



On-Street Patio and/or Retail Display Permit

Permit #CLR2024-XX

The Township of Clearview hereby certifies that **[BUSINESS NAME]** located at **[ADDRESS]** is hereby granted the approval for the installation and operation of a **[type]** onto public property pursuant to The Township of Clearview On-Street Patio & Retail Displays Policy as detailed in the attached site plan (Appendix A), and as per the Terms and Conditions provided herein.

This permit is effective as of **[DATE]** and expires **OCTOBER 15, 2024**, or as otherwise revoked or suspended, whichever is the earlier.

Terms & Conditions

The following Terms and Conditions apply to **Permit #CLR2024-[XX]**

1. Applications for a patio and/or retail display are to be submitted to the Township of Clearview – Public Works Department on an annual basis. Applications will be circulated for cross- department review and approval;
2. Applicants are required to submit a Site Plan for the proposed patio and/or retail display location;
3. Compliance must be maintained at all times with all federal and provincial laws, as well as all municipal by-laws, which includes, without limitation, any statute, regulation, order, guideline, policy, code, ordinance or rule, as well as any principle of common law or equity;
4. The permit holder shall maintain the prescribed insurance coverage at all times;
5. The Township retains the right of access over, to and upon the patio for emergency services purposes;
6. A pedestrian walkway of 1.5 meters shall be maintained free and clear at all times on the municipal sidewalk;
7. On-Street Patios, Retail Displays and Cafes shall be constructed and maintained as per the terms and conditions set out in the prescribed standard or as otherwise approved by the Township, and must be compliant with the Accessibility for Ontarians with Disabilities Act (AODA);
8. The municipality shall not be held responsible or liable for any damages or loses, resulting to, or from the placement or operation of a patio and/or retail display;
9. Permit holders shall maintain the patio and/or retail display area, including the area immediately adjacent to the patio and/or display, in a clean, safe and hazard free condition at all times;
10. Patios are to be permitted to operate from May 15th to October 15th annually.
11. Retail displays may be made available all days of the week during the operating hours of the associated business. All displays must be removable and not permanently fixed in place and are required to be removed from the sidewalk outside business hours;
12. Retail displays and patio designs must be sympathetic to heritage objectives, and meet

requirements with respect to public safety;

13. Patio structures and furniture must be constructed in accordance with the prescribed policy;
14. Patio furnishings, fences, and other patio improvements must be removable and not permanently fixed in place;
15. Retail displays such as clothing racks and tables must be maintained in a neat and orderly condition at all times;
16. Entrances and other ingress points to buildings and businesses shall remain free of merchandise, displays and/or patio furniture and shall not otherwise impede or limit access to the building;
17. The use of portable heaters must meet the TSSA guidelines, and an inspection is required by Fire Services prior to their use. The TSSA guidelines to the use of portable heaters and propane handling is attached to this permit.
18. Patios must adhere to all AGCO requirements and provide proof of applicable permits and licenses at the time of application. Those applicants requiring a temporary extension of an existing liquor license must clearly identify the area in their application and such extension is at the discretion of the municipality to approve.
19. Patio permit holders shall not obstruct any utility infrastructure or access to utility infrastructure. The applicant shall be responsible for clearance of any debris and overall maintenance to ensure normal operation and unimpeded access;
20. Construction, maintenance and operation of the temporary patio shall be the responsibility of the applicant. Operators will be responsible for the management and logistics of any approved temporary patio, including ensuring that they are staffed at all times when open, to ensure proper use, cleaning, and operation as required;
21. The Township reserves the right to suspend or revoke a previously issued patio and/or retail display permit, by providing the permit-holder with written notice should the permit holder be found to have:
 - a. Provided false or misleading information on their application for the permit;
 - b. Deviated from the agreed terms of the site plan;
 - c. Not complied with any of the conditions of the permit;
 - d. Not complied with any of the requirements of the Township of Clearview On-Street Patio & Retail Displays Policy;
 - e. Not complied with any of the standard terms or conditions or any other requirement prescribed by the Township Director of Public Works or designate.

Additionally, the Township may, at any time, suspend a permit for up to twenty-eight (28) days and to provide the permit-holder with written reasons for such suspension, should the Township need the property on which the patio and/or retail display is situated for:

- a. The holding of a special event;
 - b. The construction, maintenance or repair of Township owned property, including any infrastructure thereon, therein or thereunder;
 - c. The installation, maintenance or repair of a public utility or service; or
 - d. Pedestrian vehicular or public safety or public health.
22. All patios and merchandise display areas authorized under a Patio and/or Retail Display Permit are subject to final inspection by representatives of the Township and/or other inspection agencies such as the Simcoe Muskoka District Health Unit and/or Alcohol and Gaming Commission of Ontario, and are not to be used by patrons of the Permit Holder or the public until such inspections have been completed and the results of such inspections meet the satisfaction of the Township of Clearview and/or inspection agency. The Township and/or other inspection agencies and/or Officers have the right to conduct further inspections at any

time.

23. This permit must be made available for inspection upon request of a Municipal Law Enforcement Officer; Officer of the Peace; Health Inspector; Alcohol and Gaming Commission Enforcement Officer; or any other official of the Township of Clearview, County of Simcoe, Province of Ontario, or Government of Canada.

SAMPLE



PATIO HEATER

SAFETY GUIDELINES

DO'S and DON'TS for using patio heaters, open-flame appliances and propane cylinders.

Knowing how to use patio heaters and open-flame appliances safely will help everyone enjoy outdoor dining well into the fall and winter season — while avoiding the dangers of carbon monoxide poisoning and fire.

KEEP THEM OUTSIDE

PATIO HEATERS ARE DESIGNED FOR OUTDOOR USE ONLY

NEVER use them indoors or within an enclosed structure such as a tent to avoid the danger of carbon monoxide poisoning.

PROPANE CYLINDERS SHOULD NEVER BE STORED INDOORS.

They must be stored upright and safeguarded with tamper-proof, vehicle-proof protection, such as a locked cage or fenced-in area.

If you need to store your patio heater indoors for security reasons, remove the propane cylinder first.

LOOK UP AND AROUND

DO install heaters according to the manufacturers' instructions regarding ceiling height clearance and proper distancing from any fire hazards, building openings or mechanical air intakes.

Fire hazards can be located around, above or underneath heating units and can include combustible materials such as umbrellas, awnings, tent walls, tablecloths, paper products, decorations, etc.

DON'T position patio heaters next to or in the path of an exit, including fire escapes. Do not obstruct firefighting equipment such as fire hydrants and fire department connections.

DO make sure propane cylinders are not stored near operating heaters or smoking areas. A cylinder is considered to be in storage when not connected to an appliance.

KEEP THEM STABLE

DO make sure heaters are on a stable surface so they don't get knocked over.

DON'T install heaters on grass or an uneven sidewalk, or near the edge of an elevated platform.

Make sure all free-standing units have an anti-tilt feature.

MOVE THEM WITH CARE

NEVER move portable heaters while the flame is lit. Make sure the fuel supply is properly shut off and the unit cool before relocating.

USE CAUTION when moving propane cylinders to avoid dropping or impact.



KEEP AN EYE ON THEM

NEVER LEAVE patio heaters unattended. Additional caution should be used when children or inebriated adults are in the vicinity.

INFORM OPERATORS OF SAFE OPERATING PRACTICES

Be sure that all staff are familiarized with the safe operation of patio heaters.

To ensure your guests stay safe while enjoying the comfort of your outdoor patio, **DO** make sure all operators understand how to:

- ✓ Safely install and operate heaters according to the manufacturers' instructions
- ✓ Identify hazards - fire and carbon monoxide poisoning
- ✓ Safely light, turn off and move heaters
- ✓ Safely connect, disconnect, move, store and transport propane cylinders
- ✓ Detect leaks in hoses, valves and fittings
- ✓ Prepare equipment for inclement weather
- ✓ Respond to an emergency including the location of fire extinguishers and symptoms of carbon monoxide poisoning (nausea, dizziness, headache)

FIRE EXTINGUISHERS AND CARBON MONOXIDE DETECTORS

Be sure to locate sufficient, easily accessible, fire extinguishers in the patio area.

Make sure smoke and carbon monoxide detectors located inside buildings are working properly.



SAFETY CERTIFIED

Make sure your equipment is certified by the CSA/ULC or other recognized testing laboratory and meets the requirements of TSSA Act 2000.



INSTALL THEM PROPERLY

All units must be installed as per the manufacturer's instructions. All fixed fuel-fired heating units must be installed by a TSSA-certified technician.



HOW TO TEST PROPANE CYLINDERS FOR LEAKS

PROPANE CYLINDER SAFETY

- ✓ Familiarize operators with safe practices for propane cylinder installation, disconnection and leak detection as well as emergency procedures.
- ✓ Propane cylinders must not exceed the manufacturer's recommended propane cylinder size (generally 20 pounds = approximately 10 hours of operation).
- ✓ Store propane cylinders upright and protect them against tampering, unauthorized movement, dropping or impact that could result in a leak or fire. Propane cylinders that are not connected to an appliance are considered to be in storage.
- ✗ Do not store propane cylinders indoors, close to operational heaters or near smoking areas.
- ✓ Stored propane cylinders must be safeguarded with tamper-proof, vehicle-proof protection, such as a locked cage or fenced-in area.
- ✓ Stockpiles of up to 25 20-pound cylinders must be located at least three feet from any building opening and 10 feet from any sidewalk, air intake and adjoining property occupied by schools, churches, hospitals, athletic fields or other points of gathering.
- ✓ Up to five 20-pound propane cylinders may be transported in a vehicle provided they are safety secured in an upright position in the passenger compartment with the windows open or secured in the box of a truck.
- ✓ Transportation of five or more 20-pound propane cylinders must be conducted according to Transport Canada Transportation of Dangerous Goods regulations.

When installing fuel cylinders, always test for leaks by applying a 50/50 solution of water and dish soap to all propane cylinder connections and hoses. If bubbles appear, gas may be leaking. Tighten the connection and retest. If bubbles reappear, contact a TSSA-certified technician to repair or replace damaged parts.

PUTTING PUBLIC SAFETY FIRST

The Technical Standards and Safety Authority (TSSA) delivers public safety services on behalf of the Government of Ontario in three key sectors:

1. Boilers and pressure vessels and operating engineers

2. Elevating devices, amusement devices and ski lifts

3. Fuels



FOR MORE INFORMATION:

1-877-682-8772
TSSA.org
customerservices@tssa.org

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