

CITY OF NEW YORK SIDEWALK CAFÉ REGULATIONS

(Title 20 of the NYC Administrative Code, Sections 20-223 through 20-227.1 and Title 6 of the Rules of the City of New York, Sections 2-41 through 2-58)

**Prepared by Manhattan Community Board One
May 14, 2014**

Zoning Regulations for Sidewalk Cafes

(The Zoning Resolution of the City of New York, Article I: General Provisions, Chapter 4)

Sidewalk cafés are permitted in:

- Commercial (C)**
- Manufacturing (M)**
- R10H (High density Residential)**

Unless specified in the Zoning Resolution.



SIDEWALK CAFÉ REGULATIONS



All Cafes Permitted



Small Cafes Permitted



Unenclosed & Small Cafes
Permitted

THREE TYPES OF SIDEWALK CAFÉS

Enclosed Café

- **An enclosed area on the public sidewalk in front of the restaurant that is constructed predominantly of light materials such as glass, plastic, or lightweight metal.**

Unenclosed Café

- **An outdoor area on the public sidewalk in front of the restaurant that contains removable tables and chairs.**

Small Unenclosed Café

- **An unenclosed sidewalk café containing no more than a single row of removable tables and chairs next to the building. The tables and chairs can occupy no more than 4 feet, 6 inches of the public sidewalk.**

Clear Path Regulations

8-foot clear path

- All sidewalk cafés must maintain a minimum clear path of eight (8) feet between the outer limit of the café and any object near the curb, including the curbstone**
- Traffic signs, parking meters and trees with grating flush to grade will not be considered an obstruction to the 8-foot clear path requirement.**
- Sidewalk cafés must maintain a nine (9) foot clear path to an intersection, with no exceptions.**
- Larger clear path – When a sidewalk is wider than 16 feet, the amount of clear path must be 50% of the distance from the building to the curb line.**

Obstructions

- **Fixtures and sidewalk “furniture” — fire hydrants, bicycle racks, traffic lights, mailboxes, benches, planters, and items installed by the City, federal government, private business, and civic groups with City approval cannot interfere with clear path.**

Service Aisle

- **A minimum 3-foot wait service aisle is required in all cafés to ensure that no public space is used by the café to service its clientele. It also makes sure that the café is disabled-accessible, as required by the Americans with Disabilities Act.**

Railings, Fences and Planters

All freestanding planters, fences, or railings must be:

- **Self-supporting**
- **No taller than 30 inches**
- **Easy to remove from the sidewalk**

These are not permitted in small unenclosed cafés.

Valences, Canopies and Awnings

- **All umbrellas, valance and awnings over sidewalk cafés must be retractable**

Permitted Hours of Operation

Unenclosed and Small Unenclosed Sidewalk Cafés may be open:

- **Sunday: 10 a.m. to midnight**
- **Monday-Thursday: 8 a.m. to midnight**
- **Friday: 8 a.m. to 1 a.m. Saturday**
- **Saturday: 8 a.m. to 1 a.m. Sunday**

Enclosed Cafés may be open:

- **Sunday: 10 a.m. to 4 a.m. Monday**
- **Monday-Saturday: 8 a.m. to 4 a.m. the following day**