



Sidewalk Dining with Alcohol Permit Application Process

A valid permit is required to use public sidewalks for restaurant outdoor dining when alcohol is served and consumed. Sidewalk Dining with Alcohol Permits are issued only for months within the same calendar year. Previously approved applications must be renewed each calendar year. Please contact the Department of Public Works and Capital projects for renewal information at 703-771-2790.

Process:

1. Submit completed application and required attachments by one of these methods:
 - a. **Mail:** Mail all submission requirements to: Department of Public Works and Capital Projects, Leesburg Town Hall, 25 W. Market St., Leesburg, VA 20176.
 - b. **Hand Deliver:** Bring all submission requirements to Town of Leesburg Department of Public Works and Capital Projects, 3rd floor, 25 W. Market St., Leesburg, VA 20176 during regular business hours.
2. The review timeframe is approximately 5 business days. Additional approval will be required by the Virginia Department of Alcoholic Beverage Control prior to a permit being issued. No alcohol may be served until a Sidewalk Dining with Alcohol Permit has been issued.
3. Pick up the approved permit from the Department of Public Works and Capital Projects, Leesburg Town Hall, 3rd floor, 25 W. Market St., Leesburg, VA 20176.
4. Once the sidewalk dining area is established, a staff member from the Department of Public Works and Capital Projects will make periodic inspections to ensure compliance. A copy of your sidewalk dining permit and Alcoholic Beverage Control license must be available for inspection at all times.
5. Upon expiration of the permit, all furnishings and other objects must be removed immediately from the sidewalk. Tables, chairs, and other furnishings shall not be stacked or stored outdoors on sidewalk. If all furnishings are not removed, the Town reserves the right to remove them without further notice.

Submittal Requirements:

1. Completed [Sidewalk Dining with Alcohol Permit](#) Application.
2. Application and Processing Fee. A fee of **\$100.00** is due at time of application submittal.
3. Current Certificate of Insurance. An insurance certificate must be provided documenting a general commercial liability policy of at least **\$2,000,000**. Said certificate of insurance shall name the Town of Leesburg as an additional insured for general liability showing coverage for the time span you will have sidewalk dining. If insurance is cancelled, the applicant is responsible for notifying the Town within thirty (30) days of the effective cancellation date.
4. Consent letter from adjoining property owner, if proposed sidewalk dining area extends beyond subject property.
5. Sketch Plan. A drawing showing dimensions, square footage, layout of furniture, and exit paths of the proposed outdoor dining area as well as the dimensions of sidewalk clearance from the outer edge of dining area to curb and other obstructions (e.g. trees, poles, fire hydrants, etc.). The scale of the sketch plan shall be a minimum of 1 inch = 10 feet.
6. Furniture design. Photograph and description of all proposed furnishings including tables, chairs, and umbrellas. Trash containers, serving stations, and space heaters are prohibited in the sidewalk dining area.

Operational, Design, and Environmental Regulations:

The applicant must comply with all applicable rules, regulations, ordinances, laws and statutes, including the Americans with Disabilities Act and those enforced by the Virginia Alcoholic Beverage Control Board and the Leesburg Town Code. **Sidewalk dining permits shall be revocable with or without cause at the discretion of the Town Manager or his/her designee.**



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1. Dates of Operation

- a. Sidewalk dining with alcohol is permitted January 1 to December 31 of each year. The restaurant may apply to use the sidewalk dining area the entire year or a portion of the year. Sidewalk Dining with Alcohol Permits are only issued for months within the same calendar year.
 1. During certain Town-sponsored events, affected restaurants will be notified by the Town to remove all furnishings and barriers from the sidewalk dining area at least 14 days in advance of the event.
 2. All furnishings and barriers shall be removed from the sidewalk dining area when the Town declares a snow emergency.

2. Hours of Operation

- a. Sidewalk dining areas where alcohol is served and consumed may be used daily from 7:00 a.m. until 10:00 p.m.

3. Dining Area Layout

- a. All furnishings must be located within the sidewalk dining area.
- b. The sidewalk dining area shall not reduce the sidewalk clearance for pedestrians to less than **5 feet** between the outer edge of the sidewalk dining area and the back edge of curb and **4 feet** between the outer dining area and any other obstruction (e.g. trees, tree grates, fire hydrants, light fixtures, trash receptacles, traffic control devices, benches, street signs, etc.). The sidewalk dining area shall be adjacent to the building only. Failure to maintain required clearance will result in revocation of the Sidewalk Dining with Alcohol Permit. (See attached illustration)
- c. The sidewalk dining area must be contained to the area within the sidewalk that is contiguous to the applicant's restaurant location. If the applicant wishes to use space in front of an adjoining property, the applicant must obtain written consent from the adjoining property owner and include it as part of their application package.
- d. The sidewalk dining area shall not impede ingress and egress to any restaurant or business.

4. Design of Furnishings

The design and style of all furnishings must be similar in color, material, and design. Please refrain from purchasing any furnishings prior to receiving a Sidewalk Dining with Alcohol Permit.

- a. Barriers: Made of wrought iron, painted metal or painted wood. The barrier must also comply with the Virginia Department of Alcoholic Beverage Control's regulations.
- b. Tables & Chairs: Made of metal, wood, fiberglass, or combination thereof.
- c. Umbrellas: Minimum 7 foot overhead clearance required and must be fully contained within the outdoor dining area, including overhead spread. A maximum of two (2) colors compatible with the design of other furnishings is permitted. No logo or wording shall appear on umbrellas. Umbrellas must be secured at all times for safety purposes.

5. Environmental

- a. Garbage, trash, refuse, and other waste materials shall be frequently monitored to maintain a clean and usable space and to protect the sidewalk from damage. Any food drink or other items spilled on the sidewalk must be cleaned and removed promptly for the safety of pedestrians and for environmental concerns. It is not permissible to sweep, rinse, or otherwise move any such waste materials to the street, gutter, or any portion of the municipal storm sewer system.
- b. Access to and use of Town electricity, including and without limitation the use of any outdoor electrical outlet(s), shall be prohibited.
- c. The sidewalk dining area shall be used and occupied in a safe and reasonable manner and in accordance with all applicable laws. The Town maintains the right to enter the sidewalk dining area at any time for inspections or to maintain and make repairs to sidewalks or streets including spraying for weed control. The applicant shall keep and maintain the outdoor dining area in good repair and condition, except for ordinary wear and tear.



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Diagram showing Minimum Clear Zone Requirements

