



Chicago's Guide to Using the Public Way For Your Business

What is "Using the Public Way"?

The City's streets, sidewalks and parkways are considered to be the public way. That means the City is the "landlord" and in order for a business or property owner to occupy the public way, a permit is required. The following are the most common examples. A complete list is available online at www.cityofchicago.org/bacp under Public Way Use.

Over street level (Above Grade):

Canopies/Awnings, Signs, Light Fixtures, Balconies, Banners, Bay Windows

On Street Level (At Grade):

Planters, Decorative Pavers, Bollards, Windscreens, Kiosks, Sidewalk Café's

Under Street Level (Below Grade):

Vaults, Conduit (encased wiring), Caissons (foundation), Earth Retention Systems, Irrigation Systems, Grease Basins, Grease Separators

Steps to Obtain a Public Way Use Permit

1. OBTAIN AN APPLICATION

Download applications online at www.cityofchicago.org/bacp, or call 312-74- GOBIZ for an application to be sent via fax, mail or e-mail.

If you are a new business owner you may request an application when you apply for your Business License in the Department of Business Affairs and Consumer Protection (BACP) Business Assistance Center at 121 N. LaSalle St. City Hall Room 800.

2. COMPLETE THE APPLICATION

Expect to provide the following: Application requirements may vary

- Applicant Information
- Public Way Use Information
- Alderman's Signature
- Photograph(s)
- Plan/Diagram(s)
- General Liability Insurance

3. ALDERMANIC APPROVAL

The application must include the signature of the alderman of the ward in which the public way use is taking place.

4. SUBMIT APPLICATION

Submit a complete PWU application to the BACP Public Way Use Unit.

Once the application is submitted, it is referred to the appropriate inspecting department(s) for approval. If your application is disapproved you will be notified with an explanation.

5. CITY COUNCIL APPROVAL

Each application for use of the public way requires the approval of the City Council. Once the application is submitted to BACP, it is prepared for City Council review. The application is referred to the Committee on Transportation and Public Way. Once approved by the Committee, the application is referred back to the City Council for approval by the entire Council.

6. SUBMIT FEES AND INSURANCE

Once the application has been approved by the City Council BACP will notify you by mail for the collection of Fees and Insurance.

Permit fees and proof of insurance will be required before a permit will be issued.

Fees are determined either by a flat fee or are based on, real estate value , sq. footage and whether you are on, over or under the public way. Flat fees range from \$50-\$400_per year and the minimum charge for items based on real estate value is \$400.00 per year.

General Liability Insurance is required and should not be less than \$1,000,000. The policy must indemnify the City of Chicago, its agents and employees and name the City of Chicago as additional insured throughout the duration of the permit term. The policy must also identify each permitted item to be insured. Once BACP has received payment and proof of insurance, your permit will be mailed.

Other Things You Should Know:

RENEWING YOUR PERMIT:

Each permit is valid for five (5) years; you will be billed each year. General Liability Insurance must be re-submitted and remain current each year or the permit will automatically void. At the end of the five year term, the application process will need to be repeated.

CITY DEBT:

Any City debt must be resolved prior to the issuance or renewal of any Public Way Use Permit.

HOW LONG DOES IT TAKE?

Between 30-90 days from the time your complete application is submitted.

OPERATING WITHOUT A PERMIT:

Using the public way without the proper permits could subject you to a removal order and fines between \$25-\$200 per use, and \$200-\$500 per violation for Sidewalk Café's.

CONSTRUCTION PERMITS:

Installing or replacing a sign that hangs over the sidewalk requires a separate permit from the Department of Buildings to install. In cases such as these, and others applicants are responsible for obtaining the appropriate construction permit(s). Contact the Department of Buildings at cityofchicago.org/buildings and/or the Department of Transportation at (312) 744-4652 or visit www.cityofchicago.org/transportation.

SIDEWALK CAFES:

A Sidewalk Café permit allows the sale of food and liquor on the sidewalk.

- Sidewalk Café season extends from March 1st through December 1st.
- Businesses seeking a sidewalk café permit must have a Retail Food License.
- BYOB is not permitted on the public way.
- Sidewalk Café Permit applications are available at www.cityofchicago.org/bacp.

DID YOU KNOW?

- Sandwich boards are not allowed on the sidewalk in Chicago.
- Sidewalk sales require a \$25 permit issued by the Office of Emergency Management and Communication and require aldermanic approval.
- Handing out flyers on the public way does not require a permit, however your
- Business License number must be printed on all materials.

