



VILLAGE OF DOBBS FERRY

APPLICATION FOR 2024 PARKLET LICENSE PROGRAM PARTICIPATION

Program Period: April 1, 2024 – December 31, 2024 (coincides with Sidewalk Café Permit season)

Applications will only be considered when deemed complete and must include the following:

Copy of SLA liquor license if applicable, first month fee \$200, parklet layout sketch & certificate of insurance

If applicant is seeking to utilize the sidewalk area, a separate Sidewalk Café Permit Application must be submitted.

Business Name: _____

Business Address: _____ Phone Number: _____

Days & Hours of Operation: _____

Number of on-street spaces requested and parking meter numbers _____

Business Owner's Name: _____ Phone Number: _____

Business Owner's Address: _____

Applicant's Email: _____

Property Owner's Name: _____ Phone Number: _____

Property Owner's Address: _____

Property Owner's Email: _____

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Check off all furnishings to be used and their quantities:

☐ Table: _____ ☐ Chair: _____ ☐ Bench: _____

☐ Planter: _____ ☐ Furniture: _____ ☐ Railing: _____

☐ Parking spaces: _____ ☐ Umbrella: _____ ☐ Other: _____

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Agreement: I, the undersigned, being over 21 years of age and having read the rules and regulations provided with this application, agree to be responsible to the Village of Dobbs Ferry and furthermore, on behalf of _____ (Name of Business), do hereby covenant and agree to defend, indemnify and hold harmless the Village of Dobbs Ferry, its employees and all related officials from and against all liability, loss, damages, claims or action (including costs and attorney fees) for bodily injury and/or property damage to the extent permissible by law, arising out of or in connection with the actual or proposed use of the Village of Dobbs Ferry's public property by said organization. Further, I acknowledge that participation in the Parklet Program must comply with NYS Liquor Authority requirements for alcohol consumption and such compliance is the sole responsibility of the Participant, including any extension of licensed premises to include the parklet..

Signature of Business Owner: _____ Date: _____

Signature of Property Owner: _____ Date: _____

FOR OFFICE USE ONLY

Date Received: _____ Approved: _____ Denied: _____

Comments: _____

Signature of Village Administrator: _____ Date: _____

Review of DPW: _____

Copies: Building Inspector, Police Department, Department of Public Works and Treasurer upon approval.

EXHIBIT "A" to the Parklet MOA & License Agreement

VILLAGE OF DOBBS FERRY

112 Main Street

Dobbs Ferry, New York 10522

TEL: (914) 231-8500 • FAX: (914) 693-347

2024 SEASON PARKLET LICENSING PROGRAM
RULES AND PROCEDURES

I. APPLICATION

1. The combined width of the licensed on-street parking spaces may not exceed the frontage of the existing business establishment. You may request use of up to 3 spaces, to be reviewed and approved at the discretion of the Department of Public Works.
2. The license fee for each space is \$200/month, the first month to be paid upon submission of application. Monthly invoices will be issued by the Village thereafter which must be paid upon receipt prior to the next month.
3. Submission of the application must include (i) payment for the first month fee, and (ii) a certificate of liability insurance, naming the Village as additional insured, evidencing coverage as follows:
 - a. Comprehensive General Liability coverage with policy limits of not less than \$1,000,000 each occurrence and \$2,000,000 general aggregate.
4. As a pre-condition to participating in the Program, any and all amounts owing and payable to the Village must be paid in full or otherwise settled.
5. Upon receipt of the completed Application for Parklet Participation, and after the Department of Public Works reviews the parking space usage request, you must execute a Memorandum of Agreement & Grant of License (MOA) for use of the parklet space. This MOA must be signed and returned to the Village to be deemed a complete agreement and in full force and effect. This MOA includes mandatory indemnity obligations.
6. Upon receipt of the fully executed MOA for the parklet usage, the Village will coordinate with the Participant, including the Building Department review of Participant's plans for Code compliance and DPW's placement of safety barriers to delineate the parklet.
7. The Participant is responsible to submit an amended permit application and detailed plans for any changes to the parklet as originally submitted, to obtain prior approval by the Village Building Department.

II. OPERATION OF A PARKLET

1. The Village will provide and install perimeter barriers. The Participant will submit plans and provide all other elements necessary for their use of the parklet.
2. The following are **permitted in parklets**:
 - a. tables and seating such as chairs, stools and benches;
 - b. bike racks;
 - c. solar or battery-operated lighting or electric lighting that complies with NYS Uniform Code requirements as interpreted by Code Enforcement Officers of the Building Department;
 - d. market-type umbrellas or pre-approved shade structures;
 - d. planters;
 - e. pre-approved signage;
 - f. retail display tables, shelves and racks; and
 - g. self-contained portable misting system and/or battery-operated air movement devices.
3. The following are **prohibited in parklets**:
 - a. generators;
 - b. smoking or vaping;
 - c. combustible fuel;
 - d. temporary structures, such as pergolas, tents, canopies, or awnings, unless pre-approved by the Building

Department; **e.** live or broadcast music; and **f.** speakers for amplifying ambient music.

4. The design and layout of elements in the parklet must be Code compliant and accommodate safety and distancing between patrons as appropriate to preserve public health and safety.
5. Parklets may be used only during the hours of operation and under the approvals, terms and conditions of the businesses to which they are associated.
6. The Participant is solely responsible for providing, maintaining, securing and the safekeeping of all elements in the parklet, including furniture and business amenities, and shall not permit any elements to become a public health or safety hazard, including during periods of wind and weather events.
7. Participants must provide daily maintenance of the parklet and surrounding area, including removal of debris and perishable items. Participant shall not permit accumulations of sand, grit, leaves, or similar materials adjacent to the barriers or between the curb and sidewalk.
8. No elements may be stored or placed on the sidewalk or the street that will impede unencumbered access by the public when traversing the sidewalk or using rights of way.
9. Permanent markings are prohibited, and nothing may be mounted or attached to the street, sidewalk, posts, signs, hydrant, standpipe, lights or similar items in the public Right of Way.
10. The Village shall not be responsible for any damage, destruction or loss of any item contained within or adjacent to a parklet.

III. LOCATION

1. The Parklet may only encompass parking spaces directly in front of the business.
2. Parklets may only be used to supplement Participant's existing primary business.
3. Parklets must be at least one parking space away from a roadway intersection unless buffered by a curb bump-out.
4. Parklets may not be located where they interfere with existing utility access and maintenance (i.e., manholes, storm and wastewater facilities, electrical, telecom, etc.)
5. A 12-foot clearance around fire hydrants and fire department connections (FDC) must be maintained.
6. Use of or access to public/private parking and driveways may not be impeded by the Parklet or its use.
7. Parklets may not interfere with other structures or uses of the public Right of Way, including:
 - a. fire hydrant; b. bus stop or other transit station; c. designated loading zone; and d. handicap-access parking space.

IV. OCCUPANCY

1. Participants are responsible for monitoring and complying with lawful occupancy limits.
2. Seating is required for each visitor to a food and beverage establishment, no service shall be permitted to any patron not seated.
3. Standing room areas are not permitted, even at a raised table or other serving structure.

V. ALCOHOLIC BEVERAGE SERVICE

1. Businesses licensed to serve alcohol must follow all rules, regulations and guidelines established for operation as mandated by the New York State Liquor Authority ("SLA"). As a reminder to all licensees pursuant to NYS Alcohol Beverage and Control Law, you are solely responsible to comply with all conditions of licenses. The Village is not responsible to monitor or notify Participants of changes in the law or conditions of licenses issued by SLA.

VI. LICENSE FOR USE, COMPLIANCE

1. Given that the Program interrupts the public's access and use of portions of the public right of way, which is held by the Village in trust, licenses issued under the Program must be terminable by the Village, and do not represent a leasehold, easement or other property interest to the Participant. The Program and all licenses will expire no later than close of your business day on December 31, 2022. Upon termination or expiration, the Participant shall remove all elements of personal property from the parklet and the Village will dismantle and remove the barriers.
2. Participant acknowledges it is their sole responsibility to comply, and must affirmatively require all staff, vendors, invitees, attendees, employees or contractors associated with the parklet or their business to comply, with all laws and regulations of the United States, the State of New York and the code of the Village of Dobbs Ferry, including any conditions of licenses, regulations, and any health and safety-related rule, guidance or executive order. In the event of any violation, the Participant must immediately correct or bring about the correction of the violation.