

## **Public Sidewalk Use for Restaurant and Retail**

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During the duration of the State of Nevada Executive Orders and Regulations impacting restaurant and retail operations in the city of Las Vegas, City Municipal Code requirements related to permitting requirements for outdoor dining and sidewalk sales are temporarily suspended. The following requirements shall apply to outdoor dining and sidewalk sales on public sidewalks.

**General Requirements.** Business operations for outdoor dining and sidewalk sales within public sidewalks shall conform to the following:

1. Applicable State of Nevada Emergency Orders and Regulations ([http://gov.nv.gov/News/Emergency\\_Orders/Emergency\\_Orders/](http://gov.nv.gov/News/Emergency_Orders/Emergency_Orders/)).
2. State of Nevada social distancing recommendations for tables, chairs, and other furniture.
3. Maintaining a minimum of 6 feet of public pedestrian walkway space referred to herein as the "Pedestrian Path."
4. Any applicable requirements under the business license for the business operations shall apply and extend to the outdoor dining and sidewalk sales area.

### **Location Requirements.**

1. The width of the available public sidewalk frontage that may be used shall be the width of the property. The business may use additional public sidewalk not to exceed 50 feet, only with the approval of the adjacent property owner. Businesses are strongly encouraged to coordinate use and access.
2. No tables, chairs, umbrellas, merchandise racks, or other objects shall encroach into the Pedestrian Path, sidewalk ramp, or corner curb ramp area.
3. Furniture, fixture, or equipment shall not be permanently affixed to the public sidewalk.
4. Access to fire hydrants, fire hose building connections for sprinkler systems, and building entrances and exits shall not be obstructed.

### **Operating Requirements.**

1. Outdoor dining and sidewalk sales may only operate on the public sidewalk area during operating hours that are consistent with the business operating hours.
2. Removable barriers may be used to define the outdoor dining and sidewalk sale area.
2. All signage must be compliant with the City's Municipal Code. No advertising shall be permitted except for the business establishment's name and logo.
3. No heating, cooking, refrigeration, sinks, food preparation, or other operating equipment shall be permitted on the public sidewalk.
4. Landscaping planters are permitted. Watering shall be limited to minimize overflow and seepage onto the public sidewalk.
5. Business operators are responsible for cleaning and sanitizing the public sidewalk area.

6. Outdoor music, and sound equipment, sources, and devices that intentionally emit sound, except for safety alarms, are prohibited on the public sidewalk. The doors and windows of the building may be propped open, from time to time, at the business operator's discretion. In exercising such discretion, such use shall not create a public nuisance.

7. By allowing this temporary use, the City has foremost in mind providing business owners enhanced opportunities and the public with an orderly atmosphere devoid of any act by any person contrary to the highest community standards, and avoiding any substance or appearance of any noisy, unruly, inebriated, disruptive, disorderly, lewd, nude, partially nude, adult oriented, unwholesome, or sexually oriented behavior, business, entertainment, or other activity of any description or to any degree on the public sidewalk. Any such behavior, business, or activity by the business owner, any invitee or guest of business owner, or anyone else using the outdoor dining or sidewalk sales area pursuant to this authorization is strictly prohibited. The requirements of this paragraph are specifically acknowledged to be a requirement of this authorization independent of and in addition to any zoning or other government regulation affecting the business operations. The business owner shall immediately cause to be removed from the outdoor dining or sidewalk sale area any persons who are obviously intoxicated or under the influence of any narcotic or chemical, commits any acts of violence, acts in a loud or unusually boisterous manner, harms or threatens harm to any person or thing, violates any law or regulation applicable to the business operations, or commits or causes, directs, or encourages any person to commit any of the aforementioned acts. The requirements of this paragraph do not apply to members of the public using the public sidewalk for pedestrian travel.

### **City Reserved Rights.**

1. The City reserves the right to order the business operator to remove outdoor dining or sidewalk sale that (i) creates an obstruction to, or causes congestion of, pedestrian or vehicular traffic; (ii) the business operations present a danger to the health, safety, or general public welfare; and (iii) the business operator violates these requirements or State of Nevada Executive Orders and Regulations.

2. Additionally, the City may require removal, temporary or permanent, of the outdoor dining or sidewalk sales due to City requirements or utility company requirements that have franchise or other right to the public right-of-way. The business owner shall be responsible to the City for any removal costs if business owner fails to remove the outdoor dining or sidewalk sale after reasonable written notice from the City. The City is not responsible for any damage or loss of any business personal property.