



Service division
Land Use

24 September 2014

Contract on the right of using a public area as a terrace area

1 Contract parties

City of Helsinki, Land Use Office of the Public Works Department

Terrace owner (The terrace owner commits to immediately reporting all changes in contact information to the Land Use Office.)

2 Purpose of this contract

The terrace owner is committed to following the terms of this contract and the city's terrace instructions in its operations. The city gives the terrace owner the right to use the city-owned area, defined in the decision, as a terrace area during the period stated in the contract.

The contract does not give the right to use the area for any other purpose, than as a terrace area.

3 Creation of this contract

The contract has been created when the terrace owner has delivered an application towards using the area to the city and the city has made a decision on the matter.

If the terrace area is no wider than 0.8 metres, measured from the wall, the city does not give a separate decision on the matter. Based on the notice given to the city, the terrace owner is obligated to adhere to the terms of this contract.

The contract is formed on the basis of the decision made by the city.

4 Contract term and completing the contract

The contract is valid until 31st December 2021, unless it is terminated. The city has the right to specify the terms of this contract and the terrace instructions during the contract period, for well-founded reasons. The specified terms and instructions will apply to the terrace owner from the beginning of the next January following the specification.

The contract term can also be shorter, for well-founded reasons.

The office holder in charge of the city's terrace areas has the right to give more specific instructions and orders concerning the use of the terrace area, and the terrace owner is obligated to follow these.





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Any significant modifications of terrace equipment and fixtures presented in the application require an approval from the city.

The contract rights cannot be transferred to a third party without the city's written agreement.

5 Ending this contract

The contract ends after the contract term mentioned in the decision or based on a termination. The period of notice is 3 months.

If the terrace contract is terminated due to repair, construction or other work in the area, following or failing to follow orders from the authorities or disturbances to the traffic or the public peace, the period of notice is two weeks.

6 Compensation for the right to use the area

The terrace owner is obligated to pay a fee for using the terrace area, in accordance with the city's invoice and based on an index confirmed by the Public Works Committee. The due dates are 31st May (1st April – 31st October) and 30th September (1st November – 31st March).

The fee is bound to the official cost of living index, in which October 1951 has the value 100. The fee is checked by multiplying the fee with a number that is calculated by dividing the point figure of the previous year's annual average with the annual average of the point figure from 2013. The amount of the fee is never decreased during this check. The first check will be carried out in 2015.

Possible roadworks or similar by the city do not entitle the owner to a decrease in the compensation. If some work, as defined in Section 14a of the act concerning the maintenance work of streets and certain public areas, is carried out in the terrace area and it cannot, therefore, be used for terrace operations, the city may decide not to charge the fee for using the area during that time.

If the state orders new taxes or other payments concerning the compensation charged by the city during the contract term, the city has the right to increase the compensation amount.

7 Maintaining, cleaning and restoring the area, official permits

The terrace owner is in charge of cleaning and maintaining the terrace area and the area in front of it, as regulated by the law concerning the cleaning and maintaining of streets and certain public areas.

The terrace owner should ensure that the terrace area is safe and accessible.

The terrace owner has to clean the terrace area and any affected areas daily, and ensure that waste is removed properly.





The terrace owner has to restore the area to city-approved conditions by the time the right to use the area has ended. If the area has not been restored, the city has the right to restore the area and charge the costs from the terrace owner. If there are possessions of the terrace owner remaining in the area, the city may deal with these in anyway it sees fit.

The terrace owner is obligated to acquire all official permits necessary for the operations at his or her own cost and to follow the law, as well as the rules and conditions set by the authorities

8 Using the area

The terrace owner must ensure that

- the fixtures and equipment of the terrace area remain in the area, and the area is always tidy. A sign board or an A stand of the terrace owner are also counted as terrace equipment
- the free pedestrian pathway next to the terrace area is at least 150 cm
- the fixtures and equipment in the terrace area fit well into the urban image, their materials are of high-quality, they are undamaged, clean, well-maintained and follow the accessibility requirements determined in the terrace instructions
- the open nature of the terrace area is maintained and no banners or protective fabrics are hung over the terrace
- no terrace side has a sign board larger than 60 cm x 60 cm
- nothing is attached to city property and the street surface, for example, is not damaged
- the height of the free, vertical space in the terrace area must always be, at least, 220 cm
- no noise or other disturbances are caused by the use of the terrace to the nearby areas
- there are no lights or open wires on the terrace, which may disturb the traffic
- any candles or open fires in the terrace area have been covered and placed, so that they do not cause a fire hazard
- emergency exits and rescue routes are accessible and adhere to the regulations set by the authorities
- nothing is stored in the terrace area





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9 Damages

The terrace owner is obligated to compensate for the potential damage or disturbance occurred to the city or a third party, due to setting up the terrace or maintaining operations in the area.

The city is not liable for any indirect damage or damages, which may be caused when a decision concerning terrace operations is changed or cancelled, or the granting process of permits related to the activities is extended or interrupted, or if any repair, construction or other work or some measures related to functional traffic arrangements or implementation of the city plan have to be carried out in the area.

10 Ignoring the contract terms or terrace instructions

The terrace owner is obligated to follow the city's instructions on monitoring the terrace area.

The city will notify the owner of any negligence concerning the terrace and offer an opportunity to correct the negligence, within a reasonable time frame. If the terrace owner does not rectify the negligence within the given timeframe, the city has the right to charge €500 (+VAT) as a fine for each neglected issue. If the nature of the neglected issue is continuous, the Public Works Department may charge a fine of 500 euros (+VAT), every week. The city is also entitled to a contract fine, in addition to the possible indemnities. The city also has the right to terminate the contract and restore the terrace area, so that it can be used for its original purpose, at the cost of the terrace owner.

11 Solving disputes

Finnish law is applied to the contract and any disputes concerning it will be solved in the district court of Helsinki.

