



MACOMB TOWNSHIP

54111 Broughton Road • Macomb, MI 48042 • 586-992-0710

www.macomb-mi.gov

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Macomb Township Temporary Approval for Outdoor Dining Spaces June 15, 2020

What:

Due to a number of State of Michigan Executive Orders, in relation to the Coronavirus pandemic, many restaurants have experienced financial hardship. On June 10, 2020 the Macomb Township Board of Trustees approved a process to allow added or expanded outdoor bar/restaurant seating to assist businesses with restricted occupancy and subject to customer social distancing restrictions. Restaurants and bars may now request a permit to add or expand outdoor seating areas in accordance with the regulations listed in this document.

When:

Starting on Monday June 15, 2020 and ending on November 1, 2020 (unless occupancy and social distancing limitations are rescinded and subject to Board amendment) an approved establishment will be allowed to have added or expanded outdoor seating.

How:

A permit is required through the Macomb Township Planning Department. An expedited review process has been established for the application available here: [Temporary Outdoor Dining Space Application](#). The electronic application must be accompanied by all items listed in the checklist below. The application shall be completed and submitted with proper payment as indicated in the application in the night drop off box at the back of the building at Macomb Township Town Hall (alternatively the package may be mailed to Township Hall). The package shall clearly state the project name and type of project, as well as "Planning Department" on the envelope.

Please email a PDF of the completed application, a copy of the check, and any and all plans electronically to PlanDropbox@macomb-mi.gov. Once the package is received and we have verified confirmation of payment, the submittal will be reviewed. If additional information is required, Planning Department staff will contact the applicant via email or phone with the request.

Rules:

1. The intent is to permit restaurants to temporarily expand their dining areas outside an establishment due to the hardships imposed by the COVID-19 pandemic. Must be operational in conjunction with an interior business of the same function and on the same property.
2. The process would supersede the typical Approval process reviewed by the Township Board, the Planning Commission, and the Zoning Board of Appeals due to critical time constraints.
3. Provisions contained herein would allow for an increase in table capacity to be located outside of the establishment on designated hard surface areas such as a patio or parking lot;
4. Business must possess a valid Certificate of Occupancy from the Building Department at the time of application.
5. Applicant must obtain written permission from property owner.
6. Must comply with the provisions of the latest State of Michigan Executive Order in effect and all subsequent amendments, including, but not limited to, authorization to resume business operations, social distancing, party size, and occupancy requirements as set forth therein.
7. Unless otherwise specified by the State of Michigan, tables/chairs must be placed so that patron groups are at minimum 6' away (or the proper distance as outlined by any future State of Michigan Executive Orders) from other patron groups.
8. Must comply with all applicable Fire Department and Code regulations and requirements, including approval for outdoor canopies or tents, to ensure Fire Department access is not impeded.
9. Must comply with all State and County Department of Health regulations, Liquor Control Commission, and any other applicable Federal, State, County, or Local agency.
10. Must comply with the Michigan Building Code and Michigan Electrical Code.



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11. Any tents or canopies must be securely anchored down and shall obtain separately the appropriate permits from the Fire and/or Building Departments.
12. Outdoor seating must not impede or otherwise impact ingress or egress to any buildings or the property. Seating areas and pathways must also comply with State of Michigan Barrier-Free and Federal ADA requirements.
13. The outdoor dining space must be separated from sidewalks and driveways by means of landscaping, planter boxes, and/or fences and railings. If tables are located within a parking space or area, temporary physical barrier must be placed separating the dining from the remaining parking in a manner that keeps patrons safe from traffic and that adequate parking remains for staff and patrons including required barrier free spaces. Temporary physical barriers may include, but not be limited to, wheel chocks, planter boxes, decorative fencing, platforms, etc., or a combination thereof as approved by the Building Department.
14. Additional outdoor dining space cannot occupy or impact undeveloped space, existing required vegetative buffers or designated open space on a property.
15. All temporary outdoor dining areas, including but not limited to tables, chairs, and any other surface that is used by patrons, must be maintained in a clean and orderly manner as described by all Government Agency Requirements.
16. Hand sanitation stations are encouraged to be made available by the business operators in or near Outdoor Dining Spaces.
17. Face coverings/masks are to be worn by patrons and/or employees within all dining spaces, indoor or outdoor, as required by any and all State Executive Orders.
18. No outdoor seating may occupy any portion of any public right-of-way and must not block any clear vision areas along drive lanes.
19. Temporary permits will be valid thru Sunday November 1st 2020 unless extended or rescinded.
20. Hours of operation for outdoor areas shall be restricted to 8am to 9pm Monday thru Thursday, 8am to 10pm Friday and Saturday, and 9am to 6pm on Sunday (unless restricted further by future State of Michigan Executive Orders).
21. Any nuisances (including, but not limited to, noise, parking issues, etc.) that arise from Temporary Approvals for Outdoor Dining Spaces must be mitigated by the applicant and/or property owner to eliminate all negative impacts on surrounding properties. Failure to do so could result in revocation of Temporary Approval, in which case all exterior appurtenances are required to be removed within 7 days of revocation. The onus is on the applicant to be a good neighbor.
22. All electrical equipment including cash registers shall remain in the interior of the establishment, with the exception of lighting fixtures.
23. Businesses currently authorized to sell or allow consumption of alcoholic beverages shall comply with all requirements of the State Liquor Control law, including administrative regulations and guidance issued by the Liquor Control Commission relating to COVID-19 licensed area expansions and shall comply with all requirements of Chapter 3 of the City Code. See link the Michigan LCC website for streamlined outdoor licensing: https://www.michigan.gov/lara/0,4601,7-154-89334_10570_67570-529626--00.html
24. Open flames, fire features, outdoor cooking, and heaters are not allowed. Electrical lighting and equipment must be exterior rated, served by weather proof and GFI protected circuits, and be protected so as to prevent tripping and damage.
25. All displays, chairs, tables, and other fixtures must be secured against overturning, winds, etc.



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Submittal Requirements:

1. Temporary Outdoor Dining Space application signed by owner and \$500 fee to be submitted to the Township Planning Department (\$250 Admin review fee + \$250 refundable bond, separate checks).
2. Temporary Outdoor Dining Spaces Application includes the following checklist to be completed and returned as part of review:
 - A scaled layout plan of premises, including any existing outdoor seating areas and the proposed expansion area;
 - Location of and clearances to maintain access to any fire hydrants and Fire Department connections, water valves, sanitary sewer manholes, and storm sewer manholes and catch basins;
 - Dimensioned access to means of egress and barrier free entrance routes (60" minimum);
 - Locations and sizes of any temporary tent or canopy (if applicable);
 - Location and description of proposed seating (tables, chairs), complying with barrier free requirements;
 - Locations and description of any fencing/barrier or seating area enclosures and egress;
 - Location of any relocated barrier free parking;
 - Location of any waste receptacle(s);
 - Location of any lighting that requires electrical connection;
 - Written Approval from Land Owner;
 - Restaurant/bar uses must comply with the requirements of the Macomb County Health Department;
 - Approved Application for Limited Permanent Outdoor Service Permission Application from the Michigan Liquor Control Commission (LCC-204a) if applicable;

Rules subject to amendment

The Township reserves the right to amend these rules at any time as it determines to be appropriate under the circumstances.

Revocation of permit

An approved permit may be revoked by the Township Supervisor if the applicant fails, neglects, or refuses to fully comply with any and all provisions and requirements set forth in these rules or any and all provisions, regulations, ordinances, statutes, or other law incorporated by reference.