

Shared Space Permit

Purpose

The City of Birmingham is opening public spaces to make it easier for businesses to use outdoor space to promote safe distancing during the coronavirus outbreak. Businesses can reopen or expand into the sidewalk and parking spaces while we keep our residents healthy and safe. This permit is only applicable for the physical locations of existing or new businesses. For food truck or mobile food permitting consult the mobile food application process.

Decide How to Use Your Space

1. You can use the sidewalk and on-street parking or private parking spaces for:
 - Seating or dining
 - Retail use
 - Curbside pick-up space for restaurants or other retail
2. Reference the **Shared Space Design Guide** for ideas and design assistance.
3. Create a site plan for the shared space you plan to use. This plan can be a hand drawn sketch or digital drawing and must be drawn to scale. The site plan must include:
 - The location of your business, sidewalk, shared use space – all location details
 - Clearly identify/label the space you plan on using (sidewalk and/or parking spaces)
 - How many feet along the curb you want to use
 - How many metered parking spaces you will use
 - If you are using the shared space for seating or dining, decide how many tables and chairs you will use and draw their locations, and buffer dimensions
 - Identify locations for traffic barriers
 - Photos of your business and the sidewalk and parking areas to be utilized

Permit Parameters

Access Requirements

To use the sidewalk for business activity, access requirements must be met for other uses:

- Maintain a straight, clear travel path at least 5 feet wide across your entire sidewalk.
- Comply with the Americans with Disabilities Act (ADA) requirements
- Keep curb ramps, crosswalks, doors, driveways, fire escapes, fire hydrants, and fire department connections free of obstructions
- Keep furniture in the approved area
- Don't obstruct the sidewalk or curbside area next to a bus stop

Traffic Barriers

If you are using parking spaces for seating or dining, you must install a barrier between the parking space and adjacent vehicle and parking lanes. The barrier must be:

- 32 inches to 48 inches high
- Not easily moved, altered, or stolen
- Stable and sturdy enough not to fall over or be pushed over (must withstand 250 lbs. of horizontal force)
- Examples include: water-filled barriers, concrete jersey barriers, earth-filled planters



- Barriers may be made of wood or other inexpensive materials as long as they meet these requirements

Maintain a 3-foot maximum gap between individual barriers, and a 2-foot minimum gap between barriers and furniture. A gap of 2 feet must be maintained between barriers and the travel lane.

Outdoor Furniture

Outdoor furniture such as tables, chairs and merchandise stands must stay in the approved areas. Other requirements include:

- Furniture must be spaced to provide 6' of separation between customers.
- Umbrellas and hanging or overhead objects must be at least 7 feet from the ground.

Serving Alcohol

The Shared Space Permit allows a temporary extension of the licensed premises for sale, service and consumption of alcoholic beverages. The applicant must present a copy of the final permit to the Alabama ABC Board to confirm the City's consent for the use of the space. The applicant is responsible for appropriate dram shop liability insurance for any areas where alcohol is sold or served. In response to the Coronavirus pandemic, AABC has made temporary changes to their rules and processes. Information is provided at this link: https://alabcboard.gov/sites/default/files/2020-07/Covid19%20Information_0.pdf

Using Your Neighbor's Space

To use sidewalk or parking space in front of an adjacent property, you will need permission from the property owner or tenant in the form of a signed agreement letter. If alcohol will be served, additional ABC regulations will need to be observed including contiguous area requirements.

Curbside Pickup

Curbside pickup can be facilitated with this permit with the following requirements:

- A small tent covering may be erected to provide shade and indicate the pickup spot. Placement must meet access and outdoor furniture requirements and not interfere with the line of sight for vehicle or pedestrian traffic
- No consumable products may be stored in the curbside area.
- Parking spots that abut the business may be designated as pickup spaces by the City bagging meters, and the business owner providing sandwich boards or other signage indicating curbside pickup area.

Application

Submittal Package

Application package must include the following:

1. Signed application
2. Site plan
3. Insurance documents, as required by ordinance
4. Receipt from payment of \$25 non-refundable application fee, payable at the 1st floor payment window in City Hall
5. Signed hold harmless agreement

Submit:

By email (preferred):

antonio.stewart@birminghamal.gov



By mail:

City of Birmingham Department of Transportation
c/o Tony Stewart
710 North 20th Street
Birmingham, AL 35203

In person:

Application packages can be dropped off at City Hall between the hours of 8am and 5pm on the ninth floor, Department of Transportation.

After You Apply

Use of Shared Space

- You may start using this space after receiving a signed permit from the City.
- We will contact you if we find issues with your application or insurance documents.
- We may ask you to take a picture of your space and email it to us.
- You will need to add traffic barriers before utilizing the parking space.

Expiration

This temporary permit is valid until September 30, 2020. The permit can be revoked at the discretion of the City. The permit may be extended for up to 30 days after September 30 without amendment of the authorizing ordinance, if the pandemic restrictions remain. Any further extension of the program requires amendment of the ordinance by the City Council.

Enforcement

- We may visit your business location to inspect your approved area.
- We may revoke your permit. A business may appeal the decision to the City Council within 15 calendar days.



APPLICATION DATE: _____ RECEIPT NO. _____

CITY OF BIRMINGHAM SHARED SPACE PERMIT APPLICATION

CONTACT INFORMATION

Name: _____

Email Address: _____

Phone Number: _____

BUSINESS INFORMATION

Business Name: _____

Street Address: _____

City, State, ZIP: _____

SPACE USE

Which part of the outdoor space would you like to use?

- Sidewalk Parking Lane

What purpose will the outdoor space serve?

- Seating or dining
 Retail use
 Curbside pick-up space

Fill out the following sections only if you have checked the corresponding purpose above.

SEATING OR DINING

How many chairs do you plan to use? _____

How many tables do you plan to use? _____

CURBSIDE PICK-UP

When is your business open? _____

In your busiest hour, how many pickups do you have? _____

Include any additional information about your location or how you intend to use sidewalk/parking lane space:

AMOUNT OF SPACE

How many feet along the curb would you like to use? _____

If there are metered parking spaces at the curb, how many metered parking spaces would you like to use? (If there are no metered spaces, write "None") _____

NEIGHBORS

If you have been given permission from your neighbors to use their space, please include their contact information. If you are not using a neighbor's space, leave this section blank.

Name of Neighbor: _____

Street Address: _____

City, State, ZIP: _____

YOUR RESPONSIBILITIES

You must check the following boxes to indicate that you agree to these rules:

- I will implement social distancing protocols (6' separation).
- I will comply with Alabama ABC regulations if serving alcohol.
- I will comply with local, state, and federal accessibility requirements.
- I will keep curb ramps, doors, driveways, fire escapes, bus stops, or Fire Department connections free of obstructions.
- I will keep furniture in the approved area.
- I will not place or store food trays or carts on the sidewalk or parking lane.
- I have and will keep at least \$1 million in commercial general liability insurance coverage.
- I recognize that this outdoor business permit is revocable at any time.

SIDEWALK RESPONSIBILITIES

If you are applying to use sidewalk space, you must agree to the following rules. (Skip this section if you are only applying for parking lane space.)

- I have enough space and will maintain a straight, clear travel path at least 6 feet (2 yards) wide across my entire sidewalk.
- I will keep the sidewalk clean of trash, debris, and food waste at all times.

This application is one part of the application package. Please remember to also turn in the following:

- Site plan
- Insurance documents
- Receipt from payment of \$100 non-refundable application fee
- Signed hold harmless agreement
- Signed statement from neighbor if utilizing space abutting their building

Applicant's Signature: _____

Date: _____

HOLD HARMLESS AGREEMENT to comply with GCC 12-5-27 (b)

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

For the sole consideration of being allowed to use public space (sidewalk and/or parking) for commercial use at or adjacent to the address: _____ in Birmingham, Alabama, the undersigned agrees to release, indemnify and hold harmless the City of Birmingham, its agents, servants and employees from any and all claims, demands, damages, actions, causes of actions or suits of any kind or nature whatsoever, attributable to the act or omissions of _____ (business name), its officers, agents or employees, particularly on account of all injuries, known and unknown, both to persons and property, which may result or may in the future develop from the use of shared space during the duration of this permit, at or near Birmingham, Alabama to the extent allowed by Alabama Law.

The undersigned hereby declares that the terms of the Agreement have been completely read and are fully understood and voluntarily accepted.

(Business Name)

By: _____
(Applicant's Name)

Its: _____
(Applicant's Title)

(Signature)

Date: _____
(Date of Signature)