



This Special Application applies to all **ON-STREET** outdoor dining areas only, where corals have been provided by the Town for the 2024 season (approximately May 6th – November 15th). Approval under this Special Application does not bestow nonconforming use or structure rights. Any complete application may be approved, approved with conditions, or rejected. Additionally, please be advised of the following:

- If any alterations to kitchen or food preparation areas are made, a separate review by the Health District will be required.
- The total number of restaurant seats between all inside and outside seating areas cannot exceed the number declared on your Food Service License application.
- An updated Pest Management Plan shall be submitted as part of this application
- Alcoholic liquor may be served only in connection with outdoor dining, which means food prepared on premises of the restaurant.
- There shall be no consumer bars, and all alcoholic beverages shall be served tableside.
- Live entertainment in outdoor dining areas is not permitted.
- Due to the restricted street width, restaurant deliveries must take place outside of operating hours.
- Furnishings including power cords must not be affixed to any Town facilities within the right-of-way, nor shall power be drawn from public sources, such as public light fixtures.
- There is **no fee** associated with this special application.

NOTE: If you are interested in applying for outdoor dining in any other area adjacent to your business and located off of the street, this permit does not apply. You must apply for Site Plan approval through the Planning and Zoning office. For more information, please contact us at (860) 561-7553.

APPLICANT INFORMATION

Business Name:

Business Address:

Applicant Name:

Applicant Address:	City:	State & Zip:
---------------------------	--------------	-------------------------

Phone Number:	Email Address:
----------------------	-----------------------

Property Owner Name:	Property Owner Phone Number:
-----------------------------	-------------------------------------

Operations

All on-street outdoor dining areas approved under this permit must comply with the **Operational Guidelines** listed below.

Proposed Hours of Operation Sun-Thurs: Fri-Sat:	
--	--

Will alcohol be served? Yes <input type="checkbox"/> No <input type="checkbox"/>	Will electricity be needed? Yes <input type="checkbox"/> No <input type="checkbox"/>	Will umbrellas be used? Yes <input type="checkbox"/> No <input type="checkbox"/>
--	--	--

Total Number of Seats (all indoor + all outdoor):

The applicant understands that if permitted to provide outdoor dining in space outside their permitted premises, including public sidewalks or otherwise within the public right-of-way, such space shall be deemed to be part of the permitted premises for the duration of this order and the liquor licensee shall be responsible for any liquor violations in that area. **Acknowledgment**

Insurance & Indemnification (Must be submitted annually):

If outdoor dining or retail sales take place within the public right-of-way or on Town owned property, the Applicant must maintain commercial general liability insurance with minimum limits of \$1,000,000 each occurrence/ \$2,000,000 aggregate continuously for the duration of the time the Applicant’s permit for outdoor activities is valid. All policies of insurance shall be endorsed to include the Town as an Additional Insured. If Applicant is authorized to serve alcohol, then Applicant shall obtain Liquor Liability insurance with minimum coverage limits of \$1,000,000. Applicant shall provide certificates of insurance evidencing the required insurance coverages with this application. Applicant and Applicant’s insurers agree to waive their rights of recovery or subrogation against the Town, and all insurance policies shall contain a waiver of subrogation endorsement. All insurance obtained by the Applicant shall be endorsed as primary and noncontributory as compared to any insurance or self-insurance of the Town.

Applicant agrees to defend, indemnify and hold harmless the Town from any and all liabilities resulting from suits, claims, losses, damages, costs (including reasonable attorney’s fees), liabilities or judgments of any nature, including, but not limited to, injuries or alleged injuries to person(s), or to property, real or personal, sustained by any person while in the area where Applicant holds a permit for outdoor activities, or in connection with any outdoor activities authorized by this permit. This duty to defend, indemnify and hold harmless shall not be affected by the Applicant’s insurance coverage or limits, and shall survive the completion, expiration, suspension or termination of the Applicant’s permit.

Operational Guidelines

Your on-street outdoor dining area must comply with the following:

Amenities / Layout

- The outdoor dining area must be handicap accessible at all times.
- The relocation of kitchen equipment, changes to existing egress paths, use of tents, electrical fixtures and heaters shall be in accordance with applicable Connecticut Codes and Standards. Tents and electrical installations require a separate permit obtained through the Building Inspection Division.
- Tents or canopies will not be permitted in any area of the public right of way
- Umbrellas may be used to shade tables, provided that they are sufficiently weighted to avoid displacement by wind, the drip edge thereof is located at least seven feet above the ground and further provided that they shall not be used to advertise the restaurant, products or service.
- If a generator will be used, provide the manufacturer and model of the unit.
- Temporary wiring (including but not limited to extension cords) must be installed in accordance with the National Electrical Code (NEC). Per the NEC, temporary wiring (including but not limited to extension cords) used for the purpose of lighting or power must be plugged into a ground fault circuit interrupter (GFCI) protected circuit. Temporary wiring (including but not limited to extension cords) must not be run across the ground without additional protection, nor shall live trees or shrubbery be utilized for support. Overhead wiring must be at least seven (7) feet above public walking area. Temporary wiring (including but not limited to extension cords) shall be visually inspected by staff for damage before each use and replaced if damage is detected. Temporary wiring (including but not limited to extension cords) shall be properly stored when not in use.
- Power for outdoor dining areas shall not be drawn from public sources
- If temporary outdoor heating units will be used, provide the manufacturer and model of the unit, type of heat and fuel source.
- Furnishings must not obstruct or contradict the Town's traffic or other signs located within the right-of-way.
- No smoking or heating devices are allowed within a tent.

Maintenance/Operations

- At a minimum, the outdoor dining area shall be kept clear of litter, food scraps or soiled dishes and utensils at all times. The entire floor/sidewalk surface in and around the outdoor dining area shall be swept as necessary, but not less frequently than daily, and cleaned to remove greases, oils and stains by steam cleaning or a similar process on a weekly basis. Spilled materials shall be cleaned promptly. Sweeping debris or spilled materials into the gutters of public streets shall be prohibited. This requirement shall also apply to any areas beyond the outdoor dining area which are traversed by restaurant staff and/or patrons. If your business is one that tends to generate a lot of waste, trash containers must be placed in the outdoor seating area and emptied as needed.
- Outdoor food preparation and bar service are strictly prohibited.
- If bus stations are set up in the outdoor dining area, a temporary hand wash sink is required.
- All tables and chairs must be stacked and secured within the dining area outside of the approved hours of operation.
- In addition to inspection and maintenance responsibility, the Applicant shall have sole responsibility for issuing a warning of any hazard an employee or patron of employee, or a member of the public, may encounter in the area where applicant has outdoor activities.

The Applicant, and any business entity associated with the outdoor activities under the authority of this permit, hereby agree that they will have and maintain exclusive control over the inspection and maintenance of the entirety of the area where outdoor activity is authorized by the permit, including all areas where an employee or patron of Applicant, or a member of the public, can access, during all times the Applicant holds the permit.

Acknowledgment

The undersigned warrants the truth of all statements contained herein and in all supporting documents to the best of his/her knowledge and belief. Furthermore, the Applicant agrees that submission of this document constitutes permission and consent to Staff inspections of the site.

Applicant Signature: _____

Date: _____

NOTE: Subsequent to application approval, but prior to opening your outdoor dining area to customers, you must call the Planning and Zoning office at (860) 561-7553 to schedule an inspection.

If on-street outdoor dining areas are not used by the permittee on a regular basis, the Town reserves the right to remove the enclosure and return the street to normal use.