



VILLAGE OF DOBBS FERRY

Permit # \_\_\_\_\_

SIDEWALK CAFE PERMIT APPLICATION

Annual Filing Fee: \$150.00

Valid May 1, 2015 - April 30, 2016

Permit Applications will only be considered when the following documents are supplied:
Copy of establishment's liquor license, sketch of the sidewalk cafe & certificate of insurance

Restaurant Name: \_\_\_\_\_

Restaurant Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Days & Hours of Operation: \_\_\_\_\_

Restaurant Owner's Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Restaurant Owner's Address: \_\_\_\_\_

Restaurant Owner's Email: \_\_\_\_\_

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Property Owner's Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Property Owner's Address: \_\_\_\_\_

Property Owner's Email: \_\_\_\_\_

Check off all furnishings to be used and their quantities: \_\_\_\_\_

Table: \_\_\_\_\_ Chair: \_\_\_\_\_ Bench: \_\_\_\_\_

Planter: \_\_\_\_\_ Umbrella: \_\_\_\_\_ Railing: \_\_\_\_\_

Agreement: I, the undersigned, being over 21 years of age and having read the rules and regulations attached to this application, agree to be responsible to the Village of Dobbs Ferry and furthermore, on behalf of (Name of Restaurant), 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 attorneys 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. Must meet NYS Liquor Authority requirements for alcohol consumption in the establishment as well as an off premise license for alcohol consumption in the sidewalk seating area

Signature of Restaurant Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_ Date: \_\_\_\_\_

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FOR OFFICE USE ONLY

Date Received: \_\_\_\_\_ Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Comments: \_\_\_\_\_

Signature of Village Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

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

## **VILLAGE OF DOBBS FERRY**

### **SIDEWALK CAFÉ REGULATIONS AND STANDARDS**

Pursuant to Local Law 5-98 adopted July 7, 1998, the Village Administrator (or their designee) is authorized to issue a revocable permit for the seasonal operation (between May 1<sup>st</sup> and April 30<sup>th</sup>) of a sidewalk café according to the following conditions, which may be revised from time to time by resolution of the Board of Trustees:

1. The sidewalk abutting the property, from property line to curb, must not be less than ten (10) feet.
2. There shall be a minimum clear distance of 4 ½ feet, exclusive of the area occupied by the sidewalk café, free of all obstructions (trees, parking meters, utility poles, street lights, etc.) in order to allow unimpeded pedestrian access.
3. A permit for a sidewalk café may only be considered when permission is given by both the tenant and the property owner in writing to the Village Administrator.
4. A permit may only be issued to an owner and/or tenant of a building occupied and used for the preparation and cooking of food, in a zoned district permitting such use.
5. A sidewalk café may only be located directly in front of the restaurant with which it is associated. The requirement may be waived by written permission from the owner and street level tenants of the affected adjacent buildings.
6. No permanent structures may be affixed to the sidewalk area for the purposes of the café, and the area may be occupied only by chairs, tables, benches, umbrellas, planters and railings for the convenience of the patrons to be served.
7. Tables shall be no more than 30" in width or in diameter. All tables and chairs shall be uniform in color, material and style. All umbrellas shall be uniform in size, color, material and style. Table coverings should be consistent in style and color.
8. The applicant, if it wishes, may delineate the café area by setting up barrier(s) such as a planter or railing (but not a post and chain), running perpendicular from the

abutting building (but not parallel to curb), to physically separate patrons from pedestrian traffic.

9. All furnishings, including chairs, tables, benches, umbrellas and railing will be removed from the sidewalk and stored off-street when the sidewalk café is not in operation. Planters may be removed or pushed against the wall of the property. Furnishings shall not be stored in inside areas near exit doors.
10. No exterior signage will be permitted except small, non-illuminated identification signs affixed to the barriers (above) or on umbrellas if used.
11. A clear, unoccupied space must be provided, not less than three (3) feet in width, from all entrances of the building abutting the sidewalk to the unoccupied portion of the sidewalk.
12. Neither outdoor lighting nor live or mechanical music may be used on or for the café area. Table lamps, however, may be permitted that they are designed to only illuminate the immediate eating area.
13. All laws, rules, regulations and policies that govern the service and imbibing of alcoholic beverages inside the establishment are applicable outside the establishment. Only patrons seated at tables can be served. If alcoholic beverages are served within the parameters of the sidewalk café, a copy of the business' New York State Liquor License and an Off Premise License shall be given to the Village Administrator.
14. The restaurant shall not serve food or beverages to a patron at a sidewalk café unless that patron is seated at a table.
15. Hours of operation shall be between 9:00 a.m. and 10:00 p.m., Sunday through Thursday, and between 9:00 a.m. and 11:00 p.m., Friday, Saturday and the day preceding the observance of a legal holiday, but only when the restaurant with which it is associated is open to the public.
16. Sidewalk Cafes and the public property on which they are located shall be kept neat and clean at all times and free from any substance that may damage or stain the sidewalk or cause pedestrian injury. The area within the confines of the

sidewalk café and immediately adjacent to it shall be swept before and after operations each day and all stains and spills shall be removed prior to commencement of the next day's operations.

17. Prior to the issuance of a permit, the applicant shall file with the Village Administrator, on a form to be provided by the Village Administrator, an agreement to indemnify and save harmless the village, its officers and employees against any loss or liability damage, including expenses and costs for bodily injury and for property damage sustained by any person as a result of the applicant's operation of a sidewalk café on public property.
18. Prior to the issuance of the permit, the applicant shall also file a certificate of general liability insurance naming the applicant and the Village of Dobbs Ferry, its officers. Agents and employees as named insureds, with the following limits: for personal injury, one million dollars (\$1,000,000) per individual and one million dollars (\$1,000,000) per individual and one million dollars (\$1,000,000) per occurrence, effective for the duration of the permit.
19. A Sketch of the sidewalk café shall be prepared by the applicant, demonstrating compliance with the conditions noted herein above.
20. Fees and Deposits:
  - a. A flat fee of \$150, as adopted by the resolution of the Board of Trustees on March 28, 2006, is required upon issuance or annual renewal of the permit.
21. Revocation of permit and penalties. A violation of the provisions of this section may be grounds for denying a sidewalk café permit in subsequent years.