



H **CLERK'S OFFICE**



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## **OUTDOOR DINING & RETAIL PERMIT APPLICATION**

An Outdoor Dining and Retail Permit is required when providing outdoor dining or retail sales on any public property. An applicant for an Outdoor Dining Permit must have a valid Business License prior to and during operation. Permits are valid June 1, 2020 through October 31, 2020. In any event, furniture may not be fixed in place and must be removed in severe weather to allow for maintenance of public way.

### **PERMIT FEE SCHEDULE**

Fees associated with the expansion of outdoor dining premises new or existing will be waived for the 2020 season. All outdoor spaces will require inspection from the Code Enforcement and Fire Inspector office. All outdoor seating and retail permits will be valid from June 1, 2020 through October 31, 2020.

### **APPLICATION CHECKLIST**

Please submit all of the information outlined in the following checklist. Failure to do so will result in the automatic denial of your permit. New applications and renewals are reviewed on an annual basis and should be submitted with Business License application.

- **The Outdoor Seating/Retail Permit application shall include the following:**
  1. A layout plan, with:
    - a) The sidewalk along with its width and curbing location and any fixed objects such as street signs, benches, esplanades, light poles and trash cans;
    - b) If the outdoor dining is proposed on public property that is not a sidewalk then the public property shall be clearly defined, including dimensions and any fixed objects, such as signs, light poles, trees, planters and trash cans; and
    - c) The location of any tables, chairs, barriers, platforms, signage and or landscaping placement, and any other components proposed for the outdoor dining activity, and the dimensions of the area to be used.
  2. The license holder understands that the City of Westbrook, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to the license holder's person or property arising out of the establishment's occupancy of the public way.
  3. The City will not be responsible for damage to any tables, chairs or other property that is not properly removed when the City is engaged in the maintenance of the public way.
  4. Liquor Licenses holders shall provide a sketch outlining outdoor seating area for outdoor consumption of alcoholic beverages to the City.



- No food shall be prepared outside.
- The hours of operation of the outdoor dining activity shall not extend beyond those of the primary indoor restaurant, with use to end no later than 10:00pm.

**Failure to comply with any of the above conditions will result in revocation or non-renewal of the permit.**

I/We fully understand that the City of Westbrook, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to my/our person or property arising out of the establishment's occupancy of the sidewalk. To the fullest extent permitted by law, I/We do hereby agree to assume all risk of injury, harm or damage to my/our person or property (including but not limited to all risk of injury, harm or damage to my/our property cause by the negligence of the City of Westbrook, its agents, officers or employees) arising out of the establishment's occupancy of the sidewalk. I/We hereby agree, to the fullest extent permitted by law, to defend, indemnify and hold harmless the City of Westbrook, its agents, officers and employees, from and against all claims, damages, losses and expenses, just or unjust, including, but not limited to costs of defense and attorney's fees, arising out of the establishment's occupancy of the sidewalk or park space, provided that any such claims, damage, loss or expense (1) is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property including the loss of use there from, and (2) is caused in whole or in part by any negligent act or omission of the establishment, anyone directly or indirectly employed by it, or anyone for whose act it may be liable. I/We understand that the City of Westbrook, its agents, officers and employees accept no responsibility and will not be liable for any injury, harm or damage to the license holder's person or property arising out of the establishment's occupancy of the public way. The City will not be responsible for damage to any tables, chairs or other property that is not properly removed when the City is engaged in the maintenance of the public way. I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Officials authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_