

# OUTDOOR SERVING AREAS I.E. TERRACES

These instructions concern the outdoor serving areas, i.e. terraces, constructed in connection to restaurants and cafés, and define when a permit must be applied for at the Building Control Services.

## GENERAL INFORMATION

An outdoor serving area refers to a serving space or area outside the building. It may include a service point and other structures necessary for the operations. The outdoor serving area must be functionally related to the existing food premises, such as a restaurant or a café. The area can be separated from the related food premises by no more than one street. The outdoor serving area should be, primarily, tended from the kitchen.

The outdoor serving area must not become an obstacle to utilising public urban premises or an obstacle to pedestrians, access to the premises, accessibility or traffic safety.

## PLANNING INSTRUCTIONS

The outdoor serving areas must be implemented with as few structures as possible. If a definition of the area is required at places, the outdoor

## CONTENTS

GENERAL INFORMATION	1
PLANNING INSTRUCTIONS	1
PERMIT PROCEDURE REQUIRED BY CONSTRUCTION ACTIONS BY BUILDING CONTROL SERVICES	2
Requiring a license	2
Applying for an action permit	3
RENTING AN AREA	4
NOTIFICATION PROCEDURE TO THE ENVIRONMENT SERVICES REQUIRED BY THE FOOD ACT	4
Planning instructions	4
SERVING ALCOHOL IN AN OUTDOOR SERVING AREA	5
CONTROLLING OUTDOOR SERVING AREAS	5
SOURCES AND FURTHER INFORMATION	6



The outdoor serving area is separated from the pedestrian area with flower boxes. Parasols have been used as sun shades and rain protection. The end result is both neat and pleasant.

servicing area should be defined apart from the street area with, for example, light rope railings or open steel-structure railings. The maximum height of railings is 90 centimetres and the steel parts must be painted dark. All fixtures must be placed directly on the street surface, without any platforms. All fixtures must also be suitable to the environment and of high quality. Canopies and walls should not be set up: the open atmosphere of the street should be maintained. Parasols or marquees can be used as sun shades or rain protection. A company name is allowed on them, but no brand advertising, and they must be suitable to the building and its environment in regard to their shape, colour and structure. Marquees cannot be supported from the ground. The restaurant's name, menu and opening hour information can be attached on each side of the railing defining the area, as a board measuring a maximum of 60 x 60 cm. A small service counter can be set up in the serving area in accordance with the conditions defined later in the text.

The outdoor serving area must be accessible and it must be designed to be suitable for disabled people.

If structures deviant from the above mentioned instructions are installed in the outdoor serving area, an action permit must be applied for them, which is discussed in more detail at the section 'Permit procedure required by construction actions in building control'.

First and foremost, the entrepreneur must apply for a lease agreement for the terrace from the owner. If an action permit from the Building Control Services is required, an application has to be filled out in the Lupapiste.fi-service.

#### PERMIT PROCEDURE REQUIRED BY CONSTRUCTION ACTIONS BY BUILDING CONTROL SERVICES

##### Requiring a license

The license requirement of outdoor serving areas is based on Sections 126 and 126 a in the Land Use and Building Act: An action permit is required for 'building or changing a canopy, shed, kiosk, outhouse, performance stage or similar structure (structure), installing a marquee that has an impact on the street views (facade action), installing a structure, text or picture not determined in the Section 52 Act on Public Roads outside in advertising or other commercial purpose or installing a permanent or long-term advert that covers a window (advertising action) or other arrangement or a change that affects the street view or surroundings in a significant and long-term manner (urban view arrangement).'

An action permit must be applied for if the serving area is equipped with fixed structures:

- a fence over 90 cm tall,
- platforms (only allowed on slanted surfaces),
- a fixed canopy or a wall,
- a service or sales counter, larger than 60 x 180 x 120 cm (width x length x height),



All fixtures are placed directly onto the street surface, without any platforms, and the open nature of the street has been maintained.



The area has been defined using open fences (under 90 cm in height), made with steel structures. Access to the building has been taken into account.



- commercial or advertising equipment, if their total size is over 60 x 60 cm on each side of the terrace (brand adverts are not allowed).

The placing of commercial or advertising equipment, excluding the name of the restaurant and usual information about prices and opening hours, requires an action permit. Placing a marquee that has an impact on the street view also requires an action permit, except when marquees mounted directly on the wall are used, as they do not require an action permit, according to the building regulation. If the terrace will be equipped with glass walls, an action permit is always required.

Outdoor serving areas must be kept clean. No goods or equipment should be stored on the terrace and all structures and fixtures have to be removed, if the terrace is not in use during the winter season.

Even though the outdoor serving area would not require an action permit or a statement from the Building Control Services, it has to be suitable to its surroundings and the urban view, fulfil all requirements of safety and health and adhere to these construction method instructions. The outdoor serving area can also be ordered to be changed or taken down, if it has not been implemented in accordance with the granted action permit or these instructions.

### Applying for an action permit

If an action permit is necessary, it is applied for via the Lupapiste.fi -service. A fee will be charged for processing the application, in accordance with the valid building control price list.

A rental agreement proving the right of possession or other statement is attached to the application, as well as drawings, suitable for archiving and made by a qualified designer, which explain the place of construction and the action in a definite manner.

A warrant or an agreement of the plot's or building's owner or possessor is required, if the serving area is located on the plot or its structures are touching its walls or fixed to them.

A site plan must be attached to the application drawings, usually in a scale of 1:500 or 1:200, which clearly presents the location and dimensions of the outdoor serving area and the borders of the rental area. In addition, layout and facade plans in the scale of 1:100 are required, showing the potential fixed fixtures, canopies, walls and similar and, if necessary, the detail plans, which present the structures, their attachments to surrounding structures, as well as used materials and colours. In addition to the drawings and plans, photos of the outdoor serving area must be included in the application.

If a terrace is located on an area controlled by the City, the right to use the area must be applied for at the Land Use and Monitoring Unit of the Urban Environment Division.



Straight marquees or sun shades can be marked with the restaurant's name.



On a case-by-case basis, an action permit for a serving counter can be granted for the serving area.

## RENTING AN AREA

Outdoor serving areas are mainly located on the street or public areas owned by the city, which means that the lessor is usually the Urban Environment Division's Land Use and Monitoring Unit. The lessor can also be a private party or some other city service or public enterprise, such as the Wholesale Market, the Sports Services of the Culture and Leisure Division or the Port of Helsinki.

Areas are not rented for outdoor serving, if it can be expected that their utilisation for the said purpose would cause noise or other disturbances for the residents in nearby apartments. If the outdoor serving area is located at the immediate vicinity of a residential building or there are residential apartments in its vicinity, outdoor serving operations can only be carried out until 10 p.m. unless otherwise decreed by the permit authority (Regional State Administrative Agency).

The rental agreement defines the size and location of the outdoor serving area, the number of customer seats, the width of free pathways and the fixtures and structures.

The Land Use and Monitoring Unit of the Urban Environment Division will give further information on the terraces located in street and market areas.

## NOTIFICATION PROCEDURE TO THE ENVIRONMENT SERVICES REQUIRED BY THE FOOD ACT

In accordance with the Food Act, a food business operator shall make a notification of the food premises, such as a restaurant or a café, in writing and no later than four weeks before beginning the operations or substantial changes to them. The notification can be made through the e-services of the city.

### Planning instructions

Outdoor serving areas must be placed, so that their use will not cause any health hazard to the surroundings, such as odours or smells, soot or excessive noise.

If the outdoor serving area includes a building or a structure, in which food is stored or prepared or from which it is served, the following is required, case-specifically:

- the construction materials of the internal surfaces of the building/structure must be fixed and easy to clean. If the preparation of food is carried out in a small scale, a roof and three walls provide sufficient shelter. The food preparation spot should be located close to the permanent kitchen of the establishment, in order to enable easy and quick transport of ingredients, tools and dishes, as well as other maintenance of the food preparation spot. When placing a food preparation spot on the terrace, the possible odour effects should also be taken into account.



All flower boxes and stands must be placed within the rented area. The allowable maximum size of a stand is 60 x 120 cm.



Unclean terrace: it is not allowed to tape the defining fences of the terrace close with adverts. The restaurant's name, menu and opening hour information can be attached, without an action permit, on each side of the railing defining the area, as a maximum of 60 x 60 cm board.

- The point should have an access to sufficient warm and cold running water, in relation to the operation, and a suitable washing station and appropriate sewage system (a drain, septic tank or other suitable solution)
- Separate hand washing station
- Separate storage space for cleaning equipment
- Staff rooms in the building or in connection to the food establishment
- An appropriate waste management system

According to legislation, a food establishment with over six customer seats has to provide the customers with a sufficient number of suitably equipped restrooms. When defining the number of restrooms required for a restaurant, the recommendations of the table below are followed, with the exception that only half of the customer seats in the outdoor serving area are taken into account. If the number of outdoor serving area seats exceeds the number of indoor customer seats, the number of restrooms is defined case-specifically. This can be done for other reasons, as well.

Further information is given by the Helsinki City Environment Services.

#### SERVING ALCOHOL IN AN OUTDOOR SERVING AREA

The serving of alcohol is only allowed in the serving area approved by the Regional State Administrative Agency of Southern Finland. The area is defined in the license to serve alcohol and the decision documents completing it. The outdoor serving area must be placed in a way that allows efficient supervision of the serving of alcohol, and the serving area must be clearly defined.

The Regional State Administrative Agency of Southern Finland grants the license to serve alcohol in a outdoor serving area upon application.

#### CONTROLLING OUTDOOR SERVING AREAS

The Helsinki Police Department supervises the public order and safety in the city area.

Restaurant supervision is the duty of the Regional State Administrative Agencies and the Police. In addition, rescue authorities, as well as food and public health authorities, ensure that restaurants also adhere to the regulations of their own fields. The serving of alcohol and medium strength beer is monitored by the Regional State Administrative Agency of Southern Finland, the National Supervisory Authority for Welfare and Health (Valvira) and the Police.

To facilitate the supervision of outdoor serving areas, the restaurants and cafés must present the documents which define, for example, the

#### RECOMMENDATION OF THE MINIMUM NUMBER OF RESTROOMS INTENDED FOR THE CUSTOMERS OF RESTAURANTS AND CAFÉS

Number of customer seats	WC/men	WC/women
over 6, but under 25	one unisex toilet	
25 - 50	1	1
51 - 100	1+1 (urinal)	3
101-150	1+2	4
151-200	2+2 (or 1+3)	4
201-250	2+3	5
251-300	2+4 (or 3+3)	5
301-400	3+4	6
over 400	case specifically	

Accessible restrooms intended for the disabled are included in the recommendations in the table.



No large stands (over the size of 60 x 120 cm) should be placed in the street area and the serving areas cannot be fenced with high, closed structures, without an action permit. Only 1 stand per business premises is allowed.



location and size of the outdoor serving area, the number of customer seats, opening hours, license to serve alcohol and all other necessary factors.

As a lessor, the The Land Use and Monitoring Unit of the Urban Environment Division supervises, on its part, the terrace areas it leases.

#### SOURCES AND FURTHER INFORMATION

- Land Use and Building Act (132/1999)
- Food Act (23/2006)
- Ministerial decree by the Ministry of Agriculture and Forestry on the food hygiene of reported food premises (1367/2011)
- City of Helsinki's building regulation (CHBR) Helsinki 2010
- Advertising equipment in buildings, construction method instructions, 2015
- Establishing a restaurant or a café, construction method instructions, 2019

#### **Instructions by the Helsinki Building Control Services, august 2019**

The original instructions were created 14.2.1994. They have been updated by a comprehensive work group in 2002, as a cooperation between the City of Helsinki's City Planning Department, Building Control Department, Public Works Department, Environment Centre, Helsinki Police Department, and the Regional State Administrative Agency of Southern Finland, while taking the opinions of the Finnish association of hotels and restaurants into account. The instructions compile together the solution principles concerning outdoor serving areas and the requirements based on legislations. The instructions were updated in 2013 and 2014 in cooperation with the above-mentioned bodies and taking into consideration the views of the Finnish Hospitality Association MaRa. In 2017 and 2019 changes relating to the method of application and the city's new organization were made. (VVA)

Photos by Marjatta Uusitalo, building control services



If the fixtures are not in use, they must be placed in such a manner that they do not pose an obstacle for accessibility or pedestrians.