

Village of Farmingdale

361 Main Street • Farmingdale, NY 11735
(516) 249-0093 • www.farmingdalevillage.com

Permit Fee: \$ _____
Payable to: Village of Farmingdale



OUTDOOR DINING APPLICATION

Office Use Only

Approved by: _____ Date: _____

Date _____

Fee \$ _____ Ck # _____ Cash

Permit # _____ Receipt # _____

We hereby apply for a permit for outdoor dining.

Name _____

Home Address _____ Phone No. _____

Business Name _____

Business Address _____ Phone No. _____

Indicate front or rear of property for outdoor dining: _____

PLEASE NOTE: A Certificate of Insurance naming the Village of Farmingdale as the additional insured must be included in the application. Insurance coverage must be for a minimum of \$1,000,000.

§105-163 G. Liability of Permit Holder.

The person or persons to whom a permit for outdoor dining has been issued shall be liable and shall indemnify the Village for any loss, damage, or injury or expense sustained by the Village arising out of any claim or cause of action instituted or commence by any person or persons arising out of the issuance of such Permit or as a direct or indirect result of the operation of such outdoor dining area.

FOR CORPORATIONS: State of Incorporation _____ Date of Incorporation: _____

	Name	Address	Date of Birth
President	_____	_____	_____
Vice President	_____	_____	_____
Secretary	_____	_____	_____
Treasurer	_____	_____	_____

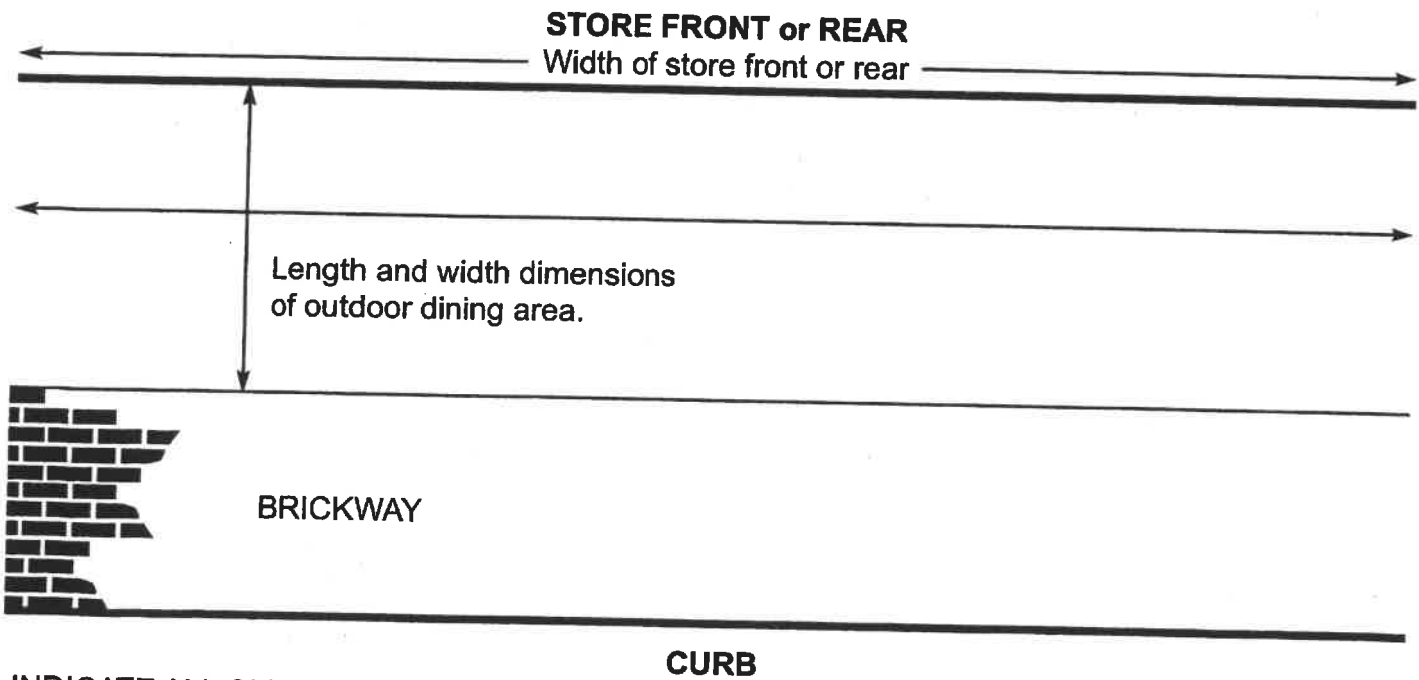
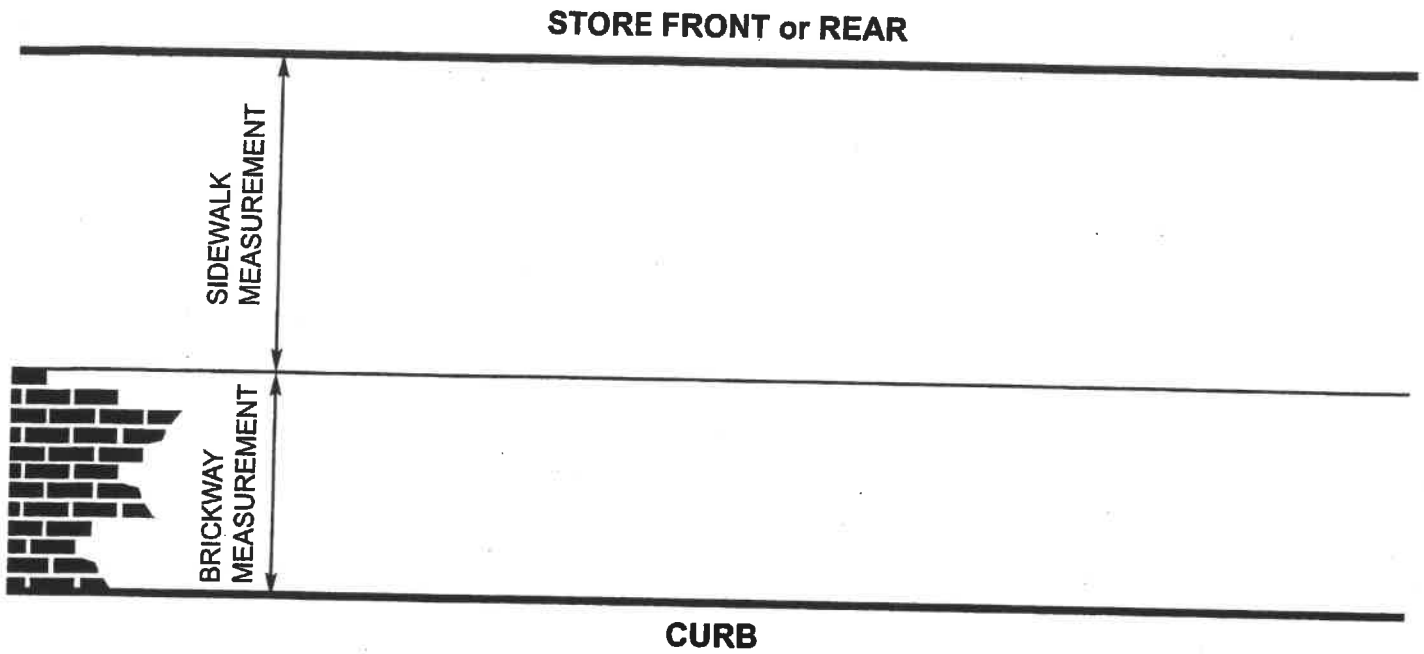
FOR PARTNERSHIPS: List names and addresses of owners:

Name	Address	Date of Birth
_____	_____	_____
_____	_____	_____

FOR INDIVIDUAL PROPRIETORSHIPS: List name and address of owner:

Name	Address	Date of Birth
_____	_____	_____

Provide a sketch of your storefront or rear showing the width of your storefront or rear and depth of the sidewalk up to the brick and depth of brick area. Also, indicate the entrance location and dimensions of site that you wish to use for the tables and chairs. Also, indicate any signage, trees, trash cans and benches at your location.



INDICATE ALL SIGNAGE, TREES, TRASH CANS AND BENCHES THAT ARE IN BRICKWAY AREA

Local Law §105-163 of the Zoning Code to allow Outdoor Dining.

§105-163 C. Eligible Establishments.

- a. Only commercial establishments with a proper certificate of occupancy for a restaurant use which has heretofore been duly issued by the Village of which take orders and maintain table service within their establishments, may take orders and serve food and beverages in such outdoor dining areas.
- b. Other commercial establishments that are not restaurants referred to in Subsection A above, which sell food, may apply for an outdoor dining permit but may not take orders or serve food and beverages at such outdoor dining areas.
- c. Other commercial establishments, with the permission of the Board of Trustees, are eligible.

§105-163 D. Application for Permit.

- a. Any application for outdoor dining shall be made to the Village Clerk in writing on a form prescribed by the Village Clerk's office.
- b. Such application shall contain the following information:
 - (1) The name, address and telephone number of the applicant.
 - (2) The name, address and telephone number of the establishment to be the subject of the application and the name, address and telephone number of the owner and/or operator of the establishment or designated responsible representative.
 - (3) Whether alcoholic beverages are to be served and, if so, a copy of the appropriate liquor license issued by the State of New York is to be appended to the application.
 - (4) A survey of the subject property also including the adjacent property which is Village owned.
 - (5) A plan showing the complete sidewalk area, including tree, receptacles, fire hydrants and all other features with the location of all furniture and fixtures to be used, including a fully dimensioned seating plan and the location of entrances and exits.
 - (6) Descriptive material showing all furniture and fixtures to be used and how such furniture and fixtures shall be stored or secured during non-operational hours.
 - (7) No live or mechanically reproduced music is to be played outside.
 - (8) Any other information that the Village Clerk may find reasonably necessary to determine whether a Permit should be issued.

§105-163 E. Standards for Issuance of Permit.

The following standards shall apply:

- a. The proposed outdoor dining will not interfere with pedestrian traffic or use of the Village owned portion of the property adjacent to the establishment.
- b. The applicant is in compliance with and has met all other applicable provisions in this chapter and those in the Building and Zoning Codes.

§105-163 F. Effect of Permit.

- a. The consumption of alcoholic beverages of any and all types and kinds in such outdoor dining areas is prohibited unless served by the licensed premises and accompanied by the service and consumption of food. It is the responsibility of the owner and/or operator of the premises who has obtained a Permit hereunder for outdoor dining to ensure compliance with this provision.
- b. A Permit holder shall be bound by all applicable rules, regulations, ordinances, local laws and statutes. The Board of Trustees may, by resolution, adopt, from time to time, any additional rules and regulations pertaining to such permits. The permit may be conditioned on modifications or restrictions intended to ensure compliance with all applicable rules, regulations, ordinances, local laws and statutes and the general protection of health, safety and welfare.
- c. No other activities of any nature conducted now or hereafter by a commercial establishment, enterprise, business, venture or shop in the Village, otherwise prohibited by all applicable rules, regulations, ordinances, local laws or statutes are changed, amended suspended or altered in any respect because of this chapter.
- d. Such outdoor dining activities shall be limited to areas directly to the front or rear of each store or merchant's establishment. There shall be a minimum of five feet total sidewalk width clearance to provide adequate and unobstructed pedestrian movement, such width to be measured from the outermost point of the outdoor dining area to the nearest obstruction or curb, as the case maybe.