

## 2016 Application & Regulations for Outdoor Dining

Outdoor dining shall be permitted between April 1<sup>st</sup> and October 1<sup>st</sup> based on a permit issued by the Town/Village of East Rochester and subject to the regulations in Chapter 80 of the Code of The Town/Village of East Rochester.

1. All outdoor dining must be accessory to sit-down restaurants and all service must be at tables with meals served.
2. Tables may be placed on sidewalks and must be removed daily by 11:00 pm.
3. At least five (5) feet of unobstructed sidewalk access shall be maintained at all times.
4. The outdoor dining area shall be neatly maintained and kept free of litter. The area shall be swept and hosed daily.
5. Noise levels shall be controlled so that annoyance is not caused.
6. The operator of an outdoor dining area shall be responsible for providing ashtrays, if smoking is allowed. If ashtrays are not provided operators must actively enforce "No-Smoking."
7. Alcoholic beverages may be served only in connection with the service of meals as long as the operator has obtained the necessary permits issued by the New York State Liquor Authority's Division of Alcoholic Beverage Control and, as it relates to food service, the Monroe County Board of Health. No beer, wine or liquor bottles shall be permitted. All service of beverages must be in plastic containers.
8. Commercial General Liability insurance effective as of the date of the permit through October 1, naming the Town/Village of East Rochester as an additional insured shall be filed with the Town/Village of East Rochester in the amount equal to or greater than \$1,000,000.00.
9. The Town/Village Building Inspector and the East Rochester Police Department shall enforce these regulations. Violations may result in the revocation of permits.
10. The Applicant agrees to indemnify and save harmless the Town/Village of East Rochester, its Officers, Agents, Attorneys and Employees, for and against any claim of loss or damage by any person arising as a result of the establishment of outdoor dining.
11. All provisions of the attached Local Law apply to the operation of outdoor dining within the Town/Village of East Rochester.
12. Applicants for outdoor dining permits shall provide a sketch of the outdoor dining area.

I have read and agree to abide by the above regulations in regard to outdoor dining in the Town/Village of East Rochester.

Business Name \_\_\_\_\_ Phone \_\_\_\_\_

Business Address \_\_\_\_\_

Operator's Name \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**To be submitted with this application:**

- Liability Insurance Certificate
- Site Plan/Floor Plan for location and seating
- Health Department Certificate
- Copy of Liquor License