



# *TOWN OF THREE HILLS*

## **POLICY # 970**

### **TEMPORARY OUTDOOR PATIO PILOT PROGRAM POLICY**

Adopted by Council on:           June 23, 2025  
Resolution No.:                 137-2025

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#### **1. PURPOSE**

- 1.1. To guide the process of review and approval for Temporary Outdoor Patio Applications for proposed patios located on the Town's public roads.
- 1.2. The Town supports the development, expansion, and retention of businesses located within the community. This policy establishes a framework for a pilot program that encompasses the application, review, and approval of all patios located on Town-owned roads.
- 1.3. The Temporary Outdoor Patio Pilot Program will expire two years from the date of its adoption. At that time, the program will be brought back to Council for review. If deemed successful, it may be considered for ongoing implementation through a formal approval process.

#### **2. AUTHORITY**

- 2.1. The authority for this policy is by resolution of the Council of the Town of Three Hills
- 2.2. The Chief Administrative Officer (CAO) is accountable and responsible for the development, evaluation, and implementation of this policy.
- 2.3. The CAO is authorized to exercise appropriate managerial judgment and to take such actions as may be necessary to achieve the intent of this policy.

#### **3. DEFINITIONS**

- 3.1. In this policy, unless the context otherwise requires:
  - 3.1.1. "Seasonal Outdoor Patio", for the purposes of this policy, means an area located on a portion of a roadway (two stalls directly in front of the business) that has been configured for use as a place where the public may purchase food or drink for on-site consumption. This area may include the placement of tables, chairs, and other furniture or objects typical of an eating or drinking establishment.

#### **4. TEMPORARY SEASONAL OUTDOOR PATIO GUIDELINES**

##### **4.1. Application**

- 4.1.1. A Temporary Seasonal Outdoor Patio application must be submitted to utilize Town property.
- 4.1.2. The applicant must submit a completed application form, including, but not limited to, a floor plan showing all temporary features.
- 4.1.3. There will be no cost associated with the application process.

- 4.1.4. The Town will review each application on a case-by-case basis.
- 4.1.5. The applicant is responsible for obtaining all relevant permissions, including, but not limited to, those from AGLC, AHS, and the landlord. The business owner must comply with all regulatory requirements from AGLC, AHS, and any other applicable governing bodies.

#### **4.2. Security, Insurance and Indemnification**

- 4.2.1. The applicant must, at their own expense, obtain and maintain comprehensive general liability insurance in the amount of \$2,000,000.00, indemnifying the Town of Three Hills against any and all damages, injuries, or claims. The insurance policy must name the Town as an additional insured and shall be maintained continuously for the duration of the permit. A copy of the insurance must be provided to the Town.
- 4.2.2. The applicant will be liable for all losses, costs, damages, and expenses whatsoever incurred or suffered by the Town, its elected officials, officers, employees, and agents, including, but not limited to, damage to or loss of property (and loss of use thereof), and injury to or death of any person, resulting from or in connection with the Temporary Outdoor Patio permit.

#### **4.3. Operating Guidelines**

- 4.3.1. Temporary Seasonal Outdoor Patios shall only be permitted for food and beverage establishments located on Main Street between 6th Avenue SE and 1st Avenue SE.
- 4.3.2. Temporary patios under this policy may operate beginning May 1st of each year and must be removed no later than October 31st.
- 4.3.3. The Town may terminate the approval upon twenty-four (24) hours' notice. Further, the Town may terminate the approval without notice in the event of an emergency and/or operational safety concern. The Town shall not be responsible for any costs, losses, or damages incurred by the applicant as a result of such termination.
- 4.3.4. All patios must be constructed off-site to eliminate safety hazards to the public.
- 4.3.5. The applicant is not permitted to conduct any business, including serving customers, displaying merchandise, or placing signage, on the sidewalk or street outside the approved temporary patio area. All business activities must be contained within the designated and approved patio space.
- 4.3.6. No outdoor audio-visual equipment (e.g., speakers, sound systems, televisions, visual displays, projectors, etc.) is permitted on the temporary patio.
- 4.3.7. The applicant is responsible for ensuring that the sidewalk remains clear for pedestrian traffic.
- 4.3.8. Cooking food and preparation of drinks is not permitted on the temporary patio.
- 4.3.9. The use of a temporary patio shall comply with Community Standards Bylaw 1453-20 at all times.

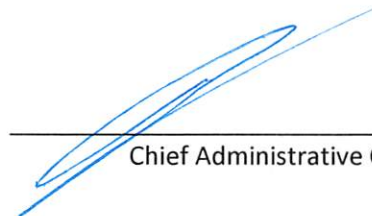
#### **4.4. Design Standards**

- 4.4.1. The temporary patio shall not contain any structures (permanent or temporary) except for tables, chairs, umbrellas, heaters, temporary movable patio perimeter fencing/barriers, and temporary movable patio perimeter planters. Any temporary movable patio perimeter planters or fences must not exceed a height of 1.2 m (4 ft) above grade and must include reflectors for visibility in traffic.

- 4.4.2. The applicant is responsible for maintaining all structures and equipment in a safe, clean condition and in good repair. This includes keeping the area free of any potential hazards, such as power cords, debris, and pooling water.
- 4.4.3. Temporary patios must not extend in front of adjacent tenant spaces or exits, or beyond the applicant's business frontage. A minimum distance of 1.0 m (3 ft, 3 in) must be maintained from the edge of any adjacent vehicle stalls or the roadway.
- 4.4.4. All proposed outdoor features—such as, but not limited to, tables, chairs, flower baskets, and umbrellas—must be fully contained within the designated patio area and must not project beyond the permitted space.
- 4.4.5. The temporary patio must include landscaped planters, planting boxes, or baskets. The applicant is responsible for the purchase and ongoing maintenance of all plant material.
- 4.4.6. A minimum clearance of 1.5 m (5 ft) from any fire hydrant must be maintained at all times.
- 4.4.7. CSA-certified propane patio heaters (with a maximum 20 lb tank) are permitted, provided they are located at least 10 ft away from tree branches and structures, operated according to the manufacturer's directions, and not stored on the road right-of-way when not in use. Gel or liquid-fuel fire features are not permitted. All heaters must be safely secured at all times.
- 4.4.8. The applicant must not alter the sidewalk or street surface. All materials must remain intact and undamaged; anchoring to the sidewalk or street surface is not permitted.
- 4.4.9. The temporary patio must not impact stormwater drainage.



Mayor



Chief Administrative Officer

Effective On:	June 23, 2025	137-2025
Review Date:	June 23, 2027	



## TEMPORARY OUTDOOR PATIO PILOT PROGRAM

### PROCESS AND CHECKLIST

Applicant Use	Process and Checklist
	1. Review of the <b>Temporary Outdoor Patio Pilot Program Policy</b>
	2. Create a <b>Site Plan</b> showing the boundary of the patio area: <ol style="list-style-type: none"> <li>a. Keep in mind parking requirements, you are not permitted to occupy barrier-free parking spaces.</li> <li>b. Ensure you are maintaining enough space for both vehicular and pedestrian traffic, as per the policy.</li> <li>c. Do not block the roadway or stormwater drainage</li> </ol>
	3. Review and Complete the Application Form
	4. Sign and submit your Application Form and Site Plan to the Town at <a href="mailto:communityservices@threehills.ca">communityservices@threehills.ca</a> . <ol style="list-style-type: none"> <li>a. Once you've received confirmation from the Town that your application has been approved, you may begin building your Temporary Patio.</li> </ol>
	5. Before you can open to the public, the following must be submitted to the Town: <ol style="list-style-type: none"> <li>a. Copy of AGLC and AHS permits</li> <li>b. Copy of insurance. Please ensure the Town is named as an <b>additional insured</b> on your policy.</li> </ol>



## TEMPORARY OUTDOOR PATIO PILOT PROGRAM APPLICATION FORM

Applicant (full corporate name): \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Email Address: \_\_\_\_\_

The Town of Three Hills (the "Town") is conducting a pilot program that will allow temporary outdoor patios so businesses can create more space for customers.

In consideration of being permitted to participate in the pilot program and to establish and use a temporary outdoor patio, the Applicant hereby declares and acknowledges that:

1. The Applicant's temporary outdoor patio is shown in the attached plan or drawing.
2. The Applicant holds a valid AGLC license (if alcohol is being served), permission from AHS, and a valid Town of Three Hills Business License associated with the temporary outdoor patio.
3. The Applicant agrees to, and shall at all times while participating in the pilot program, comply with the attached **Temporary Outdoor Patio Pilot Program Policy**.

**IMPORTANT:** The Applicant must attach a drawing or plan of the proposed outdoor patio, to the satisfaction of the Town.

By signing this application form, I confirm that I have reviewed the attached policy and that I have the authority to sign this application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name