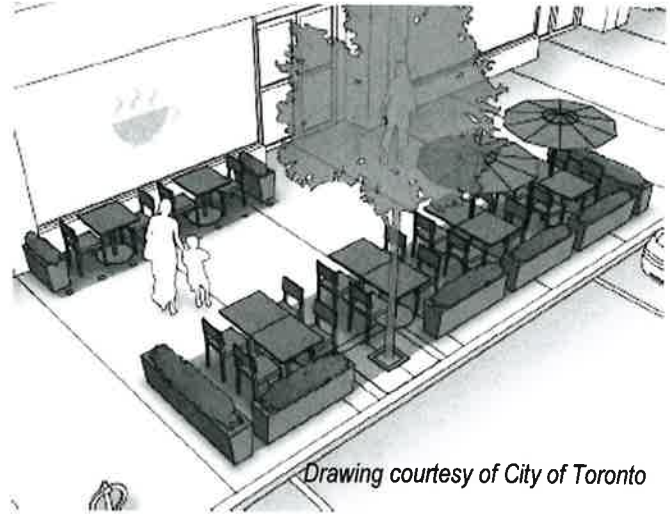


*Drawing courtesy of City of Toronto*

*[Handwritten signature]*  
*[Handwritten initials]*

**Frontage & Curbside Café/Sale**

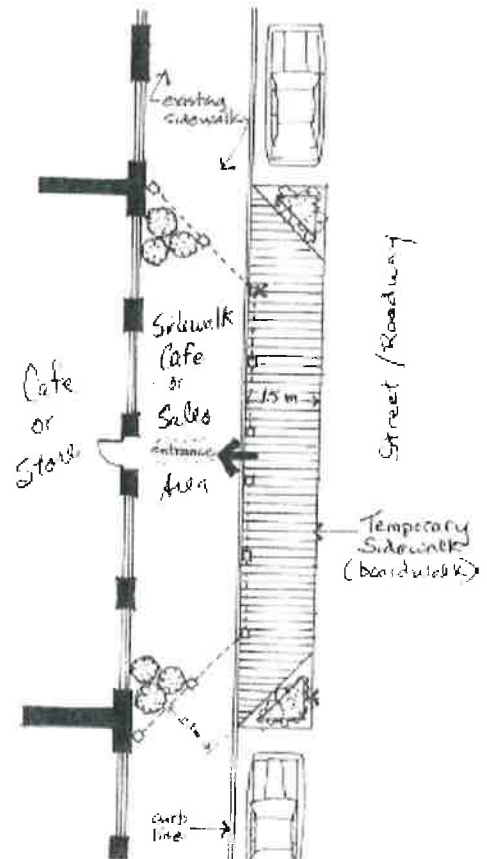
- Uses both the frontage and the curbside area.  
There are two separate café/sale areas that are bisected by the pedestrian clearway.



Drawing courtesy of City of Toronto

**Frontage & Curbside Café/Sale with Boardwalk**

- Uses the whole sidewalk in front of the business and installs a temporary sidewalk (boardwalk) in the adjacent parking area in the roadway.



*[Handwritten signature]*  
*[Handwritten initials]*

Appendix 3

**SIDEWALK CAFÉ or SIDEWALK SALE APPLICATION**



Town of Olds

4512 46 Street  
Olds AB T4H 1R5  
Main: 403.556.6981  
Fax: 403.507.4856  
Email: [planning@olds.ca](mailto:planning@olds.ca)

Business Name \_\_\_\_\_ Contact Name \_\_\_\_\_

Business Location (civic address of proposed Sidewalk Café or Sidewalk Sale) \_\_\_\_\_

Mailing Address \_\_\_\_\_

Town / City \_\_\_\_\_ Prov. \_\_\_\_\_ Postal Code \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_

Description of proposed Sidewalk Café or Sidewalk Sale:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type 1 <input type="checkbox"/>	Type 2 <input type="checkbox"/>
<input type="checkbox"/> Minor	<input type="checkbox"/> Minor
<input type="checkbox"/> Major	<input type="checkbox"/> Major
Design	Design
_____	_____

- Site Plan Attached  (Site plan must show area and measurements, fixtures/furniture, fencing, etc)
- Proof of Liability Insurance Attached  (minimum \$2M naming Town of Olds as Additional Named Insured)
- Owner Authorization Attached  (Authorization required from owner of property that Sidewalk Café or Sidewalk Sale is located in front of)
- Other Provincial Requirements (if applicable)  Food Handling Permit from Alberta Health Services
- Liquor License from Alberta Gaming and Liquor Commission

**APPLICANT DECLARATION**

I certify that the information I have provided is true and accurate, and I agree to abide by all and any Bylaws of the Town of Olds.

\_\_\_\_\_  
Name of Applicant (please print)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

The personal information requested on this form is being collected for the purpose of processing your application and is governed, authorized and protected by the Freedom of Information and Protection of Privacy Act (FOIP). By providing this information, you consent to its use for the above purposes. If you have any questions with respect to the collection or release of this information, please contact the Town of Olds FOIP Coordinator at (403) 556-6981.

**OFFICE USE ONLY**

Paid Permit Fee \$ \_\_\_\_\_

Receipt # \_\_\_\_\_

Date \_\_\_\_\_  
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Town of Olds

**Owner Authorization to Allow Sidewalk Café or Sidewalk Sale**

As owner and/or manager of property located at \_\_\_\_\_  
civic address

I give permission for:

\_\_\_\_\_, owner/operator for \_\_\_\_\_  
Name of business owner name of business

to operate a Sidewalk Café or Sidewalk Sale in front of my property for the time period of  
\_\_\_\_\_.

\_\_\_\_\_  
Print name of property owner or manager

\_\_\_\_\_  
Signature of property owner or manager

\_\_\_\_\_  
Date

If signing on behalf of a property owner or business owner, paperwork must be included showing the persons authorization to sign on behalf of the property owner or business owner.