

City of Kamloops

Patio Standards and Application Guide

For Patios and Seating Arrangements
Within the Public Realm.

Includes Guidelines for the Use of
Pedestrian Signs on Public Property.

IT'S OKAY
to to go
Eat
A Whole
PIZZA
BY YOURSELF



MARCH 2024

Canada's Tournament Capital

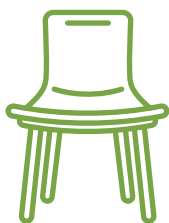
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Introduction

Patios, extended patios, and parklets all provide outdoor spaces for the community to convene, for businesses to prosper, and to add vibrancy to core business districts. Depending on which type you apply, for the benefits can include:



**PROVIDES
ADDITIONAL SEATING**



**CREATES A MORE LIVABLE,
VIBRANT BUSINESS AREA**



**ATTRACTS CUSTOMERS
AND ENHANCES THE
QUALITY AND SAFETY OF
PEDESTRIAN EXPERIENCE**



**ADDS ATTRACTIVE OPTIONS
FOR OUTDOOR DINING,
REINFORCING A SENSE OF
ECONOMIC VITALITY**

1.1 Purpose

This booklet provides a clear outline of the application process and establishment of outdoor patios, patio extensions, and parklets on public rights-of-way within the City of Kamloops' Central Business District, North Shore Town Centre, Tranquille South, and Tranquille Commercial Core areas.

The guidelines in this booklet are intended to supplement the regulations adopted in the following bylaws and plans, as amended:

- **Road Right-of-Way Usage Bylaw No. 24-23**
- **Official Community Plan Bylaw No. 46-1** (KAMPLAN: The City of Kamloops Official Community Plan)
- Downtown Plan
- North Shore Neighbourhood Plan

1.2 About the Guide

This guide was developed with input from subject experts, local businesses, municipal governments, and others and provides the following information:

- important patio program dates
- applications
- pricing
- design configurations
- technical specifications
- operational and maintenance requirements

The location of each business and the surrounding streetscape is unique. The City will work with applicants regarding program standards and any changes that may be necessary; however, approval is not guaranteed. There are some instances where a patio may not be feasible due to space or other site constraints. This guide is intended to be a starting point and to help businesses determine whether a patio may be feasible. The City also reserves the right to reject an application if it is determined that the patio does not meet the standards established in this guide. The City encourages applicants to reach out to the contacts within this guide for further information and clarity about the patio program.

1.3 Patio Program Goals

The goals of the patio program are to:

- offer more opportunities for businesses to be economically resilient
- establish and maintain vibrant and beautiful patio culture throughout the business districts
- ensure patios enhance the public realm
- offer patios that are accessible and useable by all residents and visitors
- ensure patios are safe and create an aesthetically pleasing environment for pedestrians





New Parallel

How to Apply

2.1 Application Process



STEP 1 **Review the Guidelines**

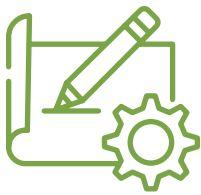
Review the contents of this document, including the following:

- design options/configurations
- design standards
- operation and maintenance requirements
- patio program fees and deadlines
- approvals processes



STEP 2 **Complete the** **Application Package**

Visit [Kamloops.ca/PatioGuide](https://kamloops.ca/PatioGuide) to get the application package and follow the indicated steps.



STEP 3

Prepare Your Patio Plans

Prepare your patio plans to scale and include dimensions for openings and approximate area used for tables and chairs.

Clearly identify the distance to the sidewalk/streetscape elements, label doorways, and provide accurate dimensions using metric measurements.

Prepare an overhead plan of the proposed patio configuration using Google Maps or a similar tool and clearly show:

- entrances to the patio and surrounding buildings
- adjacent property lines
- the dimensions of the patio area, including the location of any fencing (corners should be angled [avoid 90 degree turns] to minimize the impact on pedestrian flow where necessary)
- the clear path of travel for pedestrians (minimum 1.5 m and no 90 degree turns)
- the location and spacing of all tables and chairs
- the location of other patio furnishings, such as host stands or planters
- the location of nearby streetscape elements (trees, planters, light standards, signposts, utility poles, parking meters, fire hydrants, utility covers and hydro vaults, maintenance holes, catch basins, utility valves, bicycle parking racks, benches, gas/electric/phone/internet equipment, and waste receptacles)
- the location of nearby commercial loading zones, accessible parking, and transit stops

The design must clearly show the planned number and placement of tables and chairs within the patio, including any heating devices and planters.



STEP 4

Certify Your Extension Platform (if applicable)

If the extension platform you are proposing to construct as part of your patio set up (extends past the edge of the existing sidewalk) is in accordance with the attached, a Professional Engineer's stamped approval will not be required. If you are proposing a design outside the included parameters in this guide, please reach out to the City of Kamloops Development, Engineering, and Sustainability team to discuss the potential need for increased scrutiny.



STEP 5

Obtain a Certificate of Insurance

See section 5.3 for more information.



STEP 6

Have the Property Owner Sign and Complete the Application

The property owner will need to complete application and sign where indicated (or provide owner authorization for the use of a patio).



STEP 7

Submit your Completed Application

Submit your completed application package online or via mail. Make sure you include the following:

- property address
- legal description of property
- agreement letter/permission from property owner (if you are not the property owner)
- proof of property tax payment



STEP 8

Submit the Appropriate Application Fee

Fees should be provided with your application to the address below and made payable to the City of Kamloops. Application fees are as follows:

- \$80 application/permit fee for NEW patio applications
- \$40 application/permit fee for subsequent years' applications with NO changes to layout and patio details
- \$700 application/permit fee per parking stall/partial stall for patio extension applications per year

Don't forget to license your patio if required!



If you have questions or need further information, please phone 250-828-3561.

CITY OF KAMLOOPS

Attention: Business Licensing
Development, Engineering,
and Sustainability Department

105 Seymour Street
Kamloops, BC V2C 2C6

2.2 Review and Approvals

Outdoor dining on public rights-of-way is an amenity provided through permission from the City for the private use of public lands. The provision of safe and hazard-reduced environments is paramount in the creation and enforcement of these guidelines.

Constructing, erecting, or placing patios or pedestrian signs on public (City-owned) property requires the City's approval through the issuance of a road right-of-way usage permit, and the application form included in package.

Permits for patios and pedestrian signs are only valid for the dates indicated on each permit and must be renewed on an annual basis.

Restaurants need to be mindful of adjoining businesses when using outdoor dining areas, making sure that neighbouring businesses remain visible to pedestrians and motorists.

Sidewalk patios are not permitted on public rights-of-way between October 31 and March 31 of any given year unless special, short-term provisions have been approved by the City.

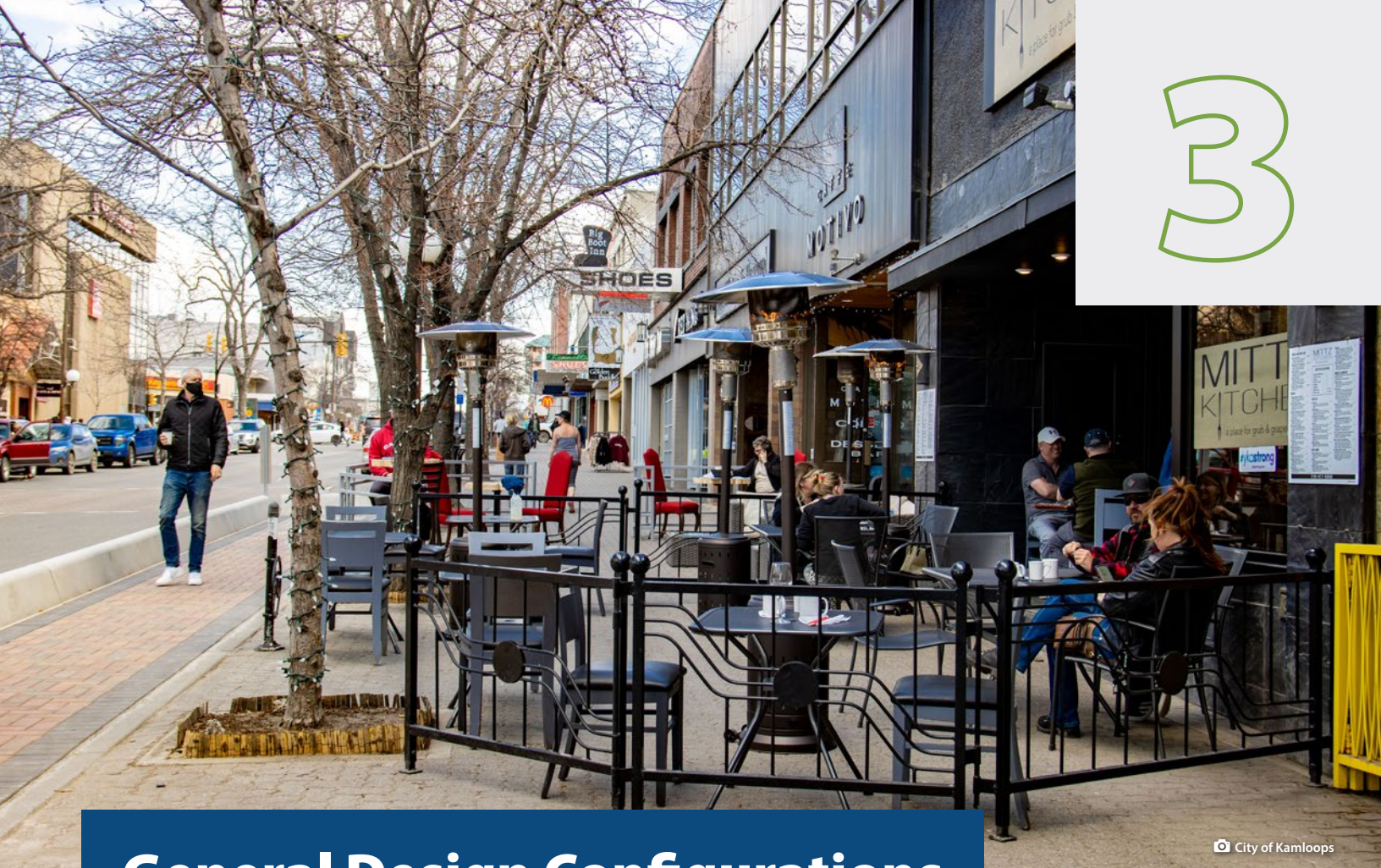
The design of public patio areas must be done with high priority being given to creating comfortable, enjoyable, and aesthetically pleasing public spaces.

Various City departments and partners may be involved in reviewing your application and providing feedback for any revisions required before approval. To determine approval, City staff will evaluate your application based on the following:

- compliance with the standards outlined in this guide
- suitability of the location and any impacts on existing services
- accessibility of the patio and surrounding area
- safety of the patio setup, location, and materials
- design quality and functionality of the patio layout

Once the patio is constructed during the patio season, it may be subject to inspections by municipal staff to ensure compliance.

The City reserves the right to reject a patio application if the proposal does not meet the minimum standards outlined in this guide or if there are specific issues with the proposed site that would preclude the installation of a patio.



City of Kamloops

General Design Configurations and Principles

3.1 Overview

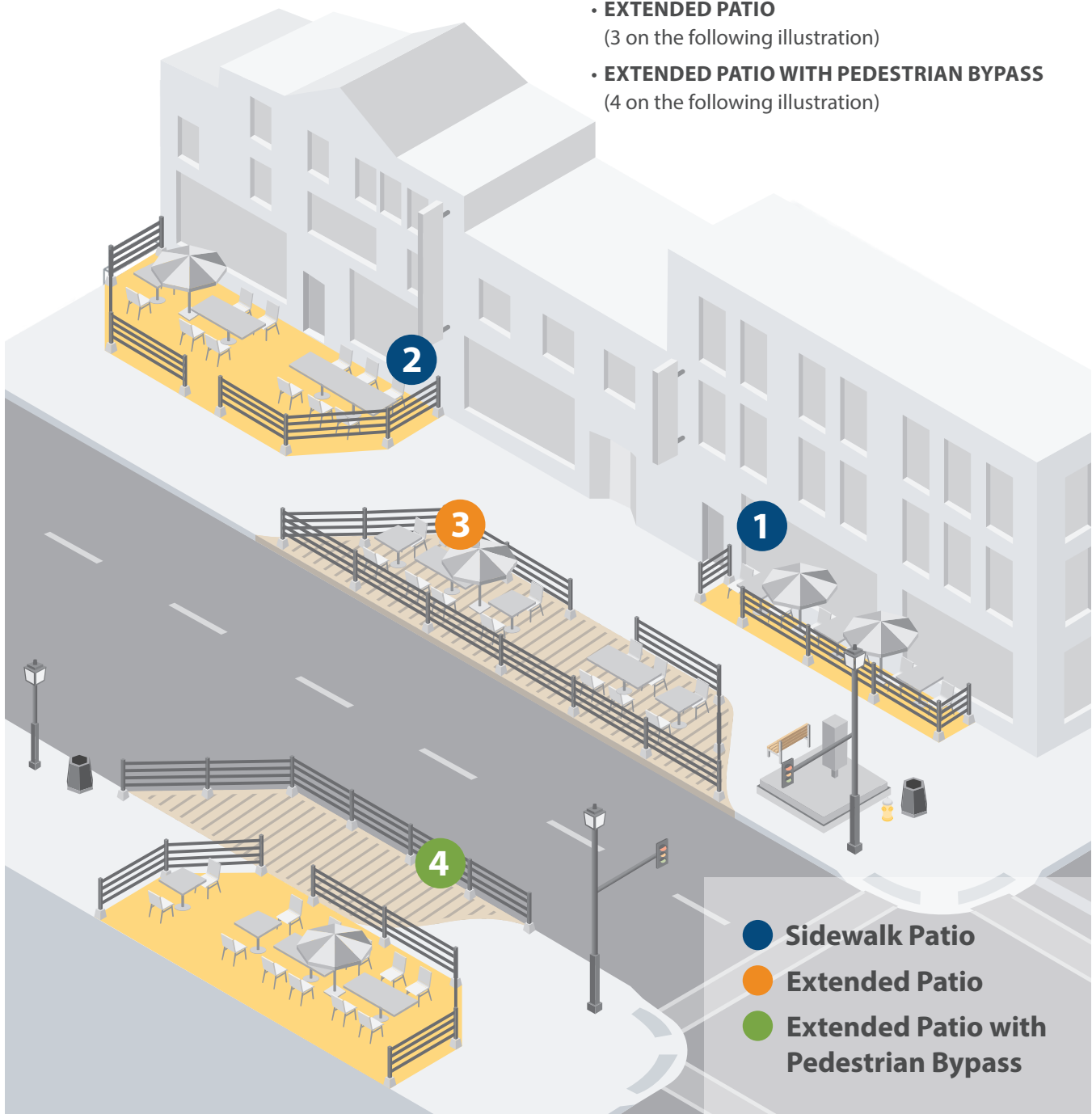
The patio program offers patio configurations depending on your needs and the context of the street. Selecting the appropriate configuration for your location is key to ensuring your patio meets the minimum standards; operates safely; and maintain a clear, accessible path of travel for pedestrians. When choosing your configuration, consider the space in front of and adjacent to your business, the surrounding streetscape elements, neighbouring businesses, accessibility, and the flow of pedestrians.

Patios fit into two broad categories:

- 1) **SIDEWALK PATIOS** that are contained entirely on the sidewalk with no impact to on-street parking
- 2) **EXTENDED PATIOS** that require the use of on-street parking or a combined use of on-street parking and the sidewalk

There are potential configurations for each of the three categories, which are summarized in the following tables and described in detail in the following sections:

- **SIDEWALK PATIO**
(1 and 2 on the following illustration)
- **EXTENDED PATIO**
(3 on the following illustration)
- **EXTENDED PATIO WITH PEDESTRIAN BYPASS**
(4 on the following illustration)



NOTE: the following graphical depictions are conceptual renderings and are intended to provide a general visual representation of each patio type. Additional materials (e.g. concrete barriers) may be required for extended patios to separate the patio area from adjacent lanes of travel or adjacent parking spaces and will be determined by the City based on an assessment of the adjacent roadway.

PATIO CONFIGURATION	SIDEWALK PATIO	EXTENDED PATIO	EXTENDED PATIO WITH PEDESTRIAN BYPASS
Location	Against Building		
Operating Period	April 1–October 30	April 1–October 30	April 1–October 30
Fees	\$80/\$40	\$700 per Parking Space	\$700 per Parking Space
Standard Length	Business Frontage	Minimum of One Parking Space	Business Frontage
Food and Beverage Serving Patio	Yes	Yes	Yes
Ramp or Platform Required	No	Yes	Yes
Fencing Required	Yes	Yes	Yes
Permission Needed to Extend Beyond Frontage	Yes	Yes	Yes

In determining the proposed layout for a patio, consider all existing sidewalk obstructions, such as signs, signal poles, bus zones, fire hydrants, sidewalk furniture, street trees, tree wells, phone booths, mailboxes, newspaper racks, and parking meters.

Patios are permitted to be located on the sidewalk area of public property adjacent to the place of business. Patios are only permitted in commercial zones where the sidewalk is wide enough to accommodate the patio area and where a clearance of 1.5 m wide can be provided. The required pedestrian pathway must be maintained at all times.

A restaurant may be required to adjust the outdoor seating area's layout, dimensions, or distance from the property line to ensure that visibility and a clear path is maintained.

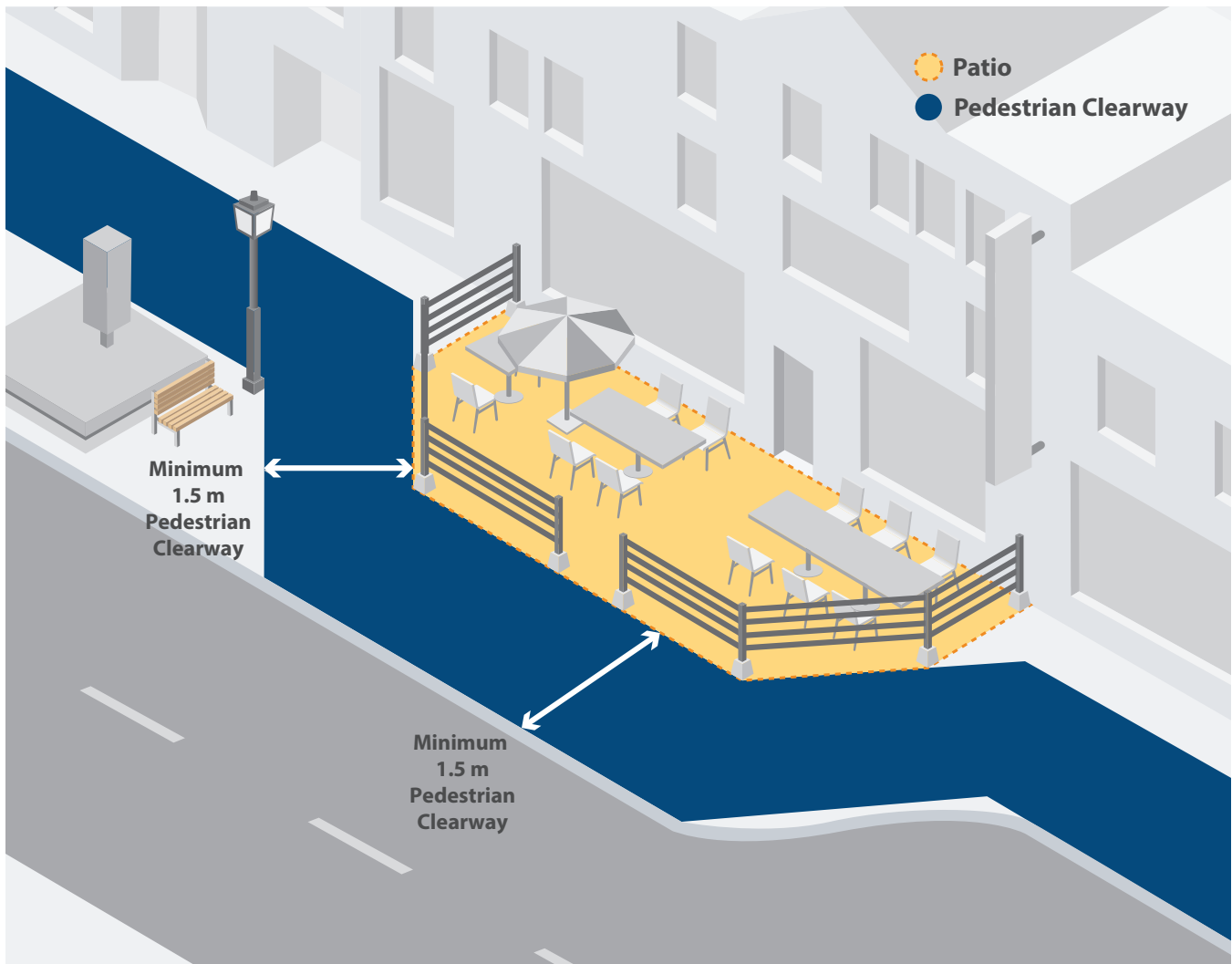
Patio operators are required to maintain minimum distance and clearance requirements at all times.



3.2 Sidewalk Patios

Restaurants shall be mindful of adjoining businesses when using outdoor dining areas, making sure that neighbouring businesses remain visible to pedestrians and motorists.

- Patios must be designed to ensure a compatible relationship between patio design and the building's architecture and that enhances the vitality of the street environment.
- All patios must be designed and installed in such a way to maintain barrier-free access for persons with disabilities and shall mitigate any possible harmful impacts on adjacent land uses.
- The design of the patio's interior and the immediate surroundings of a patio's umbrellas must ensure a clear, unobstructed 2.13 m height from grade level. No patio shall extend beyond the frontage of the business to which it belongs.



3.3 Extended Patios

An extended patio is a seasonal patio suitable for serving and is located in one or more on-street parking spaces. It consists of fencing, tables, chairs, umbrellas, host stands, plants, and/or other patio furnishings. A ramp or platform at grade with the curb is required to provide access to the patio area. The City may provide additional materials to separate the patio area from the adjacent lane of traffic based on a review of the site. You are responsible for maintaining the patio area and adjacent sidewalk.

Suitable Application:

- Where the width of the sidewalk may be limited, and on-street parking is available adjacent to the curb.

Potential Operators:

- Restaurants, pubs, and bars interested in operating a patio during the summer.

Size and Alignment:

- The patio must occupy a minimum of one parking space measuring approximately 6 m in length.
- The adjacent sidewalk space must be maintained with a minimum 1.5 m pedestrian clearway located between the on-street parking and surrounding buildings.
- The patio may be extended onto the sidewalk to create a larger patio area if the minimum 1.5 m pedestrian clearway can be maintained.
- The patio entrance must be aligned with the main entrance of your business where possible.
- Unobstructed access to the building and adjacent establishments must be retained.
- With permission from adjacent businesses, the patio area may be extended beyond the width of the frontage of the business if the patio is contained within the on-street parking. However, a letter of support from the adjacent establishment is required.
- The parking spot(s) should be as close to the business as possible.

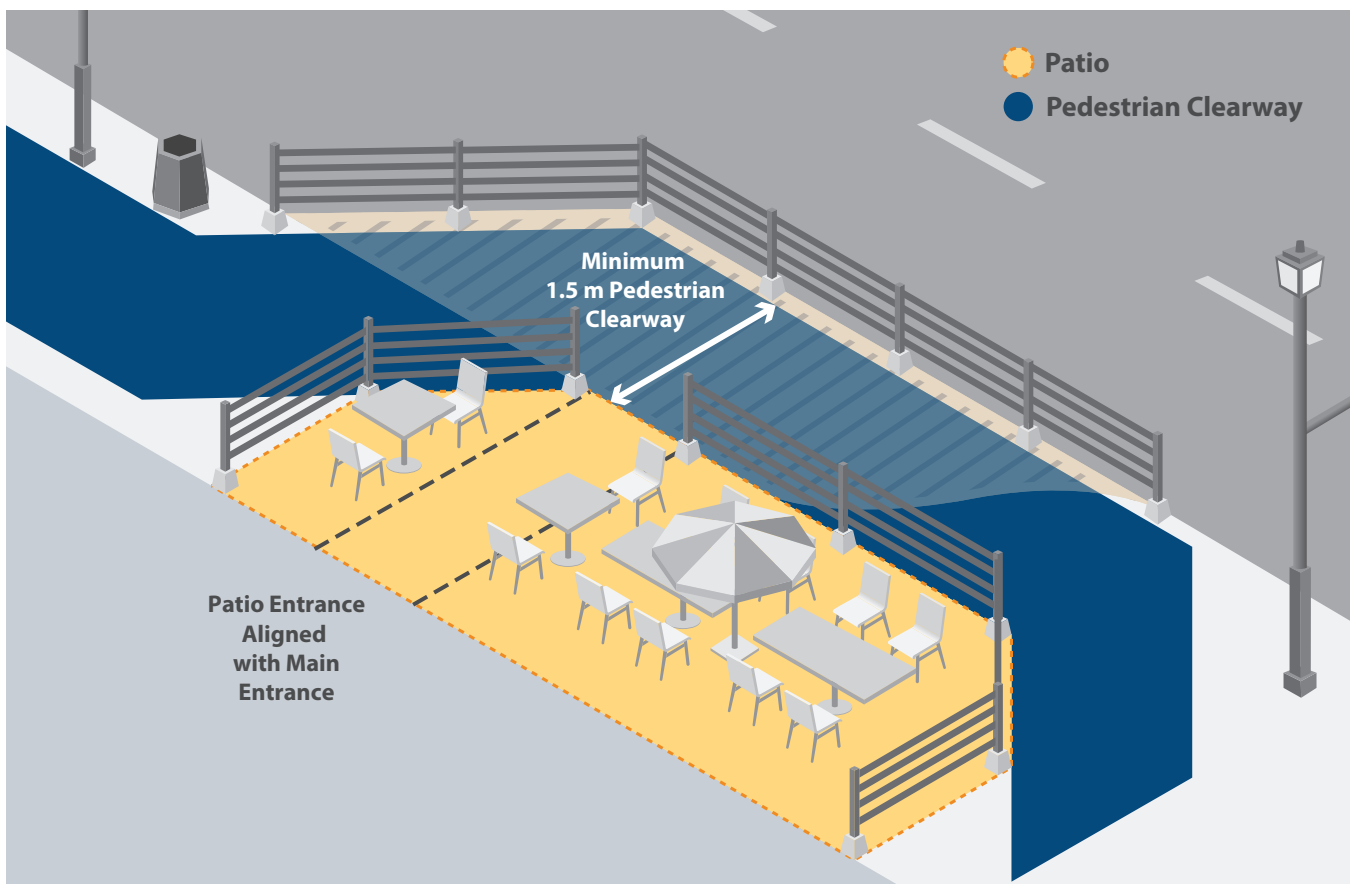
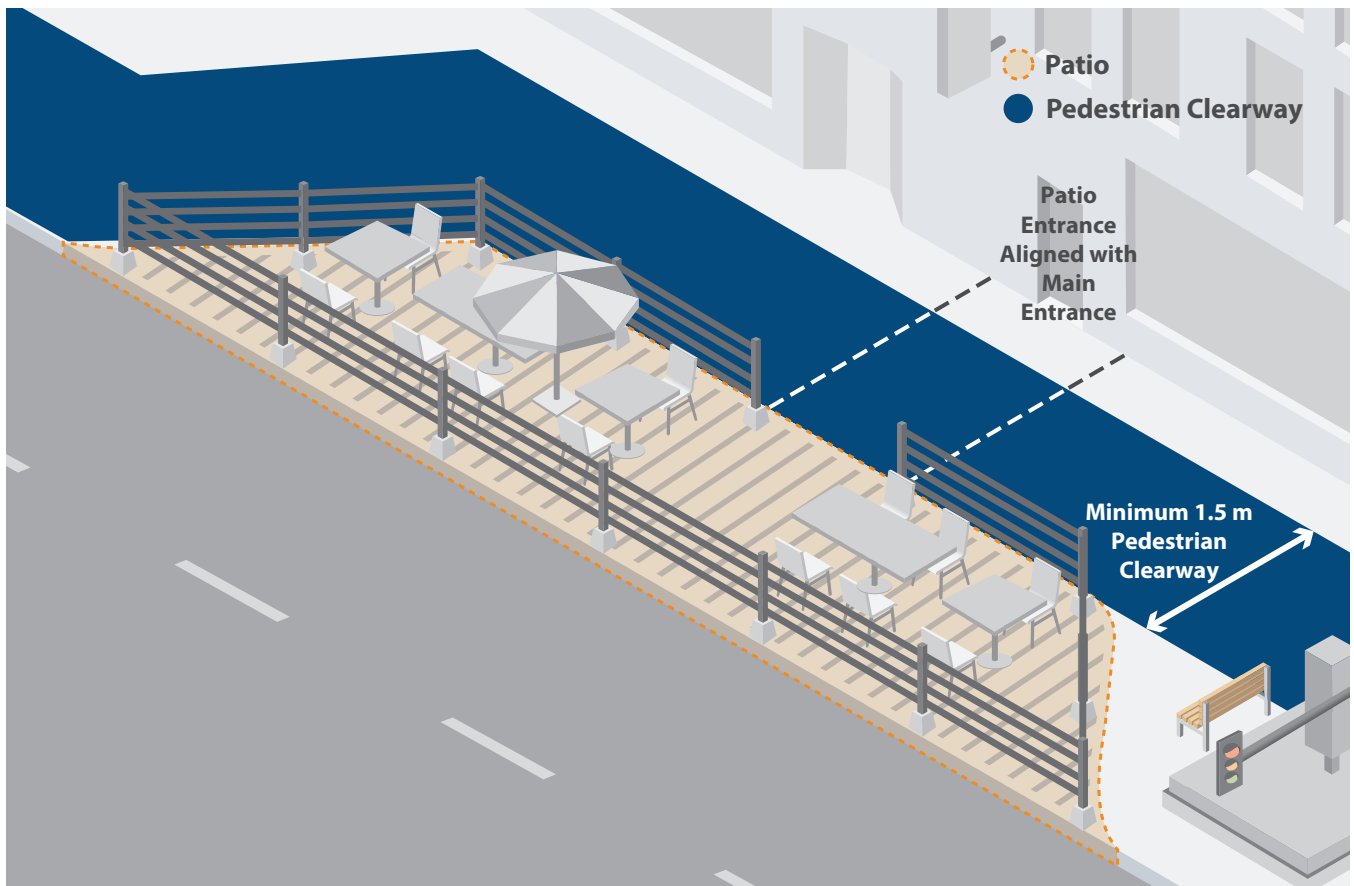
Perimeter Treatment:

- The patio must be enclosed by a stable, secure fence that delineates the patio area from the streetscape.
- If the patio area is not at grade with the curb, fencing is required to separate the patio area from the adjacent sidewalk.
- Where the City provides additional materials (e.g. concrete barriers) to separate the patio area from the adjacent lane of traffic, additional fencing on the sides of the patio facing the street may be required.

Additional Considerations:

- The City strongly encourages applicants to construct the patio surface to the same height as the sidewalk via a platform with minimal gaps between surfaces.
- If you are unable to provide a raised platform, you must provide a ramp to access the patio area.
- Applicants must ensure a sufficient landing space is maintained at the top and bottom of the ramp.
- For a patio bypass, you are required to provide a platform at grade with the curb to provide access to the pedestrian bypass. Detailed measurements and other product specifications are required as part of your application.





3.4 Public Seating

If you would like to add public seating in front of your business (limited to one to two benches or one to four small outdoor chairs), please contact the **Civic Operations Department** civicooperations@kamloops.ca for more information.

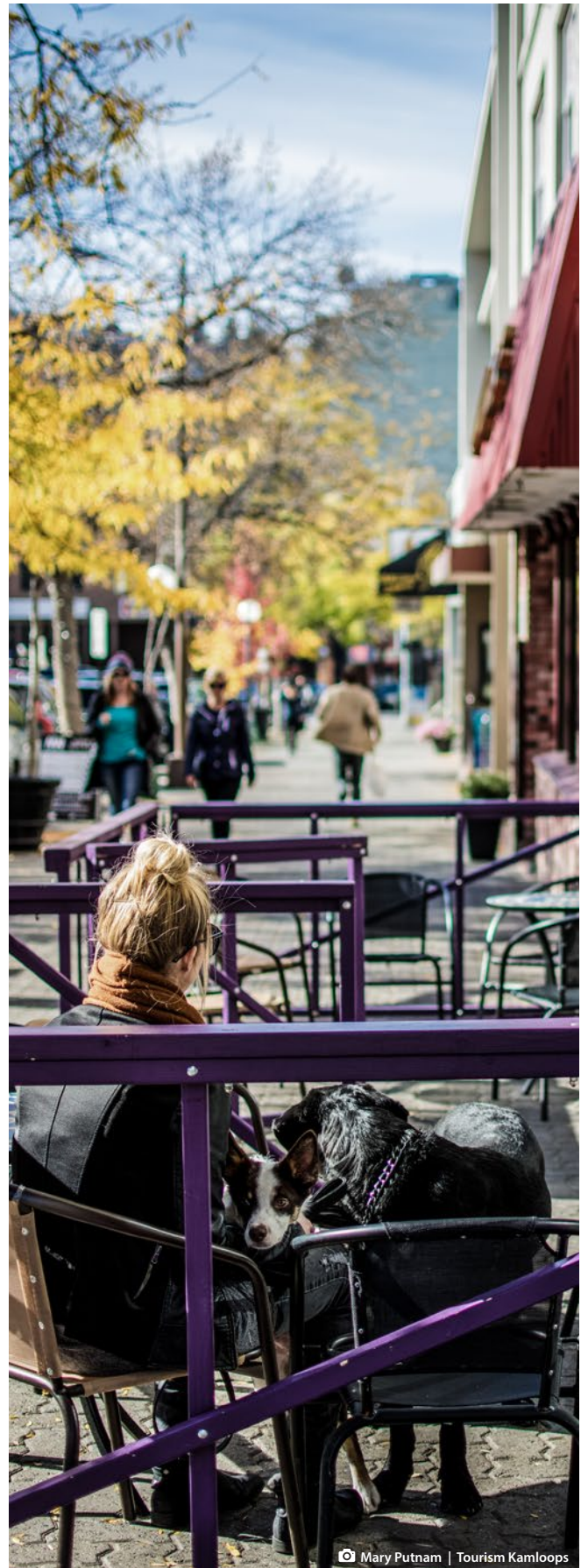
3.5 Parklets

Parklets are a relatively new feature in cities and offer many benefits, including:

- engaging the community by creating opportunities for social connection in urban areas
- creating safe, welcoming community spaces to sit, rest, and connect
- improving and enhancing the streetscape
- attracting foot traffic and potential customers to nearby businesses by adding public seating and unique spaces for bike parking
- expanding the streetscape and provide space for programming and activations

Much like extended patios, parklets should be flat, offer adequate drainage, and be accessible. There are a multitude of design options offering various price points, and those interested in installing a parklet should thoroughly investigate the options to build the best one for your area. It is also recommended to reach out to local businesses and organizations to seek grants, sponsorships, and support wherever possible.

Dining and retail services are not permitted within a parklet.





Technical Guidelines and Requirements

4.1 Patio Access

All patios must be designed and installed in such a way to maintain barrier-free access for persons with disabilities and shall mitigate any possible harmful impacts on adjacent land uses.

4.2 Pedestrian Space

- All outdoor dining areas must leave at least 1.5 m unobstructed pedestrian space.
- The pedestrian space must be clear of obstructions caused by tree wells, posts, hydrants, or any other infrastructure or street furniture.
- No part of the outdoor dining area (including plants and awnings or umbrellas) may extend into the 1.5 m unobstructed pedestrian space.
- Adequate area must be provided within the outdoor dining area to permit movement of patrons and wait staff.
- Wait staff may not serve patrons beyond the outdoor dining area.

If 1.5 m of unobstructed pedestrian thoroughfare area cannot be achieved and maintained, the patio application may be denied. Some areas of the City sidewalks have insufficient right-of-way area or width to accommodate a patio, in which case, an extended patio may be the only option.

4.3 Platforms

The City strongly encourages applicants interested in a pop-up parking space patio to design a platform with the patio surface at grade with the sidewalk with minimal gaps between surfaces. Platforms may also be used on the sidewalk to provide a level surface for the patio. If you are proposing to construct a platform as part of your patio setup, please follow the attached designs; otherwise, you must provide drawings for approval.

Platforms must meet the following standards:

- Platforms must be firm, flat, stable, and have a non-slip, level surface.
- Composite, metal, or wood decking is preferred.
- Spaces between decking should be no more than 1 cm in width so canes, walkers, wheels, or other mobility assistance devices do not become lodged or stuck between them.
- All platforms must have fully accessible entrances.
- Platforms must have fencing along the perimeter where there is a change in elevation between the platform and the adjacent surface.
- Platforms must not damage the underlying surface or obstruct on-site drainage.
- Platforms should be sectional to facilitate easy removal for storage off-site during the off-season.
- Skirting should be applied to the exposed side of the platform to screen structural elements.
- Elevated patios that require structural support are subject to the British Columbia Building Code.
- Platforms shall not be affixed to the sidewalk, road, or curb edge with screws, bolts, adhesives, or any other materials.
- No roofs, roof supports, retractable roofing, poles, pergolas, arches, trellises, tents, or tent-like structures are permitted, whether constructed of rigid or pliable materials, that extend beyond the patio edges into the pedestrian pathway.

4.4 Fences and Barriers

Fences, barriers, and enclosures are required to be located between the patio seating area and the pedestrian thoroughfare or vehicle areas.

The following are the guidelines for their use:

- Fences, screens, and barriers must be able to be removed at any time; however, they must be properly secured when the corresponding business is closed or not in use.
- Corner cuts in a patio must be provided at intersections.
- Any barriers used for the patio must be constructed so that they can be completely removed within 24 hours, if required. No permanent attachments of any fence or barrier to City property is permitted.
- The maximum fence or barrier height is 1 m. Fences around patios for food and liquor primary licensed establishments (through the BC Liquor and Cannabis Regulation Branch) are limited to 1 m.
- A fence or other vertical barrier must be used to delineate the perimeter of the patio where alcohol is being served.
- Fences and barriers must not have any sharp or pointed pickets that could cause injury.
- The width of any opening in a fence used for exit or egress must be no greater than 2 m and no less than 1 m and must be oriented to and open directly along the property frontage or directly to the curb line. Fence and barrier openings must not cause the exit or egress of patrons to the frontage of an adjacent business.
- Design materials and colours used for the barriers must be of a high-quality finish and compatible with the architectural elements of the building within which the business operates.
- All finishes should be clean and free of any exposed screws or other fasteners.
- Signage can be incorporated directly into the design of the patio fence or barrier, limited to a maximum of 0.48 m² per patio fence or barrier.
- Bollard and chain fencing are not permitted as they pose a hazard to pedestrians with visual disabilities.
- Screens are not permitted along the perimeter of the patio.

4.5 Awnings, Overhangs, and Lighting

Awnings that are integral to the building and umbrellas can, and are encouraged, to be used to provide shade and weather protection for the patio area. Below are required considerations for installation and use:

- Awning or umbrella materials must be securely fastened to a frame that is either retractable or demountable.
- Table umbrellas must be securely attached to tables and must NOT encroach into the pedestrian passageway in any way.
- Sheltering material should be fabricated and finished to fit the supporting structure with no loose or unsecured edges.
- Materials and colours must coordinate with the architectural elements of the building within which the business operates.
- An awning can be attached to the building below the signage identifying the business with a minimum height of 2.5 m above the sidewalk. New awnings require a sign and/or building permit and may also require a development permit. If you are interested in an awning installation, please phone **250-828-3561**.
- Lighting and other attachments to the awning shall be securely fixed and integrated into the support structure.
- Lighting is important to the function and appearance of a patio as well as the safety and security of the public environment. Lighting may be used to add character to the patio space.
- Exterior lighting shall not spill into abutting private property or interfere with the public thoroughfare.
- Lighting should be demountable with no exposed cables.
- Lighting design should coordinate with patio furnishings and building design.

4.6 Tables and Chairs

The general guidelines for patio tables and chairs are as follows:

- All tables and chairs must be placed in front of the establishment and removed from the sidewalk and the patio area at the end of each business day.
- Tables and chairs shall be made of safe, sturdy, and durable materials. All furniture shall be of a commercial grade, or of a similar quality and durability, and able to accommodate outdoor commercial use.

4.7 Host Stands and Garbage Receptacles

The general guidelines for host stands and garbage receptacles is as follows:

- Host stands are permitted within the patio provided they are visually consistent with the furniture in the patio (same colour and design) and are contained within the permitted area.
- Garbage receptacles are permitted within the patio provided they are located with host stands and are not a prominent feature within the space.



4.8 Plant Materials

The general guidelines for plant materials on patios is as follows:

- Plant material may contribute to the general comfort and enjoyment of the patio experience.
- Planting of flowers and container-grown vegetation is encouraged, but they should be grown in planters that are easily removable from the site.
- Planters should be integral with fence and barrier structures to maintain a compatible design relationship.
- Planting can be used along with spatial separators and structures to screen patios from adjacent vehicle parking and circulation.
- Planters may not exceed a height of 1.2 m above the level of the sidewalk (height does not apply to the actual plant material).
- Plants may not exceed a height of 2.4 m above the level of the sidewalk.
- All planters must have plants contained within them.
- Dead plants must be replaced, or the planter must be removed from the public right-of-way. Empty planters or planters with only bare dirt, mulch, straw, woodchips, or similar material are not permitted.
- All material within the planters must be healthy and aesthetically maintained. Artificial plants must be removed or replaced if ripped or excessively dirty or faded.



4.9 Signage

The general guidelines for patio signage is as follows:

- Signage should contribute to the order and coherence of the public right-of-way where it is discretely integrated into the patio design.
- Signage shall be in accordance with **Sign Regulations Bylaw No. 11-77**.
- If a menu card is displayed, it should be located at the entrance to the patio and clearly visible from the sidewalk.
- Signage must not obstruct the public right-of-way. Pedestrian signs must be of a design and colour scheme that does not use abrasive colours but that also provides high visibility to pedestrians.
- Signage should reflect the design theme of the patio.
- Patio barriers and pedestrian signs shall not collectively obstruct pedestrian movements.
- Signage must be limited to a maximum width of 0.8 m and a maximum height of 1 m.
- Must maintain a 1.5 m unobstructed walkway.
- Signage must be located no less than 0.5 m from the curb or greater than 1.5 m from the curb edge to the outside edge to ensure that pedestrian traffic is not impeded.
- Signage must be placed in a location that does not obstruct pedestrians (including people using strollers, wheelchairs, and shopping carts or people who are visually impaired).
- Signage must be located on the sidewalk of the store front to which the sign pertains.
- Signage is meant to attract pedestrians, not vehicular traffic; therefore, the sign should be of a scale appropriate for the intended audience.
- Signage must not have security chains, ropes, electrical extensions, or other attachments.
- Signage must be constructed in a manner that will not allow the sign to collapse.
- Signage is not permitted adjacent to pedestrian crosswalks, in landscaped areas, in tree wells, or in tree grates or may not be used where a business operates an outdoor seating area located on public property.



Operation and Maintenance Requirements

5.1 Overview

Maintenance:

Patio operators must be responsible for the proper maintenance of the patio area at all times, including properly disposing of all trash generated by the operation.

- Patio operators must maintain any flower boxes and planting areas unless otherwise determined by the City of Kamloops.
- All furniture and fixtures must be maintained in good visual appearance without visible fading, dents, tears, rust, corrosion, and chipping or peeling paint.
- All furniture and fixtures must be maintained in a clean condition at all times.

Sightlines:

Placement of patios and extended patios in relation to roadways requires careful planning and consideration. Below are the general guidelines for sightlines in relation to patios:

- Patios proposed near intersections may be subject to further layout restrictions to maintain visibility and clear space at the intersections.
- A 6 m by 6 m sightline triangle must be maintained at intersections.
- Patios are not permitted within the sightline triangle.
- Patio furnishings, including umbrellas, fences, plants, and any other opaque materials, must not obstruct vehicular or pedestrian sightlines, visibility, or movement.
- Where an extended patio in an on-street parking space is located in front of an adjacent business, umbrellas and any other patio furnishings that are more than 1.2 m in height from the surface of the patio area are not permitted in front of the adjacent business without written permission.

5.2 Fire Safety

General:

The patio, including all materials (e.g. tables, chairs, umbrellas, and signage), will be governed by the requirements of the BC Building Code, the BC Fire Code, and **Fire Prevention Bylaw No. 10-37**.

Umbrellas and other coverings must be constructed of flame-resistant (CAN/ ULC-S109, or NFPA 701 tested) and fade-resistant canvas.

Emergency Access:

The City and all public utility agencies retain the right to access the patio area without notice in the case of an emergency.

- The City retains a right of access over, to, and upon a patio for emergency vehicle access.
- Fire hydrants and other fire connections must be visible from the street and accessible at all times.
- Fire routes must not be obscured by a patio.
- If a patio is longer than 15 m, a review may be conducted by Kamloops Fire Rescue to determine whether any emergency access points are required.



Portable Heating Devices:

Portable heating devices must:

- conform to the safety standards established by the Canadian Standards Association and be certified by the Underwriters' Laboratories of Canada
- meet the requirements of (Technical Safety BC)
- not be placed in or above any parking spaces and are only permitted in patios located on a sidewalk
- not have any power cords or electrical wires that cross a municipal sidewalk or roadway
- be used in compliance with all of the manufacturer's instructions for required clearances above, around, and underneath heaters
- be designed for outdoor use only
- be placed in a well-ventilated area
- be free-standing with a minimum height of 1.6 m and a maximum height of 3 m
- have an anti-tilt feature that automatically shuts off the heater
- be installed on a flat, solid, non-combustible surface (i.e. not on grass or uneven sidewalk)
- be properly secured to adequately protect against wind and other potential weather hazards
- maintain a minimum 1 m clearance or the manufacturer's distance requirements, whichever is greater, from the base of the unit to any combustible material
- be accompanied by a fire extinguisher that is located near the patio area (e.g. within the nearest building entrance)
- be turned off and allowed to cool sufficiently before moving
- not be placed underneath any combustible structure, including combustible umbrellas and awnings, with the exception of commercial grade and professionally installed electric heaters
- not be placed near any air intakes
- not obstruct any fire escapes/exits or hinder access to any Kamloops Fire Rescue connections or suppression connections, as outline in **Fire Prevention Bylaw No. 10-37**.

5.3 Insurance

At all times during the term of this application and installation, the applicant shall, at no expense to the City, supply commercial general liability insurance against any and all third-party claims for bodily injury, death, or property damage whatsoever arising out of the use and occupation by the applicant of the lands and premises which are the subject matter of this application. Such insurance shall add the City as an ADDITIONAL INSURED but not as an ADDITIONAL NAMED INSURED and shall cover for not less than Five Million Dollars (\$5,000,000).

Upon signing this application, the applicant shall promptly forward a Certificate of Insurance, including insuring permits acceptable to the City. The City will supply a Form of Certificate to be completed by the applicant's insurer containing minimum insurance coverages required by the City. Should the insurance policies under which the certificate is drawn expire during the term of this permit or any extension or renewal thereof, the applicant shall forward a renewal insurance certificate to the City thirty (30) days prior to the expiry of said insurance policies on a form satisfactory to the City.

All required policies of insurance must be issued by insurers duly authorized by law to do business in the Province of British Columbia and shall include a provision that coverage shall not be cancelled or amended in any way unless thirty (30) days written notice has been given to the City.

Should the applicant fail to supply the insurance certificate prescribed by this process, then such application may be terminated by the City.

5.4 Indemnification

The Permittee hereby agrees to unconditionally INDEMNIFY and SAVE HARMLESS the City, its agents, or employees from and against all loss, liability, costs, charges, claims, damages, expenses, suits, or actions which may arise as a consequence of, or resulting from, any failure by the Permittee whatsoever (EXCEPT SUCH AS MAY ARISE OUT OF THE ACTS, FAILURES TO ACT OR NEGLIGENCE OF THE CITY OR ITS AGENTS OR EMPLOYEES) in connection with:

- any breach, violation or non-performance of any covenant, regulation, condition or term of this permit to be fulfilled, kept, observed or performed;

- any negligent or otherwise wrongful act or omission of the Permittee or any licensee, invitee, agent, or employee of the Permittee;
- any damage to property while said property is in or about the locations, areas, lands, or premises which are the subject matter of this permit; and
- any injury or any licensee, invitee, agent or employee of the Permittee, including death resulting at any time therefrom occurring in or about the locations, areas, lands, or premises which are the subject matter of this permit, including all costs and all legal fees and all disbursements in connection herewith.

The indemnity shall survive the expiry or sooner termination of this permit.

5.5 Daily Operations

Patio operators must ensure the patio continues to be used in adherence with the standards outlined in this document and must:

- maintain the adjacent pedestrian clearway, including the removal of any garbage or debris (e.g. cigarette butts, spilled food, liquids)
- must assume the responsibility of refuse disposal and must not dispose of waste using public waste receptacles
- must secure or store the patio furniture when not in use outside the hours of business operation
- must obtain written approval prior to implementing any changes to the approved patio design and layout, including the addition of heaters or other patio furniture
- are only permitted to operate their patio between the hours of 8:00 am and 11:00 pm
- are not permitted to cook or prepare food in the patio area
- are solely responsible for any repairs to the patio during the operating period.
- must ensure noise levels comply with the regulations outlined in **Good Neighbour Bylaw No. 49-1**, as applicable.

5.6 Installation and Removal

Frontage patio operators may commence construction of their patio on the Monday of the last full week of March and must:

- disassemble the patio and remove all furnishings and materials from the right-of-way on the final day of the specified operating period (or earlier)
- return the street, sidewalk, and/or other municipal property to its original condition at the end of the operating period to the satisfaction of the City

5.7 Liquor Licensing

The patio shall comply with all applicable laws and regulations regarding the sale and service of food and beverages to the public, including the provincial Liquor Control and Cannabis Regulation Branch regulations pertaining to the serving of alcohol and Interior Health for serving food.

5.8 Additional Sidewalk Usage

Pedestrian signs placed on public property are only permitted within the downtown core (specified through Central Business District zoning) and along the Tranquille Commercial Core (specified through North Shore Commercial zoning). These signs require a permit in accordance with **Sign Regulations Bylaw No. 11-77**. This permit application can be obtained from the Development, Engineering, and Sustainability Department.

Contact Us



If you have questions or need further information, please phone 250-828-3561.

CITY OF KAMLOOPS

Attention: Business Licensing
Development, Engineering, and Sustainability Department
105 Seymour Street, Kamloops, BC V2C 2C6



Application for a Permit for the Erection of an Outdoor Patio or Pedestrian Sign on Public Property

File No.: _____ Permit No.: _____

Business Name: _____ Business Licence No.: _____

Business Address: _____

Applicant Name: _____

Applicant Address: _____

Phone: _____ Email: _____

Legal Description : _____

Owner Authorization: _____

Print Name

Signature

Date

REQUIRED SUBMISSIONS:

- ☐ Application Fee: ☐\$80 (New Patio); ☐\$40 (Recurrent Patio); ☐\$20 (Pedestrian Sign)
- ☐Extended Patio: \$700 per parking stall encumbered per year; 50% reduction for the first year
- ☐ Site Plan
- ☐ All Insurance Forms (Release of Liability and Certificate - refer to page 2)
- ☐ Property Owner Approval
- ☐ Fence/Barrier and Bypass Platform Details (including detailed drawings and photographs, if needed)

Upon approval, erection, removal, or placement of said work is at all times subject to the following conditions:

1. The installation and maintenance of the said works shall be carried out to the satisfaction of the Development and Engineering Services Director, or their designate.
2. The safety, economy, and convenience of the public must be maintained at all times.
3. The installation of said works shall not be completed before _____, 20____, and shall be removed on or before _____, 20____, (but no later than October 31 of any given year).
4. This permit may be cancelled at the absolute discretion of the Development and Engineering Services Department, or their designate, without any notice or hearing.
5. Any existing signs or other objects not approved by a valid permit shall be removed within a forty-eight (48) hours by the owner upon receiving written confirmation from the Development and Engineering Services Director, or their designate.
6. See page 2 of this application for Insurance Requirements and Release of Liability.
7. Other Conditions: _____

I/We hereby agree to be bound to the above conditions and the provisions and requirements of City of Kamloops Road Right-of-way By-law No. 24-23, as amended.

PERMITTEE (Registered Name/Trade Name): _____

Representative

Signature

Date

City of Kamloops, hereinafter called the “City”.

At all times during the term of this Agreement, the Permittee shall, at no expense to the City, supply Commercial General Liability insurance against any and all Third Party claims for bodily injury, death, or property damage whatsoever arising out of the use and occupation by the Permittee of the lands and premises which are the subject matter of this agreement. Such insurance shall add the City and an ADDITIONAL INSURED but not as an ADDITIONAL NAMED INSURED and shall cover for not less than Two Million Dollars (\$2,000,000).

Upon signing this Permit, the Permittee shall promptly forward a Certificate of Insurance, including agreements acceptable to the City. The City will supply a Form of Certificate to be completed by the Permittee’s insurer containing minimum insurance coverages required by the City. Should the insurance policies under which the certificate is drawn expire during the term of this agreement or any extension or renewal thereof, the Permittee shall forward a renewal insurance certificate to the City thirty (30) days prior to the expiry of said insurance policies on a form satisfactory to the City.

All required policies of insurance must be issued by insurers duly authorized by law to do business in the Province of British Columbia and shall include a provision that coverage shall not be cancelled or amended in any way unless thirty (30) days written notice has been given to the City.

Should the Permittee fail to supply the insurance certificate prescribed by this permit, then such permit may be terminated by the City.

RELEASE OF LIABILITY

The Permittee hereby agrees to unconditionally INDEMNIFY and SAVE HARMLESS the City, its agents, or employees from and against all loss, liability, costs, charges, claims, damages, expenses, suits, or actions which may arise as a consequence of, or resulting from, any failure by the Permittee whatsoever (EXCEPT SUCH AS MAY ARISE OUT OF THE ACTS, FAILURES TO ACT OR NEGLIGENCE OF THE CITY OR ITS AGENTS OR EMPLOYEES) in connection with:

- any breach, violation or non-performance of any covenant, regulation, condition or term of this agreement to be fulfilled, kept, observed or performed;
- any act or omission of the Permittee;
- any damage to property while said property shall be in or about the lands and premises which are the subject matter of this agreement; and
- any injury or any licensee, invitee, agent or employee of the Permittee, including death resulting at any time therefrom occurring in or about the lands and premises which are the subject matter of this agreement, including all costs and all legal fees and all disbursements in connection herewith.

The indemnity shall survive the expiry or sooner termination of this agreement.

BEFORE SIGNING THIS AGREEMENT, READ IT CAREFULLY.

PERMITTEE (Registered Name/Trade Name):

_____	_____	_____
Representative	Signature	Date

FOR OFFICE USE ONLY:		
_____	_____	_____
Approved by	Signature	Date
Conditions: _____		





Canada's Tournament Capital

City of Kamloops 🍁 British Columbia, Canada

Development, Engineering and Sustainability:

105 Seymour Street, Kamloops, BC V2C 2C6

250-828-3561 | planning@kamloops.ca

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