



Village of Suffern Permit Application Outdoor Dining on Village Sidewalks

PERMIT FEES: No Charge

APPLICANT'S INFORMATION:

Applicant: _____

Business Name: _____

Address: _____

Phone: _____

Email: _____

Sketch Plan For Outdoor Table and Chairs Planters/Containers Must Be Attached To The Permit Application At a minimum, sketch and label the subject property, the surrounding buildings, and streets. Sketch, label, and provide the dimensions of the tables and chairs, or outdoor planters/containers that will be associated with this Administrative Permit. Based on these dimensions, label the sketch plan to indicate the distance between the farthest point the outdoor table and chairs and/or outdoor planters will extend in use. The distance between the farthest point the chair will extend in use and the curb must be at least 5 feet. If the distance is less than 5 feet, then the Permit Application will not be approved.

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Outdoor Sidewalk Dining Questionnaire:

1. The applicant is the (check one) of the subject property.

- Owner
- Lessee

2. The Applicant is requesting approval for the use of Umbrellas:

- YES
- NO

If Yes, please indicate additional information on the Sketch Plan, such as the width of the extended umbrellas, how the umbrellas will be secured, and the fabric/material and design, to enable the Building Department to make an evaluation and recommendation.

3. The Applicant is requesting approval for seating to exceed eight (8) patrons:

- YES
- NO

If Yes, please indicate the additional information on the Sketch Plan necessary for the Building Department to make an evaluation and recommendation.

4. The applicant will be expanding table and chairs onto the sidewalk of an adjacent property owner:

- YES
- NO

If Yes, written permission from the Adjacent Property Owner is required on page 4 of the Application. The Adjacent Property Owner must be named as an additional insured on the insurance certificate and shall be considered a named insured on a non-contributory basis for the entire time granted by the permit.

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Applicant Acknowledgments:

Please read and initial each statement:

Initial: _____ The UNDERSIGNED is applying for an Administrative Permit in accordance with the Administrative Permit provisions of the Village of Suffern and Village Board Resolution No. 107 of 2018.

Initial: _____ The UNDERSIGNED attests that all of the information herein provided and specifically included with the Administrative Permit Application as required to be furnished by the applicant are true, correct, and accurate to the best of the knowledge and belief. The applicant is, hereby notified, that any written materials, sketches, or illustrations submitted in support of this application and any specific representations made on this application will be binding on the applicant.

Initial: _____ The applicant agrees to defend, indemnify, and hold harmless the Village of Suffern from any and all claims, actions at law, liability or damages resulting from the permitted use of Outdoor Tables and Chairs and/or Planters as defined on this application.

Initial: _____ NO PERMIT SHALL BE ISSUED FOR THIS ADMINISTRATIVE PERMIT UNLESS THE APPLICANT FOR SUCH PERMIT PROVIDES PROOF OF INSURANCE COVERAGE AS FOLLOWS: LIABILITY INSURANCE IN THE AMOUNT OF NOT LESS THAN \$1,000,000 COMBINED SINGLE LIMIT. **THE VILLAGE OF SUFFERN** MUST BE NAMED AS AN ADDITIONAL INSURED ON THE INSURANCE CERTIFICATE AND SHALL BE CONSIDERED A NAMED INSURED ON A NON-CONTRIBUTORY BASIS **FOR THE ENTIRE TIME GRANTED BY THE PERMIT.**

Initial: _____ FOR APPLICANTS EXPANDING SIDEWALK TABLE AND CHAIRS TO AN ADJACENT PROPERTY, **THE VILLAGE OF SUFFERN AND THE ADJACENT PROPERTY OWNER** MUST BE NAMED AS AN ADDITIONAL INSURED ON THE INSURANCE CERTIFICATE AND SHALL BE CONSIDERED A NAMED INSURED ON A NON-CONTRIBUTORY BASIS FOR THE ENTIRE TIME GRANTED BY THE PERMIT.

Initial: _____ The applicant agrees and understands that the issuance of such a permit is at the discretion of the Village Clerk pursuant to Village Board Resolution No. 107 of 2018 and may be revoked at any time. The applicant further agrees and understands that the authority to issue permits shall be subject to approval by the Village Board every year, and the granting, holding or obtaining of a permit does not guaranty that permits will be authorized again or that if authorized, that the permit holder will be entitled to a renewed or additional permit.

Initial: _____ The applicant agrees and understands that if any permit granted hereunder is revoked, and/or if any items are placed on a sidewalk without a permit, the provisions of Village Code Section 235 shall apply.

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APPLICATION AUTHORIZATIONS:

APPLICANT:

The applicant agrees to defend, indemnify, and hold harmless the Village of Suffern from any and all claims, actions at law, liability or damages resulting from the permitted use of the Village of Suffern Outdoor Sidewalk Tables and Chairs Program as defined in this application.

Applicant Signature

Date

PROPERTY OWNER:

I, **THE PROPERTY OWNER**, hereby allow the business name in this application to participate in the Village of Suffern Outdoor Sidewalk Dining Programs on my property in accordance with Resolution 107 of 2018, as continued on June 8, 2020 and Resolution 122 of 2020. The property owner agrees to defend, indemnify, and hold harmless the Village of Suffern from any and all claims, actions at law, liability or damages resulting from the permitted use of the Village of Suffern Outdoor Sidewalk Tables and Chairs Program as defined in this application.

Property Owner Signature

Date

ADJACENT PROPERTY OWNER (IF APPLICABLE):

I, **THE ADJACENT PROPERTY OWNER**, hereby allow the business name in this application to **expand Outdoor Sidewalk Dining** onto my property in accordance with Resolution 107 of 2018, as continued on June 8, 2020, and Resolution 122 of 2020. The adjacent property owner agrees to defend, indemnify, and hold harmless the Village of Suffern from any and all claims, actions at law, liability or damages resulting from the permitted use of Village of Suffern Outdoor Sidewalk Dining Program as defined on this application.

Adjacent Property Owner Signature

Date

Village of Suffern Permit Provisions Outdoor Dining on Village Sidewalks Program

- No permit shall be issued until the applicant has submitted a completed application.
- Permits issued by the Village Clerk shall only be issued to businesses located in the Central Business and General Business zoning districts. Properties in other districts **may apply** for such permits, but same shall be issued only by Resolution of the Village Board upon application.
- The approval for the location of outdoor tables, chairs and/or planters permitted pursuant to this permit shall be determined upon the evaluation and recommendations of the Building Department.
- Outdoor table and chair seating and outdoor planters are permitted from June 9 through October 31. Following October 31, all outdoor table and chair seating and outdoor planters must be removed from the sidewalk.
- An outdoor table and chair seating area may be used by the permit holder only when the permitted business is open to customers and must not exceed the hours of 7:00 a.m. and 10:00 p.m. (Monday through Thursday), and 7:00 a.m. and 11:00 p.m. (Friday through Sunday and Holidays)
- The permit holder and the permitted business shall not operate outside the area specified in the permit.
- The building in which the permitted business operates must share a common boundary line with a public sidewalk in the business district.
- Outdoor table and chair seating area at corners must not extend to within sight triangles at street intersections or driveway entrances.
- Clear unobstructed height of six (6) feet must be maintained between the sidewalk surface and objects on the tables.
- The outdoor table and chair seating area must not block access to public amenities such as trash receptacles or street signage.
- The occupancy of an outdoor table and chair seating area will be considered on a case-by-case basis but shall not exceed eight (8) people. The maximum occupancy permitted in the outdoor table and chair seating area shall be posted on the exterior of the building in a conspicuous place. The permit holder shall ensure that the number of occupants in the outdoor table and chair seating area does not exceed the posted limit at any time.
- An outdoor table and chair seating area may be used only by the permitted business identified in the permit and only for the seating of patrons.
- Furniture must be made of durable material. No plastic, or unfinished or pressure treated wood furniture is permitted. No cash registers, tents, minibars or similar accessories shall be permitted. Furniture in an outdoor table and chair seating area shall be kept clean and in good repair.

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- The permit holder shall keep the outdoor table and chair seating area and the adjacent seven (7) feet of public space surrounding it clean of any solid waste, including, food debris, paper, cups, bottles, cans, and other garbage associated with the operation of the outdoor table and chair seating area space on a daily basis. The public right of way within and adjacent to the outdoor table and chair seating area must be washed down with water and detergent when needed and cleaned on a daily basis. Any stains from spills must be removed. The Permit Holder must properly dispose of all waste and trash.
- Nothing shall be permanently affixed to a sidewalk or to other public property.
- Table Lighting must not cause glare to pedestrians or vehicular traffic.
- Planters may be used to define the outdoor dining space but are not required.
- Planters must be maintained in a healthy state, watered properly, and debris within the planter must be removed daily.
- Permit holders and operators shall keep all licenses and permits required for their business operations continuously in effect.
- Permit holders and operators shall ensure that the permitted business obeys all laws related to alcohol service and consumption.
- Patio space and tents shall not block fire department access.
- Must follow current NYS Governor's Orders and Guidelines and must Affirm online prior to opening.
- Customers shall be served only when seated at tables. No standees.
- No outdoor food or beverage prep shall be permitted.
- Social distancing must be maintained.
- Must maintain clear path for pedestrians, a minimum of 6'.
- Maintain 6' between tables, distance measures closest chair to closest chair.
- Failure to abide by the required criteria can be cause for the Building Inspector or his/her designee to revoke the right to have outdoor seating.

Assignment Prohibited; Effect of Ceasing Business Operations.

Any permit issued under this section shall not be transferrable or assignable. Any change in the ownership of a business after the issuance of this permit shall cause the permit to be immediately invalid and require the new owner to reapply for the permit. Administrative Permit holders shall notify the Village when business operations cease. If business operations cease at the business for thirty (30) calendar days or longer, the Administrative Permit shall automatically terminate.

Enforcement.

Any person who violates the terms and conditions of the permit shall be subject to an immediate revocation of the permit by the Building Inspector or his/her designee.

FOR VILLAGE OF SUFFERN USE ONLY

BUILDING DEPARTMENT REVIEW:

[] APPROVED

[] DENIED

Building Department Representative

Date

Village Clerk

Date

Permit Number: _____

Issued Date: _____