

Regulation concerning environmental requirements

# Layout, fitting out and operation of restaurants



## Good advice for restaurant owners

If you own a restaurant, there are a number of rules you must comply with to minimize noise and odour nuisances for the surrounding neighbours. A restaurant can range from a café, a public house, and a bar to a pizzeria or a music venue.

If you are about to start a restaurant, it can be a great help to do your preparatory work thoroughly. Make sure you meet the requirements regarding noise and odour nuisances from the outset. It is much easier – and cheaper – than having to address issues later on.

We therefore recommend that you read about the environmental requirements of the City of Copenhagen in this regulation.

Here are a few pieces of good advice and guidelines for the layout and operation of restaurants.

## Avoid odour nuisances

- **Effective ventilation system**  
Your restaurant must be equipped with an effective ventilation system so that the neighbours do not experience odour nuisances. The system must run over the ridge of your property.
- **Ceiling and walls must be tight**  
You must ensure that the walls and ceilings are completely sealed, so that air does not escape to the neighbours, which could cause odour nuisances.
- **No storage of products in the common areas of the property**  
If your restaurant shares common areas with other housing, you may not use these areas to store goods, for example.
- **Storage of refuse**  
When you need to dispose of refuse or keep it before collection, it must not create any odour or noise nuisances in the surroundings. Businesses located in the City of Copenhagen are responsible for arranging the removal of their refuse. You can find the rules for refuse handling on the City of Copenhagen's website.

## Avoid noise nuisances

- **Keep doors and windows closed**

If your restaurant has surrounding neighbours, doors and windows must be kept closed. If your restaurant has outdoor seating, the City of Copenhagen may allow doors to remain open, provided it does not cause noise nuisances. However, as a general rule, outdoor seating is not permitted after midnight. Please refer to § 12 for further details.

- **Make your installations low-noise**

You must ensure that your installations, both indoor and outdoor, do not disturb your neighbours. This means that installations such as cooling and ventilation systems and dishwashers must be installed with vibration dampers.

- **Sealing of your sound system**

If music louder than background music is played, you must have a certified noise company adjust, block, and seal your sound system so that it does not emit excessive noise. Additionally, you must suspend your speakers using vibration dampers. The City of Copenhagen must receive documentation of the implementation.

- **Acoustic sluice**

If your restaurant is located in a residential area, you must have an acoustic sluice (an entryway with two doors) to reduce noise nuisances for the neighbours. This does not apply to restaurants that only play subdued background music.

- **Avoid making noise between 22.00-07.00**

You must avoid making noise between 10:00 PM and 7:00 AM. This applies to both cleaning and handling of refuse. For example, avoid using the bottle banks during this time.

# **Regulation concerning environmental requirements in connection with the layout, fitting out and operation of restaurants in the City of Copenhagen**

**This regulation has been prepared under section 20 of the Ministry of Environment and Food of Denmark's executive order no. 844 of 23 June 2017 on environmental regulation of certain activities as amended. Adopted by the City Council on 13 December 2018, with changes on 1 February 2024.**

## **Scope**

**§ 1** The regulation applies to the City of Copenhagen.

(2) The regulation applies to both new and existing restaurants.

**§ 2** In this regulation, restaurants mean the following businesses: Restaurants, public houses, cafes, cafeterias, discotheques, coffee bars, grill bars, juice bars, water pipe cafes, restaurant ships and similar commercially operated businesses.

(2) In cases of doubt, the City of Copenhagen will determine what are defined as restaurants and background music.

(3) In schedules to this regulation, the City of Copenhagen sets out requirements to airborne sound insulation and music systems in restaurants (schedule 1) and requirements to ventilation systems in restaurants (schedule 2).

## **Limitation of noise and odour nuisances in the fitting out of restaurants**

**§ 3** Noisy outdoor and indoor installations, such as cooling and ventilation systems, must be carried out to the effect that the noise exposure therefrom does not exceed the noise requirements specified in schedule 1.

**§ 4** Restaurants must be fitted out so that the noise requirements specified in schedule 1 can be met.

(2) Exterior walls, including windows, doors and other openings to the open air, must be sound-proofed to the effect that the outdoor noise exposure does not exceed the threshold values mentioned in schedule 1.5

- (3) Music systems, TVs and other systems for playing of sound in restaurants must be adjusted, blocked and sealed so that the requirements specified in schedule 1 can be complied with. The provision does not extend to restaurants which only play background music.
- (4) Noisy indoor installations such as cooling systems, ventilation, kitchen machines, wall-hung automatic machines and loudspeakers must be mounted on oscillation dampers. Doors must be equipped with door closers and head stops with rubber or the like.
- (5) In billiard table rooms, the floor must be made with a shock-absorbing material. Radiators and riser installations/pipes etc. must be shielded.
- (6) Entrances to restaurants must be made with windscreens (acoustic sluice) which effectively restrict sound to the surroundings. The doors in the acoustic sluice must be able to be shut individually and may not be open at the same time. The door must be equipped with an automatic closing device which must not be blocked. The provision does not extend to restaurants that only play background music and restaurants that due to fitting out or location cannot result in major nuisances to the surroundings. The provision applies in new establishments and if the City of Copenhagen ascertains nuisances in the surroundings.

**§ 5** Restaurants must be equipped with a well-functioning extraction installation or a ventilation system that can capture odour from kitchen and serveries. The ventilation system must be performed according to the requirements mentioned in schedule 2.

- (2) Window ventilators may only be used for airing of serveries. In connection with the operation of a ventilation system, airing hatches and rose windows and other openings into open air may only be used as air inlets.
- (3) Storey partitions and partition walls, including services ducts to other premises, must be tight and free of cracks etc.

### **Limitation of noise and odour nuisances in the operation of restaurants**

**§ 6** The operation of restaurants may not give rise to major noise and/or odour nuisances in the surroundings, see schedules 1 and 26.

- § 7** To the necessary extent, ventilation systems must be inspected and checked for errors, dirt accumulation and leaks and where required cleaned and repaired. Restaurants must keep operating logs with information about date and extent of inspection, any repairs and performing ventilation firm. The log must be presented to the City of Copenhagen on request.
- § 8** Windows and doors to the open air must be kept closed, be tight and equipped with effective closing devices during the periods when the operations may entail noise and odour nuisances.
- (2) The City of Copenhagen may permit that doors can be kept open in connection with outdoor seating if the noise limits specified in schedule 1 are met.
- (3) The provision in subsection 1 only applies to restaurants with activities giving rise to major noise and/or odour nuisances.
- (4) In cases of doubt, the City of Copenhagen will determine what are defined as major noise and/or odour nuisances.
- § 9** Strong smelling food and ingredients must be stored so that odour nuisances are not present in the surroundings.
- § 10** Restaurants with areas common with housing may not use these for storage of products or otherwise let them form part of the operations of the business.
- § 11** Noisy clean-up, including cleaning and refuse handling in restaurants located in residential properties, may not take place in the period from 22.00 to 07.00.
- § 12** Outdoor seating may not take place between midnight and 07.00, subject to subsection 2.
- (2) Restaurants located in an area covered by Schedule 3 are exempt from the provision in section 1. However, they must comply with the closing times for outdoor seating specified in the schedule.

(3) In case of doubt, the City of Copenhagen will determine which areas are covered by Schedule 3.

**§ 13** Restaurants may not in the ordinary operation play music outdoor in public areas. However, music where a special municipal permission has been given, is exempt.

### **Storage, handling and removal of refuse**

**§ 14** Storage, handling and removal of refuse may not give rise to major noise and/or odour nuisances in the surroundings.

### **Documentation**

**§ 15** If the restaurant uses music systems, TVs and other systems for playing of sound, see section 4(3), the sound insulation requirements for walls and decks specified in schedule 1 and the requirements for adjustment, blocking and sealing of music systems, TVs and similar systems for playing of sound specified in schedule 1, must be documented to have been complied with vis-a-vis the City of Copenhagen. The documentation must be made in the form of noise measurements and any necessary calculations must have been performed by a business certified by DANAK to perform noise measurements or approved by the Danish Environmental Protection Agency for "Environmental measurement - external noise", see schedule 1, item 4.

(2) The documentation, see subsection 1, must be submitted to the City of Copenhagen immediately after the work has been performed.

(3) If, after the mounting of music systems, TVs or other systems for playing of sound, extensions or changes are made which entail that the previously submitted documentation is no longer in compliance with the actual circumstances, the restaurant must immediately submit new documentation.

### **Dispensation**

**§ 16** In special cases, the City of Copenhagen may grant exemption from the provisions of the regulation. Dispensation is only granted in cases where the provisions of the regulation do not have an impact relative to nuisances.

## **Orders and prohibitions**

**§ 17** The regulation is not a hindrance that the City of Copenhagen, according to section 42(1)-(4) of the Ministry of Environment and Food of Denmark's executive order no. 1121 of 3 September 2018 on environmental protection, can make claims for further pollution-restricting measures than specified in the regulation, see section 20(5) of the Ministry of Environment and Food of Denmark's executive order no. 844 of 23 June 2017 on environmental regulation of certain activities.

## **Decisions and complaints**

**§ 18** Decisions made under this regulation cannot be appealed to a higher administrative authority, see section 21(2) of the Ministry of Environment and Food of Denmark's executive order no. 844 of 23 June 2017 on environmental regulation of certain activities.

## **Penalty provisions**

**§ 19** Unless higher punishment has been deserved under the other legislation, the party is punished by a fine which 1) fails to observe the provisions on limitation of noise and/or odour nuisances in the fitting out of restaurants as specified in sections 3, 4 and 5, or 2) fails to observe the provisions on limitation of noise and/or odour nuisances when operating restaurants as specified in sections 6, 7, 8(1), sections 9-14, or 3) fails to observe the provisions on documentation as specified in section 15.

## **Commencement provisions**

**§ 20** The regulation enters into force on 18 December 2018. On commencement of the regulation, the restaurant regulation of 1 March 2003 is repealed.

# Schedule 1

## Requirements to airborne sound insulation and music systems in restaurants

### 1. Threshold limits for noise exposure measured outside in the vicinity of residential buildings:

As regards measuring positions, measuring conditions etc. reference is made to the Danish Environmental Protection Agency guidelines no. 5/1984 on external noise from businesses.

The limits for noise are stated as the equivalent corrected noise level in db(A) (the noise exposure). The maximum value of the noise may not exceed 55 dB(A) in the night in areas with a city centre or blocks of flats. In areas with open/low housing, the maximum value of the noise may not exceed 50 dB(A). (The maximum value of the noise level)

Days	Hour	City centre	Blocks of flats	Open/low housing
Mondays-Fridays	07.00-18.00	55	50	45
Saturdays	07.00-14.00	55	50	45
Mondays-Fridays	18.00-22.00	45	45	40
Saturdays	14.00-22.00	45	45	40
Sundays and public holidays	07.00-22.00	45	45	40
All days	22.00-07.00	40	40	35

### 2. Threshold limits for building transmitted noise measured indoor in accommodation/office premises:

In accommodation:	Hour	Threshold value
Day and night	07.00-22.00:	30
Night	22.00-07.00:	25
If office premises:	All hours	40

The limits for noise are stated as the equivalent corrected noise level in db(A) (the noise exposure). The maximum value at night may not exceed 40 dB(A) in accommodation (the maximum value of the noise level).

3. **Walls and decks** must have such sound insulation that the noise level from the existing activities in the restaurant does not entail noise exposure that exceeds the threshold values specified in subsection 2. Sound insulation here means the level difference between the sound pressure level in the restaurant stated as the equivalent noise level in dB(A) and the equivalent noise level in the closest residential buildings and office premises.
4. **Music systems, TVs and other systems for playing of sound** in restaurants must be adjusted, blocked and sealed so that the sound does not entail a noise level that exceeds the threshold limits specified in subsection 2. The blocking must be made to the effect that it cannot immediately be changed, and it must be sealed in connection with the noise measurement. Noise measurement and sealing must be made by a firm certified by DANAK to perform noise measurements or approved by the Danish Environmental Protection Agency for "Environmental measurement - external noise".
5. **Documentation for measurement, blocking and sealing** must be submitted to the City of Copenhagen in the form of a noise measuring report, with information on:
  1. Where the noise measurement was made with an indication of address of the residential building, or more residential buildings exposed to severe noise, and if it is an internally and/or externally exposed residential building
  2. An assessment of the reverberation time in the housing most exposed to severe noise.
  3. Description of the restaurant's music system, TV and other systems for playing of sound with an indication of location and blocking method.
  4. Volume control adjustment value in the noise measurement.
  5. Sealing method with an indication of type and location.

## Schedule 2

# Requirements for ventilation systems in restaurants

1. **A cooker hood** must be installed above food preparation places. The cooker hood must be an independent construction equipped with removable grease separators, so that they can be taken out and cleaned to the necessary extent.

The edge suction of the cooker hood must be about 0.3 metre per second. In case of stand-alone kitchen islands, the edge suction must be about 0.5 metre per second.

On the free sides, the cooker hood must have an overhang above the cooker or the preparation place, which is about 0.3-0.4 times the height of the cooker hood over the cooker or the table edge.

2. **The ventilation system** must be installed so it is accessible to the effect that inspections and maintenance can be made to the necessary extent.

Ventilation ducts must be completely tight. All connections must be equipped with sealing rings or other type of effective sealing. As regards internal ducts passing accommodation or other living rooms it applies that it must be documented that the ducts are tight and equipped with necessary sound absorbers and casings before the system is put into operation.

3. **The discharge air** must be conducted to the open air over the roof ridge or over a higher located ridge on the neighbouring properties. The discharge must be finished with a jet cowl.
4. **The ventilation system** must ensure air renewal at about 25-40 times an hour when grilling and/or deep frying is made in the kitchen. In case of usual food preparation, the air renewal must be about 20-25 times an hour. In serveries, the air renewal must be about five times an hour.

# Schedule 3

## Differentiated closing times for outdoor seating

Outdoor seating may take place until 02.00 at the following locations, but not between 02.00 and 07.00:

- **The Metropolitan Area**

The Metropolitan Area is defined by Vesterbrogade 1A-4A (excluding Tivoli), Axeltorv, Studiestræde 50-54 (even numbers) and 55-69 (odd numbers), H.C. Andersens Boulevard 8-16 (even numbers) and 13-17 (odd numbers), as well as Rådhuspladsen, Regnbuepladsen, and Jernbanegade.

- **The Meatpacking District/Kødbyen**

The differentiated closing times in the Meatpacking District/Kødbyen only apply to outdoor seating at restaurants located on Flæsketorvet, Kødboderne, Høkerboderne, Slagterboderne, Slagtehusgade, Ingerslevgade 44-60 (even numbers), and Staldgade, except for Staldgade 31-39 (odd numbers).

- **Nyhavn/Kongens Nytorv**

The differentiated closing times in Nyhavn and Kongens Nytorv include restaurants located at both even and odd house numbers in Nyhavn, even and odd numbers in Kvæsthusgade, and all of Kongens Nytorv. Additionally, Store Strandstræde 1-4, Lille Strandstræde 1-4, and Toldbodgade 1-4 are also included.

See the full map of differentiated closing times at [kk.dk](http://kk.dk).

**For further information, please contact:**

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The Technical and Environmental Administration

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