



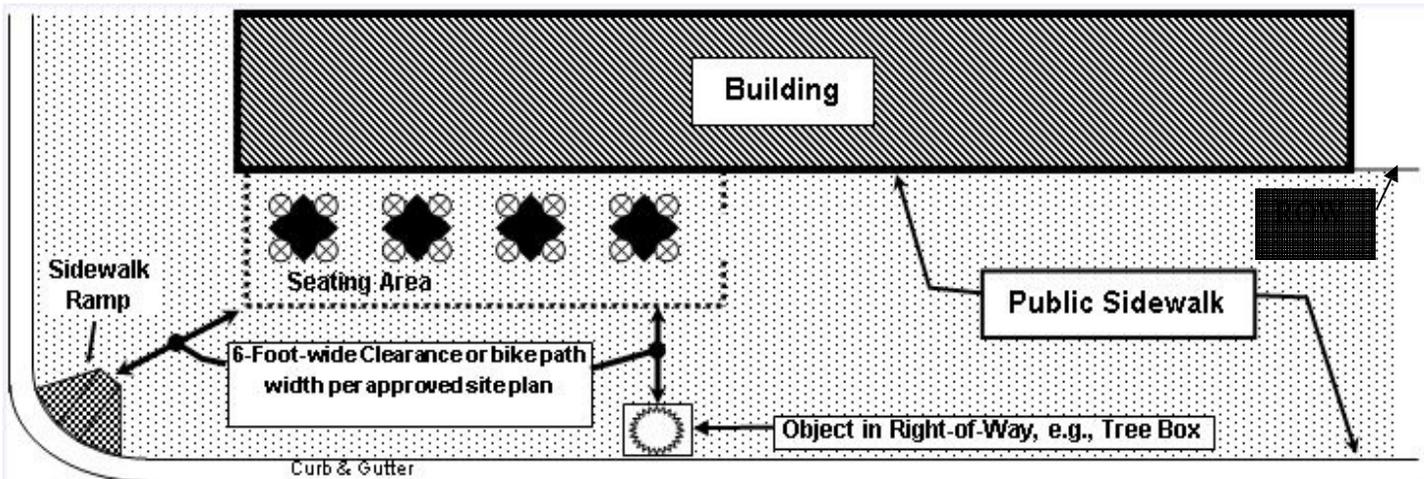
**Montgomery County  
Department of Permitting Services**

255 Rockville Pike, 2<sup>nd</sup> Floor  
Rockville, MD 20850-4166  
Phone: 311 in Montgomery County or (240)777-0311  
Fax: (240)777-6262  
<http://www.montgomerycountymd.gov/permittingservices>



**OUTDOOR CAFÉ SEATING GUIDELINE**

- When outdoor café seating is proposed in the public right of way (ROW), a Work in Public-Right-Of-Way Permit is required.
- The property owner of building where business is located is required to execute a Declaration of Covenants for improvements within the public right-of-way. After DPS' review and approval of the draft covenant, it is to be recorded at the County Land Records at the Judicial Center. **A lessee may not be the party that executes the covenants.**
- Provide a copy of the Recorded Record Plat and the approved Certified Site Plan, if applicable.
- A plan must show existing features in the right-of-way, such as bike path/trail, signs, trees, tree boxes, fire hydrants, utility poles, canopy supports, parking meters, bike racks and proposed tables with chairs, etc.
- DPS preference is to have seating next to the building.
- A minimum width of six foot (6') sidewalk clearance without any obstruction from the back of curb or from the Property Line (within the Public Right of Way) or measuring from any object must be provided for pedestrians, or a minimum width of bike path/trail as shown on the approved certified site plan, whichever is greater.
- A physical, removable, separation barrier is required between the seating area and the six foot (6') clear area. Servers must be able to service customers from within the seating area. Any waiver of the separation barrier shall be approved by ROW inspector.
- DPS approval does not negate any requirements for other permits and licenses from Dept. of Health and Human Services (DHHS) and/or Dept. of Liquor Control (DLC), etc.
- Should you have any questions regarding Outdoor Café Seating, please contact the Right-of-Way Permitting and Plan Review Section, 240-777-0311.



APPROVED:

*Atiq Panjshiri*

DATE: May 18, 2016

ATIQU PANJSHIRI, MANAGER, RIGHT-OF-WAY PERMITTING & PLAN REVIEW SECTION

